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## Operation and Maintenance (O&M) Program Overview

As of January 1, 2015, the Ohio Department of Health (ODH) adopted new rules that govern sewage treatment systems (STSs).

- These rules mandate that every STS have an operation and maintenance (O&M) permit in order to be monitored on a regular basis.
- Each county health department is responsible for implementing a local O&M program to comply with these rules.
- More information about the rules can be found in [Ohio Administrative Code Chapter 3701-29](#).

All Huron County residents with a sewage treatment system (STS) will be entered into the mandatory O&M Program by either property transfer, self/early entry, by risk priority, or confirmed nuisance condition.

- STSs will be evaluated to determine if they are causing a public health nuisance as defined in [Ohio Revised Code 3718.011](#). Sampling will be required for off-lot discharging systems within a 10 year period.
- STSs found to not be a nuisance will be issued a permit based on the STS type.
- STSs that are found to be a public health nuisance will work with HCPH to eliminate the nuisance by repairing or replacing their STS.

The goal of the O&M program is to protect the health of the community.

- Failing STSs in the county pose a risk to drinking water and the environment.
- An STS that is not properly functioning can release bacteria, viruses, and chemicals into the groundwater and local waterways.
- This poses the risk of spreading various infectious diseases in the community.

# Frequently Asked Questions

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## General:

### What is O&M?

In January of 2015, the Ohio Department of Health (ODH) adopted new private sewage rules (Ohio Administrative Code: 3701-29). These new rules mandate every private septic system, also known as a sewage treatment system (STS), have an operation and maintenance (O&M) permit in order to be monitored on a regular basis.

O&M is the program that will be implemented by Huron County Public Health (HCPH) to meet the requirements of the rules.

### What rules are related to the O& M program?

Rules related to the O&M program are:

- OAC 3701-29-19: Operation and Maintenance
- OAC 3718.02 (A)(1)
- ORC 3718.02 (A)(5): Operation Permits
- ORC 3718.02 (A)(3)
- ORC 3718.02 (A)(3)(c): Maintenance
- ORC 3718.02 (A)(7): Board of Health required to develop program
- ORC 3718.023

### Why do I need an O&M Permit?

O&M permits are required by the 2015 Ohio Administrative Code Chapter 3701-29. O&M permits will help ensure that proper maintenance is being performed, systems are safely treating effluent, and may increase the life of the sewage treatment system (STS). Also, the permits provide homeowners education regarding maintenance of their STS. Resources can be found on our website, [www.huroncohealth.com](http://www.huroncohealth.com).

### When does the program go into effect?

The effective date of the program is March 25<sup>th</sup>, 2019.

### How do I find out if I have an existing installation permit on file for my property?

A copy of your sewage treatment system (STS) records can be requested by calling 567-244-3239.

### What do I do if I do not have an existing installation permit on file?

If no permit is on file for the property, your sewage treatment system (STS)'s components must be verified. Homeowners can contact a [Huron County registered service provider](#) for this service. If no STS can be verified and/or the STS is found to be creating a public health nuisance, homeowners will be required to install a new system. Upon entering into the O&M Program, STSs that are verified, evaluated, and determined NOT to be a public health nuisance will be issued an O&M permit. Homeowners may elect to forego the STS component verification process and install a new system.

## If I have an existing installation permit why do I need an O&M Permit?

Installation permits ensure that your system was installed properly by the contractor but do not address the ongoing operation and maintenance that sewage treatment systems (STS) require. O&M permits will help ensure that proper maintenance is being performed, Ohio Water Quality Standards (Ohio Administrative Code 3745-1) are being met, and the STS does not meet the definition of a public health nuisance (Ohio Revised Code 3718).

## How will my sewage treatment system (STS) be entered into HCPH's O&M Program?

All Huron County properties with a STS will be entered into the program by one of the following ways:

- Property Transfer
- Early or Self-Entry
- Entry due to Public Health Nuisance
- Entry by Risk Priority

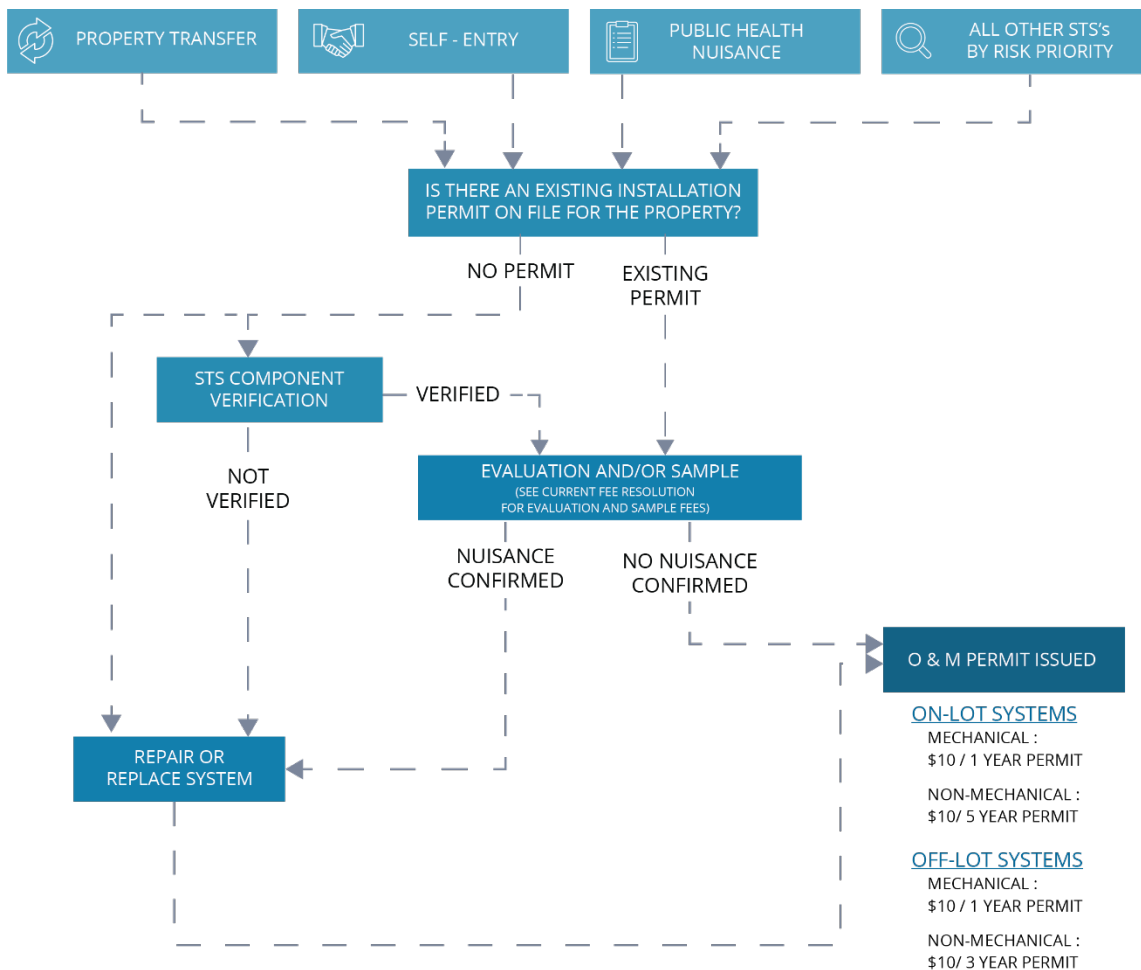


Image 1: Program Flowchart

### Is my system “grandfathered”, making me exempt from the O&M program?

No. Every homeowner in the state of Ohio is required by law to have an O&M Permit to operate their sewage treatment system (STS) (OAC 3701-29-09(I)).

### If I have an old sewage treatment system (STS) will I have to update my system?

Ohio law allows STSs in operation prior to the date of the new rules be deemed approved, as long as they are not causing a public health nuisance per Ohio Revised Code 3718. This determination shall be made by HCPH in the Program Flowchart shown above.

### Will I have to replace my sewage treatment systems (STS) if it’s found to be creating a public health nuisance?

The rules and the law, under certain circumstances, allow for an approved (must be approved by HCPH) temporary repair to be made to an STS. If a repair is not possible, a new STS will be required.

### I have questions about my sewage treatment system (STS). Who should I call?

You can call Huron County Public Health Environmental Division at 567-244-3239.

## Initial Evaluation:

### Who can conduct the initial evaluation for the O&M Program?

Huron County Public Health will conduct all initial evaluations.

### Why must HCPH conduct the initial evaluation?

So that the initial evaluations of all Huron County sewage treatment systems are fair and standardized.

### Will I be notified that HCPH will be conducting an initial evaluation?

Homeowners will be notified prior to HCPH conducting the initial evaluation.

### Do I have to be home for the initial evaluation?

Homeowners can choose to be home, but are not required to be present for the initial evaluation.

### How do I prepare for my initial evaluation?

Preparation should be done before hand to help determine your sewage treatment system (STS) type and ensure that the system is working correctly.

Homeowners should:

- Install risers and lids on your system to assist in verifying its components, location, and working condition.
- Verify all the plumbing that goes to your septic system. Washing machines, toilets, and sink drains are all examples of what should be draining to your septic system. Sump pumps and downspouts are things that should NOT drain to your septic tank.

## How to receive a copy of an initial evaluation report?

To request a copy of an evaluation report contact Huron County Public Health Environmental Division at 567-244-3239 or email [information@huroncohealth.com](mailto:information@huroncohealth.com) with the address of the property for which you are requesting the report.

## Fees/Permit:

### What fees will be assessed to me?

An initial evaluation fee will be assessed to the homeowner prior to the evaluation. Additional sampling fees (depending on system type) may be required. [See HCPH's website for current fees.](#)

O&M permit fees will be determined by the type of system that you have.

- A yearly \$10.00 fee and inspection for mechanical systems
- A \$10.00 fee and inspection every third year for an off lot, non-mechanical system
- A \$10.00 fee and inspection every fifth year for an on lot, non-mechanical system

### What is HCPH planning to do with the monies collected through O&M Permit fees?

The money generated from the O&M permit program will pay for the materials and labor required to run the program. This program is designed to break even, not make money.

### How can I pay for the O&M Permit?

HCPH accepts payments of cash, check, or debit cards/credit cards with an additional fee. The payment can be mailed with the invoice you will receive in the mail, or dropped off in person at our office.

### What happens if I do not pay the fee?

The O&M permit will not be issued until the fee is received. Failure to pay the fee and/or failure to maintain the system will lead to legal action.

## Entry by Risk:

### How will Huron County Public Health determine the risk priority by which Huron County sewage treatment systems (STS) will be entered into the O&M Program?

All Huron County STSs will be evaluated for potential risks to the environment and the public's health (e.g., age of the STS, no permit on file, i.e. STS type unknown, proximity to water shed, density of systems, etc.) to determine the risk priority by which they will be entered into the O&M Program.

### If my sewage treatment system (STS) is selected to be entered into the program due to potential risk, what is the process?

Huron County Public Health will contact homeowners to notify them of entrance into the O&M program. See Image 1: Program Flowchart for additional steps in the process.



## Entry by Property Transfer:

### I'm selling my home/buying a home in Huron County, what should I know about the program?

All sales, transfers, or conveyances of a parcel containing a sewage treatment system (STS) shall meet the following conditions:

1. The seller or buyer must file an [application](#) with Huron County Public Health (HCPH) for an initial evaluation of the STS and pay the required fee.
2. HCPH determines, based upon the initial evaluation, that the STS does or does not meet the Ohio Revised Code 3718 definition of a public health nuisance.
3. If the STS does not meet the definition of a public health nuisance, HCPH will issue a letter of compliance and an O&M permit for this property.
4. If it does meet the definition of a public health nuisance, necessary repairs must be made or a replacement installed prior to the issuance of an O&M permit.
5. When the O&M permit is issued, an administrative fee of \$10.00 has been established to track permitted systems.
6. Permitted systems shall be re-inspected according to the schedule established by the systems category by a [Huron County registered service provider](#), per the terms and conditions of the O&M permit.
7. The official inspection forms shall be submitted per OAC 3701-29-19 (C)(1) to HCPH for compliance and tracking purposes.
8. Re-inspection of permitted systems fall into the following categories:
  - a. A yearly \$10.00 fee and inspection for mechanical systems
  - b. A \$10.00 fee and inspection every third year for an off lot, non-mechanical system
  - c. A \$10.00 fee and inspection every fifth year for an on lot, non-mechanical system

### When transferring property, are there any exemptions from being entered into the O&M Program?

Yes, if you verify that one of the following conditions apply, you will be exempt from being entered into the program as part of the transfer. However, this will not exempt you from the program or another method of entry.

1. Transfer to evidence a gift, in any form, between spouses, domestic partners, or parent and child.
2. Transfer into a trust where the settlor or the settlor's spouse or domestic partner conveys property to the trust and is also the beneficiary of the trust.
3. Transfer on death to a relative, spouse, domestic partner or trust.
4. Transfer pursuant to R.C. 2106.16) a purchase of property by a surviving spouse or domestic partner if left by decedent not specifically devised or bequeathed.
5. Transfer between trusts without an exchange of funds.
6. Transfer to a trustee acting on behalf of minor children of the deceased.
7. Transfer to a trustee of a trust when the grantor of the trust has reserved an unlimited power to revoke the trust.
8. Transfer to the grantor of a trust by a trustee of the trust when the transfer is made to the grantor pursuant to the exercise of the grantor's power to revoke the trust or to withdraw trust assets.
9. Transfer between person's pursuant to Revised Code section 5302.18 (survivorship).
10. Transfer creating or ending joint ownership if at least one person is an original owner of the property or his or her spouse or domestic partner.
11. Change in ownership solely to exclude a spouse or domestic partner.
12. Pursuant to a court of competent jurisdiction an order to settle a divorce, dissolution or legal separation.
13. Transfer to confirm or correct a deed previously executed and recorded.
14. Transfer of an easement or right of way when the value of the interest conveyed does not exceed \$1,000.00.
15. Transferred to or from the United States, Ohio or any instrumentality, agency or political subdivision of the United States or Ohio.
16. Dwelling that is in possession of an active operation and maintenance permit obtained from HCPH prior to date of property transfer, i.e. 2015 or newer constructed home with system approved by HCPH
17. Premises or dwelling that has obtained an STS abandonment permit from HCPH to ensure proper demolition.
18. Municipal Sanitary Sewer will be available within three (3) months, and system is not failing. Affidavit and agreement will be required.
19. Transfer that has met all of the District's requirements and is delayed 45 days from the fully compliant and completed H.C.P.H. application date.
20. Transfer from a sale that is under contract before March 25, 2019.

### [If I buy a home, will I have to purchase a new O&M permit or will the current permit transfer?](#)

The O&M 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 O&M permit, you will not have to buy a new permit but will need to renew the permit once it has expired.

## Early-Entry/New STS:

### If I want to enter into the program early, who do I contact?

Huron County Public Health Environmental Division: 567-224-3239

### What is the process?

1. The homeowner must file an [application](#) with Huron County Public Health (HCPH) for an initial evaluation of the STS and pay the required fee.
2. HCPH determines, based upon the initial evaluation, that the STS does or does not meet the Ohio Revised Code 3718 definition of a public health nuisance.
3. If the STS does not meet the definition of a public health nuisance, HCPH will issue a letter of compliance and an O&M permit for this property.
4. If it does meet the definition of a public health nuisance, necessary repairs must be made or a replacement installed prior to the issuance of an O&M permit.
5. When the O&M permit is issued, an administrative fee of \$10.00 has been established to track permitted systems.
6. Permitted systems shall be re-inspected according to the schedule established by the systems category by a [Huron County registered service provider](#), per the terms and conditions of the O&M permit.
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  - c. A \$10.00 fee and inspection every fifth year for an on lot, non-mechanical system

### If I am building a new home, will my new sewage treatment system (STS) be entered into the program?

Any new STS installed after January 2015 is required to comply with Ohio Administrative Code 3701-29 and will be entered into the O&M Program.

## Repairing/Replacing:

### What is process for repairing or replacing my STS?

Contact Huron County Public Health Environmental Division at 567-244-3239 to discuss the specific plans and/or options for your sewage treatment system (STS) system.

## Maintenance:

### How often will my sewage treatment system (STS) be evaluated?

How often your STS must be inspected depends on the type of system you have and should be printed on your O&M permit.

### What are the maintenance requirements for my sewage treatment system (STS)?

The maintenance requirements for your STS should be printed on your O&M permit. If you have questions concerning the required maintenance of your STS call Huron County Public Health's Environmental Health Division at 567-244-3239.

### Who can perform the required maintenance?

Any Huron County registered service provider that services your type of septic system can perform the required maintenance. A list of registered service providers indicating systems types they service can be found on our website, <https://www.huroncohealth.com/sts-service-providers>.

### Who submits the proof of required maintenance?

A registered service provider must submit proof of service.

### What happens if I don't do the required maintenance?

If you do not do the required maintenance it may shorten the life expectancy of your system and/or cause a public health nuisance. Failure to maintain the system after being issued a warning by Huron County Public Health will lead to legal action.

## System Specific Questions:

### I already have my aeration system inspected annually, why do I have to be entered into the O&M program?

The O&M program will be the method used to formally permit your existing aeration system under the State Law. The inspections and service that are currently being conducted on your system are required to ensure that the permit can be issued and renewed for that system.