

HOW THE NEW SEWAGE OPERATION & MAINTENANCE PLAN WILL AFFECT YOU



Legislation passed in 2015 - Ohio Revised Code 3718.02 (A)(7) and Ohio Administrative Code 3701-29-19 (A) - **requires all boards of health to develop a program for the operation and maintenance** of sewage treatment systems and grey water recycling systems. In accordance with the new law, **every septic system must have an operational permit and be inspected on a regular basis.**

Despite the rumors and statements by some media outlets, the Knox County Health Department's new Operation & Maintenance (O&M) plan WILL NOT require everyone to automatically replace their system. However, you will have to replace your system WHEN it fails - but that's been the law in Ohio since 1977. **The new plan gives you more options to fix it before it fails** and more ways to prevent sewage from making you, your family, your neighbors and your community sick from the germs of septic waste.



All homeowners with a septic system **will have to pay for an operational permit** which lasts for 10 years, but not all homeowners will pay at the same time. However, they will pay the same amount. **And at some point all septic systems will be required to be evaluated**, but again, not every household will be evaluated at the same time. With more than 18,000 households in the county, it will take several years to get every system in line with the plan.

On the following pages, **we have provided the answers for several frequently asked questions** as well as how the plan will be phased into action. All new, alteration and replacement systems that occur in 2020 will be the first systems entered into the new database. The permit fees and inspection (evaluation) fees required for these operations will suffice for those required in the new O&M plan. There won't be additional fees. Likewise, if you have installed a new septic system in the last 10 years and have not had any issues, you won't be expected to pay for a new operational permit or an evaluation anytime soon.

The main purpose for the new legislation and subsequent O&M plan is to prevent pollution of our ground and surface water sources. The problems of a failing septic system do not stop at your property line. **Without proper maintenance and good system design**, your sewage could go into your neighbor's yard (and their sewage could come into your yard) contaminating the ground water with disease-causing germs like E.coli, Salmonella, Shigella, polio, hepatitis, Cryptosporidium. In addition to the diseases themselves, mosquitoes and flies that spread some illnesses can breed in areas where liquid waste reaches the surface.

In addition to creeping into the yard next door, contaminants such as E.coli can get into our beaches. The Ohio Department of Health has identified home sewage system discharge as a contributing factor to unhealthy bacteria levels at Ohio's beaches. When the levels reach a certain point, the beach must issue an advisory and the beach manager can even close it to the public.

Contrary to rumors, our goal is not to make money, increase the role of government or be a burden to homeowners, but to be compliant with the law, protect the environment and keep our county residents safe .

O&M Frequently Asked Questions

WHEN DOES THE NEW PLAN GO IN TO EFFECT? The new Operation and Maintenance Plan for Household Sewage Systems in Knox County goes into effect **Jan. 1, 2020**. Not everyone will be affected immediately. With more than 18,000 households on independent sewage systems it will take several years to get all systems online with the plan.

WHAT WILL THIS COST ME? At some point in time, every household on a septic system will receive a letter indicating the need to pay **\$66** for a permit to operate the system. Later during the 10 year operational permit period, your system will be required to be evaluated. Additional fees could be incurred at this time if you hire someone to perform the evaluation..

WILL EVERY HOUSEHOLD ON A SEPTIC SYSTEM BE REQUIRED TO PAY A PERMIT FEE IN 2020? No. There are more than 18,000 systems in Knox County. Implementation of the operation and maintenance program consists of several different phases which will take several years to complete. Therefore, not every household will receive a letter regarding the operation and maintenance plan in 2020.

IS THE \$66 OPERATIONAL PERMIT FEE AN ANNUAL FEE? No. **The operational permit is good for 10 years**, therefore, the fee is paid every 10 years.

WHY IS THE OPERATIONAL PERMIT PERIOD JUST 10 YEARS. The Ohio Administrative Code 3701-29-09 (I)(4) states "an operation permit shall expire at the frequency determined by the board of health, not to exceed 10 years." Several Ohio counties have adopted a shorter permit period, but Knox County has adopted the maximum amount of years allowed per OAC 3701-29-09 (I)(4) which is 10 years.

WHO CAN PERFORM AN EVALUATION ON MY SYSTEM? A homeowner has **three options** regarding who can evaluate their septic system: **1.)** A Registered Service Provider; **2.)** The homeowner themselves, providing they meet certain criteria; **3.)** A Registered Sanitarian with the Knox County Health Department. To perform their own evaluation the home owner must:

- 1.) **Pass a free test** offered online by the **Operator Training Committee of Ohio, Inc.**; submit proof of passing the test and verbally demonstrate an understanding of the system and the evaluation process;
- 2.) **Provide proof of compliance with any system specific training, qualification, or certification** required as a condition of a system's approval by the Environmental Health director; **or** Provide proof of status as an Ohio waste hauler association qualified service provider; **or** Provide proof of certification in the National Association of Wastewater Transporters O&M or inspector programs; **or** Hold a current Class A, I, II, III or IV treatment works operator certification from Ohio EPA as authorized under Chapter 3745-7 of the Administrative Code.

WHAT WILL AN EVALUATION COST? **Fees from Registered Service Providers will vary.** If a Registered Sanitarian from the Knox County Health Department evaluates your septic system, the current cost is \$225 which is paid prior to the evaluation. It is not the intent of the health department to be the main evaluator of local septic systems. The health department recommends using a Registered Service Provider so that if there is work to be done on the system, the service provider will be familiar with the system and the needed work.

I JUST BUILT A HOME AND A NEW SEPTIC SYSTEM WAS INSTALLED, WILL I BE REQUIRED TO PURCHASE AN ADDITIONAL PERMIT THIS YEAR? No, you will not need to purchase a new permit. The installation permit is valid for 10 years. Once the 10 years are up, then you will be required to purchase a new operational permit and have an evaluation on the system to ensure it is still functioning properly and not creating a public health nuisance.

IF SOMEONE HAD THEIR SYSTEM PUMPED AND INSPECTED IN 2019 CAN THEY PAY THE PERMIT FEE AND BE OKAY FOR THE NEXT 10 YEARS? If the system is working correctly (all systems are inspected one year after installation) chances are they will not need to pay a permit fee for another 10 years.

WILL A NEW INSTALL NOW INCLUDE THE ADDITIONAL PERMIT FEE ALONG WITH EVERYTHING ELSE?

No. The \$66 operational permit fee is the same for the installation of a new system or the renewal of a current system. **It is not an additional cost.**

WILL EVERYONE BE REQUIRED TO PUT IN A NEW SEPTIC SYSTEM?

If your system is functioning properly and not creating a public health nuisance, then you will not be required to repair, replace or update your system.

IF MY SEPTIC SYSTEM IS NOT WORKING PROPERLY, WILL I HAVE TO REPLACE MY ENTIRE SYSTEM?

Not necessarily. We want to work with you to salvage every system through incremental repairs. Expensive repairs and replacements are last resorts and will be avoided at all cost. However, we are looking to prevent and eliminate environmental pollution. Septic systems that are failing and pose immediate harm to human health and the environment, will need to be addressed quickly.

CAN MY SEPTIC SYSTEM BE "GRANDFATHERED IN" MAKING ME EXEMPT FROM THE O&M PROGRAM?

No. Every septic system in Knox County will be in the O&M program eventually. The 2015 state-wide sewage rules mandate all septic systems be in an O&M program, no system is exempt.

IF I BUY A NEW HOME WILL I HAVE TO PURCHASE A NEW O&M PERMIT OR WILL MY CURRENT PERMIT TRANSFER?

The operation permit is connected to your septic system and stays with the septic system if you choose to move. If you buy a home that has an operation permit, **you will not have to buy a new permit** but will need to renew it 10 years after the initial permit was issued.

WHY IS THE PLAN BEING IMPLEMENTED NOW?

When the legislation requiring the O&M plan was passed in 2015, there was no specified deadline to create the plan. Some health departments implemented plans immediately requiring permit fees and inspection fees. The Knox County Health Department chose to wait - first, to make sure the legislation stayed law because the last sewage legislation was rescinded after a year causing all kinds of issues; secondly, to learn from the mistakes of those who chose early implementation; thirdly, to spend more time with our stakeholders to decide what would be best for Knox County; and lastly, to comply with the Ohio Department of Health's (ODH) routine evaluation of environmental health enforcement programs. In regards to the last point, every couple of years, ODH visits health departments to evaluate their enforcement programs to make sure they are: following the law; following correct procedures and documenting their work. The Knox County Health Department's sewage program was evaluated in 2019, hence the plan needed to be in place.

HOW WILL THE PLAN BE IMPLEMENTED?

PHASE 1: All new, alteration, and replacement sewage treatment system permits, plus any National Pollutant Discharging Elimination Systems (NPDES) will be entered into the Operation & Maintenance (O&M) program database. We estimate that this will initially involve 100-130 systems per year, with the number increasing each year to accommodate all phases of the plan. A master list of known sewage treatment systems will be created and maintained by the Environmental Health staff. This list will be made available to any service provider upon request. The list will be continually updated as more systems come into operation.

PHASE 2: All known Small Flow Sewage Treatment Systems (STS) and Aeration Units will be entered into the O&M Program database.

PHASE 3: All verified sewage nuisance complaints will be entered into the O&M program database. And, all STS that currently provide O&M reports or other STS inspection reports. This will include any real estate transfer inspections of an STS that have been received.

PHASE 4: Inspect hamlets to identify public health nuisance areas related to household sewage treatment systems and collaborate with the Knox County Commissioners at pursuing municipal sanitary sewerage where necessary and feasible.

PHASE 5: Identify areas that may have an increased risk for public health hazards due to septic effluent runoff. This will include any residence that drains to a creek, stream, river, pond, or lake.

PHASE 6: Evaluate each township household system, in alphabetical order by township and then alphabetically by road name. We expect this phase to take longer than 1 year to complete. We anticipate a minimum of five inspections per week, beginning in 2020.

WHAT IS A PUBLIC HEALTH NUISANCE?

Per the ORC 3718.011 a public health nuisance is:

A sewage treatment system is causing a public health nuisance if any of the following situations occurs and, after notice by a board of health to the applicable property owner, timely repairs are not made to that system to eliminate the situation:

- (1) The sewage treatment system is not operating properly due to a missing component, incorrect settings, or a mechanical or electrical failure.
- (2) There is a blockage in a known sewage treatment system component or pipe that causes a backup of sewage or effluent affecting the treatment process or inhibiting proper plumbing drainage.
- (3) An inspection conducted by, or under the supervision of, the environmental protection agency or a sanitarian registered under Chapter 4736. of the Revised Code documents that there is ponding of liquid or bleeding of liquid onto the surface of the ground or into surface water and the liquid has a distinct sewage odor, a black or gray coloration, or the presence of organic matter and any of the following:
 - (a) The presence of sewage effluent identified through a dye test;
 - (b) The presence of fecal coliform at a level that is equal to or greater than five thousand colonies per one hundred milliliters of liquid as determined in two or more samples of the liquid when five or fewer samples are collected or in more than twenty per cent of the samples when more than five samples of the liquid are collected;
 - (c) Water samples that exceed one thousand thirty e. coli counts per one hundred milliliters in two or more samples when five or fewer samples are collected or in more than twenty per cent of the samples when more than five samples are collected.
- (4) With respect to a discharging system for which an NPDES permit has been issued under Chapter 6111. of the Revised Code and rules adopted under it, the system routinely exceeds the effluent discharge limitations specified in the permit.
- (5) With respect to divisions (A)(1) and (2) of this section, a property owner may request a test to be conducted by a board of health to verify that the sewage treatment system is causing a public health nuisance. The property owner is responsible for the costs of the test.

WHAT WILL THE \$66 PERMIT FEE BE USED FOR?

The \$66 permit fee will be used to cover administration costs to implement the program such as database software fees, reviewing and documenting current sewage system files, consulting with homeowners, reviewing specific system requirements, investigating nuisance complaints, postage and printing costs. At \$66 per household, it is true that permit fees will total over \$1 million, but collection is expected to be spread out well over 10 years.

PLEASE NOTE: There are no plans to use funding from the new fees to expand the Environmental Health staff, increase salaries or purchase vehicles for the staff.

Also, all Environmental Health program fees follow strict guidelines regarding cost methodology. By Ohio Law, Environmental Health programs can only charge for the costs incurred – the programs are not allowed to make a profit.

QUESTIONS? If you have additional questions, please email them to eh@knoxhealth.com