Trumbull County General Health District (TCGHD)

Semi- Public Sewage Treatment System (SPSTS)

Regulations Sections 200-01 to 200-18

Adopted 8-18-04 & Effective 8-29-04

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200-01 Definitions

For the purpose of interpretation and enforcement as used in Rules 200-01 to 200-18 of the Trumbull County General Health District (TCGHD), the following definitions shall apply.

(A) **"Accessible"** As it relates to sanitary sewer connections, means properties that which a sanitary sewerage piping crosses any part of the frontage of the property. Also, the nearest foundation of any structure from which wastewater is conveyed on the property is located 200 ft. from the right-of-way of the sewer.

(B) **"Aerobic Type Treatment System"** means any system, which utilizes the principle of oxidation in the decomposition of sewage by the introduction of air into the sewage or by surface absorption of air for a sufficient period of time to effect adequate treatment.

(C) **"Agent"** means any person who accepts rent, has charge, care, or control of a structure, building, premises, vacant lot as the operator for the owner, or as the agent, executor, administrator, trustee, or guardian of the estate of the owner.

(D) **"Alter"** means to change by making substantive additions or deletions in location, design on materials of existing HSTS.

(E) **"Approved"** As applied to a material, devise or method of construction shall mean approved by the Board of Heath or their agent under the provisions of these regulations, or by the approval by another authority designated by law to give approval.

(F) **"Board of Health"** means the board of health of a general health district, or the appointed authority having the duties of a board of health as authorized by Section 3709.05 of the Ohio Administrative Code.

(G) **"Building sewer"** means that part of the horizontal piping of a drainage system, which receives and conveys the discharge from the building drain to the public sanitary sewer, private sanitary sewer, HSTS, or other points of treatment and disposal.

(H) **"By-Pass"** means the intentional or unintentional diversion of the sewage around any or all components of the treatment facility as designed by the OEPA.

(I) **"Development"** means any artificial change to improved or unimproved real estate, including, without limitation, the construction of building and other structures, and mining, dredging, filling, grading, paving, excavation, and drilling operations, and the movement of a manufactured home onto the real estate.

(J) **"Disposal Systems"** means a system for disposing of sewage, industrial waste, or other wastes, and includes sewerage systems and treatment works.

(K) **"Disturbed soils"** means the altering or disturbance of the natural soil conditions or topography due to excavation, cutting, compaction, filling, or re-grading.

(L) **"Easily accessible"** means of such location and design as to permit exposure with the use of only simple tools, such as a screwdriver, pliers, open-end wrench, or other simple tools supplied by the manufacturer.

(M) **"Health Commissioner"** means the health commissioner of a general health district as defined by 3709.11 of the O.A.C. or his authorized representative.

(N) **"Holding tank"** means a watertight sealed tank, that will collect and accumulate sewage from a building sewer (that does not have a discharge line) and must be pumped on a regular basis to remove the sewage.

(O) **"Industrial waste"** means any liquid, gaseous, or solid waste substance resulting from any process of industry, manufacture, trade, or business, or from the development, processing, or recovery of any natural resource, together with such sewage as is present.

(P) **"Installation Inspection Certificate"** means the certificate mandated by the Trumbull County Board of Heath for the primary purpose of installing a new sewage system or components to alter a system so that all necessary inspections can take place.

(Q) **"Installer"** means any person or agent who installs and/or alters is in the business of installing and/or altering a SPSTS or portion of a SPSTS.

(R) **"Leaching system"** means that part of a HSTS used to dissipate the effluent from a sewage tank by means of evaporation, transpiration, soil absorption, soil percolation or any combination thereof.

(S) **"Nuisance"** means any condition of sewage that is potentially injurious to the health, safety, comfort, or property of a person, or pollutes water of the state.

(T) **"Operation inspection certificate"** means the certificate mandated by the Trumbull County Board of Health for the primary purpose of conducting annual inspections to insure sewage systems are operated in compliance with all applicable rules and regulations.

(U) **"Person"** means the state, any political subdivision, public or private corporation, partnership firm, association, individual, or other entity.

(V) **"Point Source Discharge"** means the location at which treated or partially treated sewage is introduced into a county-maintained ditch, stream or other receiving site.

(W) **"Pollution"** means the placing of any noxious or deleterious substances in any waters of the state or affecting the properties of any waters of the state in a manner which renders such waters harmful or inimical to the public health, or animal or aquatic like, or to the use of such waters for domestic water supply or industrial or agricultural purposes, or for recreation.

(X) **"Premises"** means any structure, building, fencing, grates, grounds, or any other fixture surrounding the facility which is located on the same grounds, parcel, or lot.

(Y) **"Privy"** means any sanitary, waterless device for the collection and storage of human excrement but does not include chemical commodes or other portable receptacles.

(Z) **"Repair"** means to restore to a safe and acceptable condition of operation, maintenance, and appearance.

(AA) **"Sanitary sewage system"** means pipe lines or conduits, pumping stations, and force mains, and all other constructions, devices, appurtenances, and facilities used for collecting or conducting water-borne sewage, industrial waste, or other wastes to a point of disposal or treatment.

(BB) **"Schedule of compliance"** means a schedule of remedial measures including an enforceable sequence of actions or operations leading to compliance with standards and regulations adopted under sections 6111.041 and 6111.042 of the Revised Code or compliance with terms and conditions of permits set under division (J) of section 6111.03 of the Revised Code.

(CC) **"Semi-Public sewage treatment system (SPSTS)"** means a system which treats all sewage discharged from a structure other than a one, two, or three family dwelling, and does not include structures which generate wastewater in the amounts of more than 25 thousand gallons per day.

(DD) **"Septage"** means the mixed liquid-scum and solid contents of septic tanks, cesspools, seepage pits, permanent privies, portable privies, or other type of on-site treatment or holding system for domestic waste.

(EE) **"Septic tank"** means any watertight, covered receptacle designed and constructed to receive the discharge of sewage from a building sewer, to provide primary treatment, and to discharge the effluent from settled sewage.

(FF) **"Sewage"** means any liquid waste containing animal or vegetable matter in suspension or solution from water closets, urinals, lavatories, kitchen sinks, bathtubs, laundry tubs or devices, floor drains within the interior structure, drinking fountains, or other sanitary fixtures, and may include liquids containing chemicals in solution.

(GG) **"Sewage tank"** means any watertight tank designed to retain sewage and included, but is not limited to, septic tanks and aerobic type treatment tanks.

(HH) **"Septage hauler"** means any person who engages in the collection, transportation, and disposal of the contents of sewage tanks, or privies.

(II) **"Treatment works"** means any plant, disposal field, lagoon, dam, pumping station, incinerator, or other works used for the purpose of treating, stabilizing, or holding sewage, industrial wastes, or other wastes, except as otherwise defined.

(JJ) **"Waters of the State"** means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface, and underground, natural or artificial, regardless of the depth of the strata in which underground water is located, which are situated wholly or partly within, or border upon, this state, or are within its jurisdiction, except those private waters which do not combine or effect a junction with natural surface or underground waters.

200-02 Fees

For the purposes of administering and enforcing the provisions of Chapter 200-01 through 200-18 of TCGHD, the following fees have been established.

(A) Installation inspection certificate
- (1) New installation $725.00
- (2) Alteration 250.00

(B) Operation inspection certificate
- (1) Non-mechanical $125.00
- (2) Mechanical on-lot 125.00
- (3) Mechanical off-lot 0 to 4,999 gpd. 225.00
- (4) Mechanical off-lot 5,000 to 25,000 gpd. 400.00

(C) Registration of Installers $125.00

(D) Registration of Plant Operators or Service Providers $125.00

(E) Re-inspection fees for any of the above $50.00

(F) Effluent sampling for the determination of compliance $125.00

(G) Variance Application (per site) $164.00
Recorder's fee (separate check made out to Trumbull County Recorder) 32.00

(H) 100% Penalty if any work is started before certificate is issued or late fee.

200-03 General Requirements

(A) The design, construction, installation, location, maintenance, and operation of SPSTS including, but not limited to, septic tanks, aerobic type treatment systems, filters, leaching tile fields, building sewers, and privies or part thereof shall comply with these rules and engineering practices acceptable to the Ohio Environmental Protection Agency.

(1) The treatment systems shall be installed by a registered installer according to OEPA's Permit to Install, approved plans, accepted engineering practice, and manufacturer's specifications, and be set level and at the correct elevations.

(2) All joints, connections risers, etc., shall be sealed with appropriate waterproof material to prevent the infiltration of surface water or leakage.

(3) Sewage tanks shall be durable and of watertight construction; which are resistant to corrosion, decay and degradation; as well as, capable of loads to which they are subjected within manufacturer's specified limits.

(4) The registered installer shall be responsible to insure that all electrical work and equipment is installed properly and in compliance with the current standards of the national electric code of the National Fire Protection Association.

(B) Any structure that is not connected to a sanitary sewerage system shall be provided with an approved SPSTS prior to its being occupied.

(C) There shall be one SPSTS, which serves one structure on an individual lot. The system shall be properly maintained and operated by the owner. All the sewage from the structure shall discharge into the system.

(D) No SPSTS or part thereof shall create a nuisance. A nuisance shall be deemed by the Board of Health when the conditions outlined in O.A.C. section 3745-1-04(F) exist.

(1) An inspection conducted by ...a sanitarian registered under Chapter 4736.of the Revised Code documents odor, color and/or other visual manifestations of raw or poorly treated sewage; and

(2) Water samples exceed five thousand fecal coliform counts per one hundred milliliters (either MPN or MF) in two or more samples when five or fewer samples are collected...

(E) No person shall discharge, or permit to be discharged, treated or untreated sewage, the overflow drainage or contents of a sewage tank, or other putrescible, impure, or offensive wastes into an abandoned water supply, well, spring, or cistern or into a natural or artificial well, sink hole, crevice, or other opening extending into limestone, sandstone, shale, or other rock formation, or normal ground water table.

(F) No person shall discharge, or permit or cause to be discharged, treated or untreated sewage, the drainage or contents of a sewage tank, or other putrescible or offensive wastes onto the surface of the ground, into any street, road, alley, open excavation, or underground drain.

(G) Off-lot disposal of sewage effluent shall not be permitted for any SPSTS, regardless of age or operation, unless the person holds a valid NPDES Permit from the OEPA, and maintains the system in strict compliance with all terms and conditions.

(H) When off-lot disposal of sewage effluent requires the crossing of adjacent properties to reach the point of discharge a recorded easement or the use of a legally established, publicly-maintained drainage improvement from the dwelling lot line to the point shall be required.

(I) Sewage effluent quality as measured at the point of discharge in the system shall comply with all current effluent standards established by the Director of the Ohio Environmental Protection Agency. As documented in O.A.C. section 3745-1-05, the best available control technology shall apply. Refer to the below table.

Table 1. Best available demonstrated control technology for new sources discharging sanitary wastewater.

Parameter	Thirty-day Limit	Seven-Day Limit	Maximum/Minimum Limit
$CBOD_5$	10 mg/l	15mg/l	n/a
Total suspended solids	12 mg/l	18 mg/l	n/a
Ammonia (summer) (winter)	1.0 mg/l 3.0 mg/l	1.5 mg/l 4.5 mg/l	n/a
Dissolved oxygen	n/a	n/a	6.0 mg/l (minimum)
Total residual chlorine	n/a	n/a	0.038 mg/l (maximum)

(J) When test results indicate that the standards set forth in Rule 3701-29-02 (G)(3) are not being met or nuisances are being created, additional treatment devices shall be required.

(K) Lots on which SPSTS for dwellings are to be installed shall be of suitable soils, topography and area to permit compliance with the rules set forth in this chapter.

(1) Installation of primary or secondary components of the SPSTS or parts thereof shall not be permitted in any area having a 1% chance of flooding any given year; i.e., there shall be no new installation within the 100-year flood plain.

(L) A suitable area shall be available to provide for the complete relocation and replacement of the SPSTS.

(M) Lots on which private water supplies are to be installed shall be sufficient area to provide isolation of the water supply system from both the original SPSTS and the area intended for any relocation and replacement on this and adjacent lots as required by the rules in this chapter. Lots on which public or municipal water supplies are to be installed shall be sufficient area to provide isolation of the water supply distribution system from both the original SPSTS and the area intended for any relocation and replacement on its adjacent lots as required by the rules in this chapter.

(N) A SPSTS shall be a minimum of 10 feet horizontally from any lot or right-of-way line, 10 feet horizontally from any building foundation, 10 feet horizontally from any water service line, and 50 feet from any water supply source on this or any adjacent lot.

(O) No SPSTS shall be installed, maintained, or operated on property accessible to a sanitary sewage system.

(P) Whenever a sanitary sewerage system becomes accessible to the property, a SPSTS, regardless of age or operation, shall be abandoned and the building sewer directly connected to the sewerage system within three (3) months of the sanitary sewer being declared available or accessible by the county sanitary engineer's office or other responsible entity for a sanitary sewage system.

(Q) Roof water, foundation drain(s), cistern overflow, surface drainage, subsurface drainage or the main drain of a swimming pool shall not be discharged into a SPSTS.

(R) No person shall alter or allow the unauthorized alteration or disturbance of the natural topography or soil conditions of the SPSTS leaching system area or the relocation and replacement area during the course of building site preparation, excavation, or the construction of the site through soil-cutting, compaction, filling, or re-grading. Such alteration shall be cause to invalidate the site approval and require a re-evaluation of the soil suitability by a soil professional approved by the Board. The soil professional's written opinion, which contains not only a statement of suitability, but also what corrective measures would be required before the site is determined suitable and shall be reviewed by this department.

(S) If, during the course of construction of each leach line trench, care was not taken to protect all natural infiltrative soil properties from damage due to compaction, smearing, or infiltration of silt, etc., a re-evaluation conducted by a soil professional shall be required.

(T) It shall be the responsibility of the installer, upon final approval of the SPSTS, to see to it that the area where the system is located is back filled and/or graded in appropriately.

(U) All components and equipment used for the installation of a SPSTS must acceptable to OEPA as applicable.

(V) The person holding an operation inspection certificate shall notify the TCGHD of any changes in use of commercial business as it relates to the hydraulic flow and /or organic loading on the system. The Health District shall notify the OEPA of such changes and abide by all OEPA recommendations that may be forthcoming.

200-04 Authority

(A) As stated in O.R.C. Section 3709.21, "The Board of Health of a general health district may make such orders and regulations as are necessary for its own government, for the public health, the prevention or restriction of disease, and the preventing, abatement, or suppression of nuisances."

(B) As stated in O.R.C. Section 3707.01, "The Board of Health of a city or general health district shall abate and remove all nuisances within its jurisdiction. It may, by order, compel the owners, agents, assignees, occupants, or tenants of any lot, property, building, or structure to abate and remove any nuisance therein, and prosecute such persons for neglect or refusal to obey such orders..."

(C) By entering an agreement under the provisions of the State of Ohio House Bill 110 program, the Trumbull county Board of Health has been granted authority by the OEPA to inspect and monitor all semi-public sewage systems within its jurisdiction to determine compliance with O.R.C. Section 6111.

200-05 Installation Inspection Certificate

(A) No person shall install or alter a SPSTS without an installation inspection certificate issued to them by the Board of Health. The owner or a designated agent shall obtain such installation inspection certificate from the Board of Health for the installation of a SPSTS prior to the start of the construction. This certificate is in addition to any permits issued by the OEPA and does not overrule any of the OEPA requirements.

(B) Application for an installation inspection certificate shall be in writing and contain pertinent information as required by the Board of Health. Any fee established by the Board of Health for application shall accompany the application. Fees shall be used for the purpose of administering and enforcing Trumbull County SPSTS Regulations.

(C) The application for an installation inspection certificate is to be accompanied by the following:
- (1) an engineered set of plans approved by the OEPA.
- (2) a copy of the OEPA permit to install (PTI), and
- (3) a copy of the registered installers contract.

(D) The Board of Health shall issue an installation inspection certificate only to a registered installer when the pertinent information indicates that the provisions of Rules 200-01 to 200-18 of the TCGHD Regulations can be met, and all applicable fees have been paid.

(E) The Board of Health shall deny a certificate if the information on the application is incomplete, inaccurate, or indicates that the provisions of Rules 200-01 to 200-18 of the TCGHD Regulation cannot be met.

(F) An installation inspection certificate shall remain in force with the time limits prescribed on the OEPA permit to install. The certificate may be revoked or suspended by the Board of Health.

(G) The installation of the SPSTS or any part thereof shall conform with the requirements of the OEPA permit to install and Rules 200-01 to 200-18 of the TCGHD Regulation. Such site plans shall not be altered, rearranged, deleted from, or added to, without the written consent of the Director of the OEPA. Any such changes in the plans, or any failure to comply with the requirements of the approved site plans, or any failure to comply with the OEPA approved plans, may cause any installation of a SPSTS to be disapproved and corrective action to be taken.

(H) The registered installer shall notify the TCGHD at the start of construction so that all necessary inspections can occur. Holding tanks can be installed only after obtaining a variance by the Board of Health and must be approved by the OEPA.

200-06 Operation Inspection Certificate

(A) No person shall be permitted to operate a SPSTS without a renewable operation inspection certificate issued to them by the Board of Health. The owner or their designated agent shall obtain such a certificate from the Board of Health for the operation of the said SPSTS prior to the use of the system.

(B) An application for an operation inspection certificate shall be in writing on a form provided by the department and contain pertinent information as required by the Board of Health. Any fee established by the Board of Health for application shall accompany the application. All fees shall be used for the purpose of conducting annual inspections and enforcing TCGHD SPSTS Regulations, including effluent sampling.

(C) The Board of Health shall issue an operation inspection certificate when the pertinent information indicates that the provisions of Rules 200-01 to 200-18 of the TCGHD can be met and all applicable fees have been paid.

(D) The Board of Health shall deny an operation inspection certificate if the information on the application is incomplete, inaccurate or indicates that the provisions of the Rules 200-01 to 200-18 of the TCGHD cannot be met.

(E) An operation inspection certificate shall remain in force for a period up to one year and shall expire on September 31 annually. A 100% late fee will be assessed on all certificates that are allowed to elapse.

(F) All newly approved installations which are put into operation between July 1, through September 31, of a given year shall be granted a fifteen month permit set to expire the following calendar year at the date stated in section 200-06(E).

(G) Renewable operation inspection certificates will be issued on the basis of the type of system and daily design flow as follows:
   (1) Non-mechanical on-lot systems.
   (2) Mechanical on-lot systems.
   (3) Mechanical off-lot systems o to 4,999 gallons per day.
   (4) Mechanical off-lot systems 5,000 to 25,000 gallons per day.

(H) As applicable by OEPA, and in order to insure compliance with the requirements stated in Rules 200-01 to 200-18 of TCGHD SPSTS Regulations, the holder of an operation inspection certificate shall contract with a registered plant operator or service provider for perpetuity.

200-07 Registration of Installers of SPSTS or Parts Thereof

(A) No person shall perform the services of an installer of a SPSTS unless he or she holds a valid registration issued to them by the Board of Health.

(B) Application for registration shall be in writing and contain pertinent information as required by the Board of Health. Any fee established for a registration by law or authority of law shall accompany the application. Fee shall be used for the purpose of administrating and enforcing these rules.

(C) Each registration issued hereunder shall expire annually on December 31. Registrations not renewed by this date shall be subjected to a 100% late fee.

(D) A renewal application for registration shall be submitted to the Board of Health at least thirty days prior to the expiration date.

(E) Every registrant who is contracted to install a SPSTS and holds a valid installation inspection certificate shall maintain and submit to the Board of Health, such data and records as may be required for determining compliance with the terms of the OEPA PTI, and Rules 200-01 to 200-18 of the SPSTS Regulations of the TCGHD.

(F) Any individual or firm applying to become a registered SPSTS installer must also provide the following to the health district:
   (1) Proof of being a general contractor in good standing with the OEPA.
   (2) Proof of 500,000 general liability insurance.
   (3) Proof of Workers Compensation insurance.
   (4) Signed acknowledgement agreeing to abide by these rules.

(G) Each registrant shall attend continuing education courses as applicable to OEPA.

(H) Whenever the Health Commissioner finds that an installer is or has engaged in practices, which are in violation of any provision of Rules 200-01 to 200-18 of the SPSTS Regulations of the TCGHD or the terms of any permit as required by the OEPA under which installation is performed, the Board of Health shall give notice in writing to the registrant describing the alleged violation and state that an opportunity for a hearing will be provided by the Board of Health to show cause why his registration should not be suspended or revoked.

200-08 Registration of Plant Operators and Service Providers

(A) No person or firm shall operate, perform service work, or repair any SPSTS unless he or she holds a valid registration issued to them by the Board of Health.

(B) Application for registration shall be in writing and contain pertinent information as required by the Board of Health. Any fee established for a registration by law or authority of law shall accompany the application. Fee shall be used for the purpose of administering and enforcing these rules.

(C) Each registration issued hereunder shall expire December 31 annually.

(D) Renewal application for registration shall be submitted to the Board of Health at least 30 days prior to the expiration date.

(E) Every registrant shall maintain and submit, upon request, to the Board of Health, a copy of operation records, laboratory test results, pumping records, or any other information deemed necessary for determining compliance with these rules.

(F) In addition, every individual or firm must provide a written copy of verification of his or her current OEPA state wastewater distribution license as a class 1, 2, 3, or 4 operator.

(G) Whenever the health commissioner finds that a service provider is or has engaged in practices, which are in violation of any applicable provisions, the Board of Health shall give notice in writing to the registrant describing the alleged violation and state that an opportunity for a hearing will be provided by the Board of Health to show cause why his or her registration should not be suspended or revoked.

200-09 Operation and Maintenance of SPSTS

(A) Any person or firm who is the holder of an operation inspection certificate shall operate a SPSTS in accordance with Chapter 6111 of the O.R.C. so as to maintain effluent standards and to prevent nuisances from being created.

(B) All SPSTS shall be properly maintained and operated by a registered plant operator as stated in the guidelines set forth by the Operation and Maintenance Manual For Owners and Operators of Package Extended Aeration Sewage Treatment Plants; Ohio Department of Health Publication, manuals of operation supplied by the manufacturer of the aeration treatment plant, or standards established by the OEPA.

(C) The Health District may at any reasonable time conduct sewage effluent sampling in accordance with O.A.C. section 3745-1-04(G)(1)(2)(3) to insure systems are being operated so as not create a nuisance condition.

(D) All equipment shall be operated and maintained as designed by the manufacturer in order to prevent illicit discharges or nuisance conditions. Routine maintenance includes but not limited to the following:

(1) Septic tanks:

(a) Must remain accessible to the surface of the ground to provide for inspection and cleaning.

(b) Pumped as prescribed by OEPA or when the sludge and scum level exceed one third the capacity of the tank.

(2) Holding tanks:

(a) Shall be pumped according to the capacity and operational flow of the facility, or as prescribed be the OEPA.

(b) Shall be under contract with a Trumbull County registered pumper that is available for cleaning the tank on a 24 hr. basis.

(c) If part of PTI or Board of Health requirements, any audio or visual alarms must remain operational at all times.

(d) Shall be equipped with a secured cover and never be by-passed to create an illicit discharge.

(3) Dosing chambers:

(a) All pumps shall remain functional on a continuous basis, weather alternating or single pumps and must be accessible for servicing.

(b) All high level alarms must remain operational at all times.

(4) Sand filters:

(a) Shall be maintained to prevent sewage from leaking over the top, or through the side walls.

(b) When applicable, shall be alternated to divert sewage flow, raked and maintained to prevent overgrowth of vegetation and to allow for even distribution of wastewater.

(5) Leaching tile fields:

(a) Shall only be subjected to the hydraulic loading rates in which they were designed.

(b) When applicable, tile fields shall be alternated on a routine basis.

200-10 Inspections

(A) As authorized under the agreement with the OEPA, the Health Commissioner may at any reasonable time during the course of construction or any time thereafter, inspect any SPSTS or part thereof, sample the effluent, or take any other steps, which he deems necessary to insure proper compliance with Chapter 6111 of the O.R.C., all terms and conditions with the OEPA PTI, and Rules 200-01 to 200-18 of the TCGHD SPSTS Regulations. The Health Commissioner may utilize inspection reports or other data submitted or obtained from reliable sources to determine compliance.

(B) No SPSTS or part thereof shall be covered or put into operation until the system has been inspected and approved by the Health Commissioner, and the Health District has received a certification report from the engineering firm which designed the system.

(C) If upon inspection, the work is determined not to conform to the condition of the OEPA PTI or these regulations, a second inspection will be required. The installer shall notify the department when he or she is ready for re-inspection.

(D) A fee of fifty dollars ($50.00) shall be assessed to and collected from the installer for the second and subsequent inspections.

(E) The following type of inspections shall be required:
   (1) Installation inspections to insure compliance with OEPA PTI conditions and approved plans.
   (2) Operation inspections to insure compliance with O.R.C. Chapter 6111 and that no nuisances are being created.

(F) The Health Commissioner may at any reasonable time be allowed entry at the site of a facility containing a SPSTS for the purpose inspection or investigation of the conditions relating to the operation and maintenance of the facility. Included are the conditions as they relate to the pollution of the waters of the state, conditions as they related to safety and public health, or to inspect any equipment, sample any discharge, or examine any records in order to determine compliance with the rules of Chapter 6111 of O.R.C.

(G) The Health Commissioner may conduct any complaint investigation to determine the validity of any claims of violations of Chapter 6111 of O.R.C, or any other acts of pollution of the water of the state from the semi-public facility as stated in a complaint of any individual, complaints stated as in section 3745.08 of the O.R.C, or any agent of the OEPA or TCGHD.

(H) The following items must be readily available and accessible to the sanitarian at the time of inspection. Included, but not limited to the following items: the building sewer, sewage tank, tank openings, inlet(s), outlet(s), all connecting pipes and tiles, diversion devices, trenches, and curtain drains. The leach bed and sand filter beds must remain open for inspection. Failure to comply with these requirements may result in the uncovering of all or a portion of the field or filter bed.

(I) All facilities holding a certificate for a SPSTS by the Board of Health shall be inspected at least once per year.

(J) The results of an installation, or operation inspection will be recorded on a form provided by the Health District. The results of an inspection will be made available to the owner of the facility; as well as be forwarded to the Ohio EPA. A copy will remain within the Health District records.

200-11 Abandoned Semi-Public Sewage Treatment System

(A) When a SPSTS is taken out of service as a result of a sanitary sewer connection or upgrade to an existing system, the old system shall be abandoned in such a manner as approved by the OEPA.

(B) All abandoned sewage tanks shall be pumped out by a sewage tank cleaner registered with the Trumbull County Board of Health prior to it being removed or crushed and filled.

(C) A tank abandonment form must be filled out by the individual performing the work on a form provided by the department, and submitted to the Trumbull County Health Department, along with the pump receipt, within thirty (30) days of the tank being abandoned.

200-12 Safety

(A) All SPSTS which have open aeration tanks, sludge holding tanks, or any other type of open chamber must be covered with proper secure grating. All broken or rusted grating must be replaced in a time frame prescribed by the inspecting sanitarian.

(B) The Health Commissioner may require fencing to be installed around a treatment facility to prohibit unauthorized access to the components.

(C) All electrical equipment, wires motors, switches, and alarms, must be kept in proper working order as required by the 1993 National Electrical Code.

(D) All chemicals used in the treatment process must be stored in an appropriate secured location. Chemicals should be stored in their original container with adequate labeling.

200-13 Inclement Weather Installation

(A) The Health Commissioner, due to excessively wet weather or other inclement weather periods may impose a restriction on an installation inspection certificate.

(B) The prohibition will prevent the installation of a leach field or other type of on-lot distribution network system to avoid compaction and sidewall smearing under the following conditions:
   (1) Soils with a rating of moderately severe, severe, or very severe.
   (2) Installations between November, 1 to April, 30.
   (3) Excessive wet weather periods.

(C) Any such restrictions shall be denoted on the installation inspection certificate and shall be honored by the installer. Should an installer ignore a restriction as stated in 200-15(B), the Board of Health shall give notice in writing to the registrant describing the alleged violation and state that an opportunity for a hearing will be provided by the Board of Health to show cause why his or her registration should not be suspended or revoked.

(D) A restriction to a permit may be lifted at the time of installation, as described in 200-15(B) when tests indicate that compaction and smearing will not occur, as follows:
(1) The registered installer must make the request in writing to the department.
(2) Arrangements are made to have a sanitarian present at the site.
(3) A backhoe is present to excavate a test pit.

200-14 Hearing

The Board of Health shall grant a hearing to any person affected or aggrieved by Rules 200-01 to 200-18 of the TCGHD SPSTS Regulations.

200-15 Variance

The Board of Health may grant a variance from the requirements of Rules 200-01 to 200-18 of the TCGHD SPSTS Regulations, as will not be contrary to Chapter 6111 of O.R.C. or to any terms and condition of a PTI, where a person shows that because of practical difficulties or other special conditions, their strict application will cause unusual and unnecessary hardship. However, no variance shall be granted that will defeat the spirit and general intent of said rules, or be otherwise contrary to the public interest. Such variance shall not be detrimental to public health or safety.

200-16 Penalties

These regulations are adopted pursuant to O.R.C. Section 3709-21. Any person who violates any provision of these regulations shall be subject to the penalties provided in Section 3709.99 of the Ohio Revised Code (O.R.C.). Each and every violation shall constitute a separate offense. A violation to any of the provisions of Chapter 6111 of the O.R.C. shall be subjected to the penalties in section 6111.99 of the O.R.C.

200-17 Effect of Partial Invalidity

Each regulation of sections 200-01 to 200-18 of the TCGHD SPSTS Regulations and every part of each regulation is an independent regulation; and thus, a part of a regulation and the holding of any regulation or part thereof to be unconstitutional, void, or not effective for any cause does not affect the validity or constitutionality of any other regulations or part thereof. These regulations are adopted with respect to state laws, which, if changed, provide for more stringent regulations, shall govern.

200-18 Effective Date

These regulations shall be in effect immediately upon their adoption, and their publication as stipulated by laws governing its adoption.