

OHIO EPA DIVISION OF SURFACE WATER: HSTS, SFOSTS, AND HB110

Presenter:

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Central Office

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614.644.1987

DOES THE SYSTEM NEED AN NPDES PERMIT?

NPDES or National Pollutant Discharge Elimination System permits are required when a system will or has the potential to discharge to Waters of the State per the Clean Water Act (CWA).



If you think an NPDES permit is required, contact the appropriate Ohio EPA district office for more information.



epa.ohio.gov/about/districts/district-offices



WHY DO DISCHARGING HSTS NEED NPDES COVERAGE?

- It's the law the federal clean water act and Ohio Revised Code 6111 require all discharges of treated effluent to receiving waters be permitted
- It sets conditions that protect public health and the environment
- Ohio and the nation's water quality have greatly improved







What year was Ohio EPA created?





NPDES GENERAL PERMIT FOR HSTS

- ~25,000 active permits
- ~2,000 applications a year



<u>epa.ohio.gov/divisions-and-offices/surface-water/permitting/discharging-household-sewage-treatment-systems-general-permits</u>
OR
search "Ohio EPA discharging HSTS"



Ohio EPA / Divisions & Offices / Surface Water / Permitting / Household Sewage Treatment Systems (HSTS)- NPDES

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Household Sewage Treatment Systems (HSTS)-**NPDES**

Any wastewater discharge to a stream, river or lake is unlawful, unless it has a valid discharge permit, referred to as National Pollutant Discharge Elimination System (NPDES) permit. The NPDES permit ensures that the discharge follows all applicable state, and federal water pollution control laws and is protective of public health and safety. In Ohio, only Ohio EPA has the authority to issue NPDES permits. Ohio EPA and your local health department each play a role in the management of HSTS. These roles are specified in state regulations.

Ohio EPA NPDES General Permit OHK000004 covers household sewage treatment systems (HSTS) that discharge off lot. This permit became effective on January 1, 2022 and will expire on December 31, 2026. Thus, coverage for all homes under this permit will expire on December 31, 2026. Design, installation, operation, and maintenance are regulated by the Local Health Departments in accordance with Ohio Administrative Code (OAC) 3701-29. This permit is strictly for residential systems that discharge off lot. Per OAC 3701-29-01.

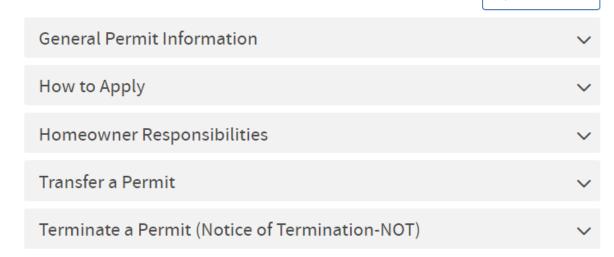
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For more information

Ohio Department of Health—Find Local Health Districts

Submittal of NOIs, Transfers and NOTs:

DSW.HSTS@epa.ohio.gov

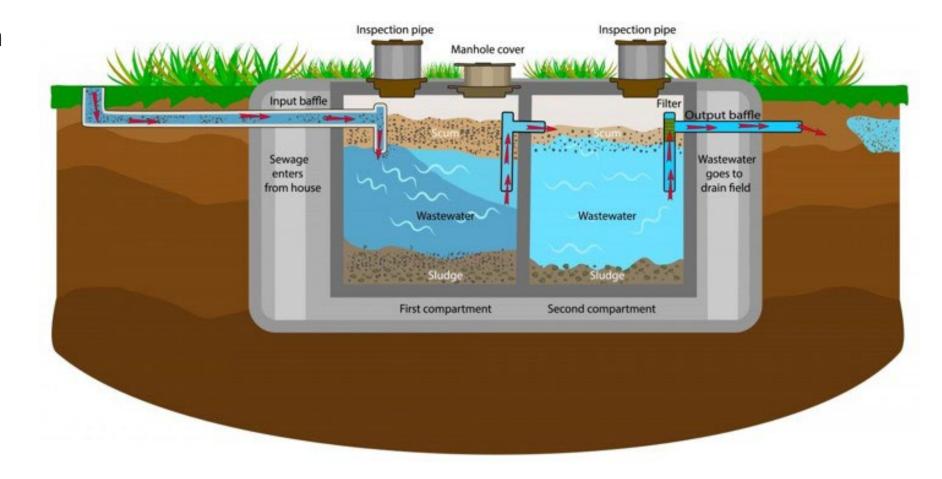
Questions:

Warren Wright: 614-644-2137 William.Wright@epa.ohio.gov

Tony Nosko: 614-644-1987 Anthony.Nosko@epa.ohio.gov

HSTS NPDES GENERAL PERMIT: TYPES OF SYSTEMS

- Replacement system
- New system





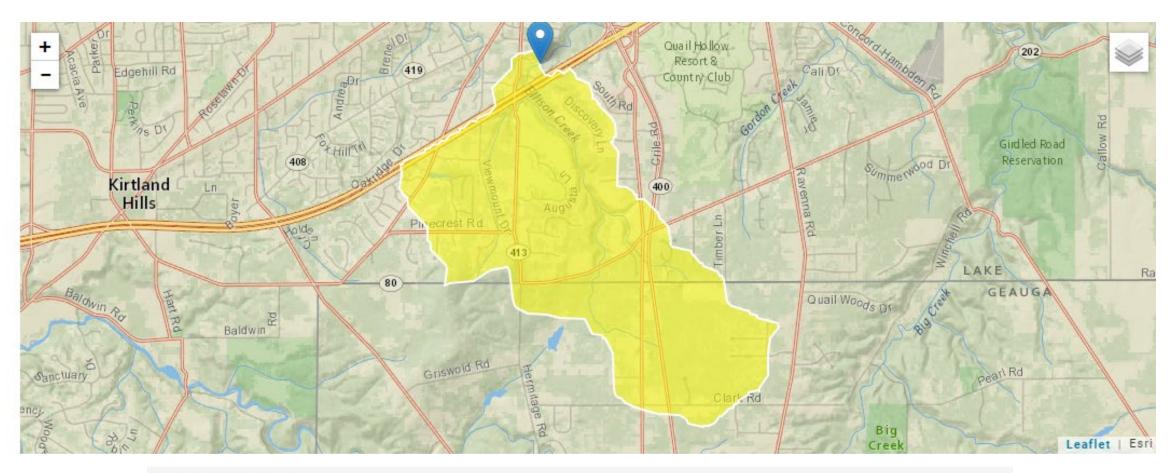
What is the cutoff date for new lots to qualify under this general permit?



New home construction only: What does it mean when you say the discharge point has to be five square drainage miles or more?



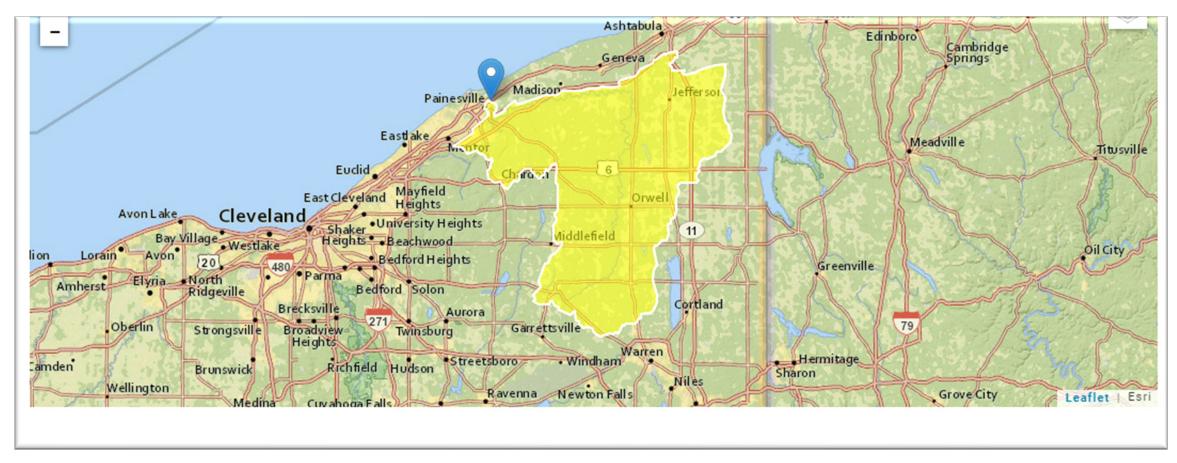
ELLISON CREEK BY HERMITAGE ROAD IN PAINESVILLE, OHIO





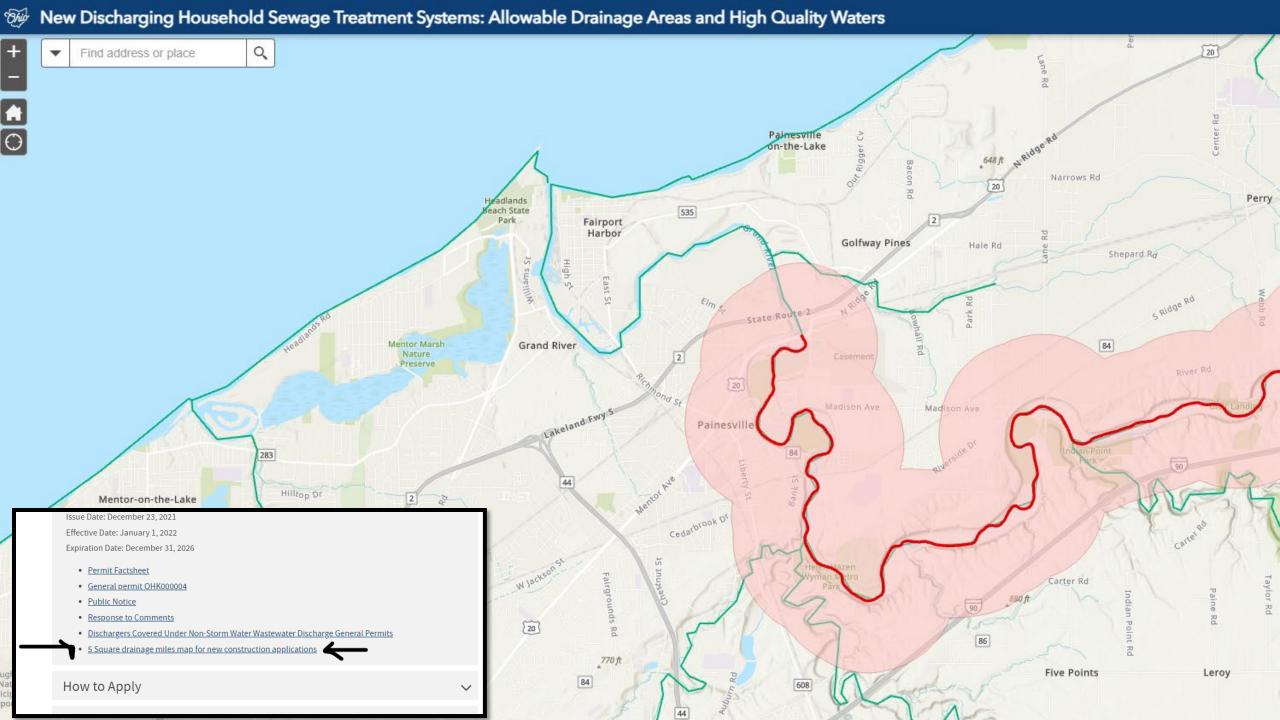
> Basin Characteristi	cs		
Parameter Code	Parameter Description	Value	Unit
DRNAREA	Area that drains to a point on a stream	4.31	square miles

GRAND RIVER BY EAST ERIE STREET, PAINESVILLE, OHIO - WHAT ELSE NEEDS TO BE CONSIDERED?





>	> Basin Characteristics				
	Parameter Code	Parameter Description	Value	Unit	
	DRNAREA	Area that drains to a point on a stream	686	square miles	



HSTS PERMIT: WHAT IS ELIGIBLE?

Seven limitations of coverage located in the general permit

Replacement and new home construction

- Have a location to sample before mixing with other effluent or water streams
- Be on a lot created before 1/1/2007
- Property line more than 400 feet from sewers
- System design is approved by the local health department

New home construction only

- Discharge point of five square drainage miles or more
- Cannot discharge to superior high quality or outstanding water quality
- If going to an MS4, must be in accordance with the local MS4 program



SUBMITTING A NOTICE OF INTENT (NOI)

Three things needed for a complete NOI

- HD creates NOI on eBusiness Center
- \$200 application (online or by mail)
- Homeowner signed copy
 - Email to: <u>DSW.HSTS@epa.ohio.gov</u>
 - Mail with check and invoice

If by mail:

Ohio EPA
Office of Fiscal Administration
P.O. Box 1049
Columbus, Ohio 43216



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Submission of this NOI constitutes notice that the party identified in Section I of this form intends to be authorized to discharge into state surface waters under Ohio EPA's NPDES general permit program. Becoming a permittee obligates a discharger to comply with the terms and conditions of the permit. Complete all required information as indicated by the instructions. Do not use correction fluid on this form. Forms transmitted by fax will not be accepted. A check for the proper amount must accompany this form and be made payable to "Treasurer, State of Ohio." (See the fee table in

State	er) Address n Street, Suite 7	
50 West Town		
50 West Town		
State	Street, Suite 7	
	I	/00
	Zip	
OH	43215	
Phone (area code &	no.)	
(614) 644-198	37	
State	Zip	
OH	43215	
X Replacement of Failed	Existing System	New Home Construction
on my inquiry of the person of to the best of my knowledge	or persons who mand belief, true, a	nanage the system, or those accurate, and complete. I am
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te: ectronically entered on 10	/11/2022	
1	State OH X Replacement of Failed Iter my direction or supervision on my inquiry of the person of to the best of my knowledge possibility of fine and imprisonle: te:	A A A A A A A A A A A A A A A A A A A

Ohio EPA

HSTS Application Fee Invoice

Division of Surface Water

Billed to Applicant: Tony Nosko

50 West Town Street, Suite 700

Columbus, OH 43215

Facility:

Tony Nosko

50 West Town Street, Suite 700

Columbus, OH 43215

Transaction ID: 1234567 DATE: 10/11/2022 Payment Due: 11/10/2022 Revenue ID: 9876543

DESCRIPTION AMO

New / Household Sewage Treatment Systems General Permit - Local / OHK000004

\$200.00

Your application will not be processed until the fee is paid in full by the due date indicated.

Balance Due

\$200.00

PAYMENT OPTIONS - Payment options for this invoice include the following:

Electronic Payment through Ohio EPA's eBusiness Center: To pay this invoice online, visit http://ebiz.epa.ohio.gov Payment by Check: If paying by check, please send your check with the remittance advice outlined below.

You must write the Revenue ID (if shown below) on your check to ensure proper credit.

CUT OFF THIS STUB AND MAIL IT WITH YOUR CHECK. DO NOT MAIL TOP PORTION.

Pay to: Treasurer, State of Ohio. Please write the Revenue ID on your check. Please send this stub with your check. DO NOT SEND LETTERS OR OTHER FORMS.



Due Date:	11/10/2022
Revenue ID:	9876543
Amount Due:	\$200.00
Type Code:	APRON
Transaction ID:	1234567

1519073 0000020000 APRON 000000000 2



eBusiness Center

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Welcome to the Ohio EPA eBusiness Center





wailable Services (What is this?)				
ervice	Action	Status	Facilities	Delegations
ir Services	Request	Inactive	view/edit	
sbestos Services		Inactive		
ertified Operator Minimum Staffing Reporting		Active		
vision of Surface Water Credible Data	Request	Inactive	view/edit	
ivision of Surface Water NPDES Permit Applications (STREAMS)		Active		
MWM License and Registration Service		Inactive	view/edit	
MWM Solid Waste/Cⅅ Disposal Fees (Submit Report)	Request	Inactive	view/edit	
5W 401 Certification and Isolated Wetlands Permit		Inactive	view/edit	
SW Home Sewage Treatment System		Active		
Discharge Monitoring Reports (eDMR)	Deactivate	Active	view/edit	view/edit
Drinking Water Reports	Request	Inactive	view/edit	
eneric File Upload	Request	Inactive		
azardous Waste Report (eDRUMS)	Request	Inactive	view/edit	
EEF Grant Service (No PIN Required)	Request	Inactive		
ny Ohio EPA Fees Online	Request	Inactive	view/edit	
ater/Wastewater Exam Providers	Request	Inactive		
ater/Wastewater Operators	Request	Inactive		
ater/Wastewater Training Providers	Deactivate	Active		

My Tasks (1)			
Name ▼	Status ▼	Created ▼	Action
PIN Activated	Active	09/27/2019 15:53:05	hide delete

For the latest Ohio EPA news check out our home page.



ROLES OF HEALTH DEPARTMENTS AND OHIO EPA

Health Department

- Evaluate property to decide what type of system is feasible
- Approve the system design
- Inspect and regulate issues with system maintenance
- May assist with system sampling
- Maintains sampling data database

Ohio EPA

- Writes and renews the general permit
- Reviews and issues coverage to homeowners
- Provides technical assistance to LHDs, installers, and homeowners
- Analyzes the sampling data database

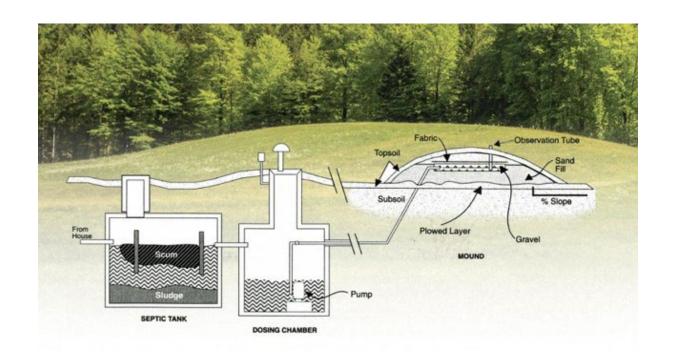




SMALL FLOW ONSITE SEWAGE TREATMENT SYSTEM (SFOSTS)

The Ohio Administrative Code (OAC)
 Chapter 3701-29 defines SFOSTS as a system, other than a HSTS, that treats not more than 1,000 gallons of sewage per day

 Ohio EPA has authority, but local health departments can assume authority





WHO HAS SFOSTS AUTHORITY?

 Ohio Department of Health maintains a list of local health departments that have assumed authority

• If the local health department has authority, all permitting is done through them



https://odh.ohio.gov/know-our-programs/
sewage-treatment-systems/educationresources



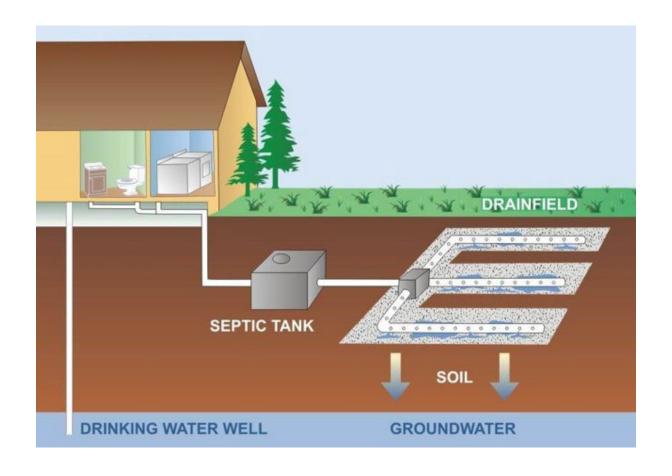
SFOSTS: TRANSFERRING AUTHORITY

When a local health department assumes authority, all SFOSTS from that point forward will be permitted by the local health department.

 All previous systems permitted under Ohio EPA remain with Ohio EPA until the system is replaced or upgraded

When a local health department **returns authority**, all systems permitted by the local health department are **returned** to Ohio EPA.

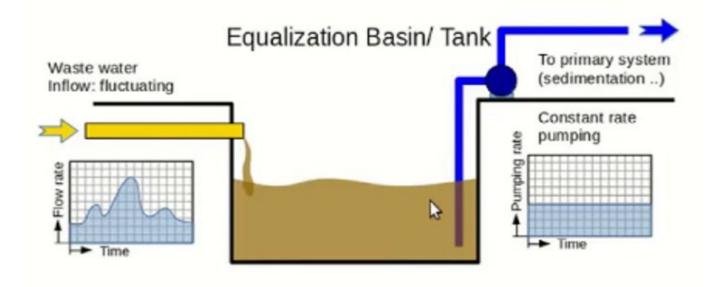
 The local health department will notify stakeholders when SFOSTS authority is changed





SFOSTS PEAK FLOW

If a SFOSTS has a peak flow more than 1,000 gpd, an equalization tank can be designed to have the discharge to the soil absorption component be less than 1,000 gpd and fall under the definition of SFOSTS



Day	Flow (GPD)
Sunday	500
Monday	100
Tuesday	100
Wednesday	50
Thursday	100
Friday	1,100
Saturday	1,300



- Review under SFOSTS follows OAC Chapter 3701-29
- Use OAC 3701-29-11, which refers to OAC 3745-42-05 for SFOSTS



epa.ohio.gov/static/Portals/35/rules/42-05.pdf



Place	Notes	Design flow (gallons per day)	Waste strength range BOD ₅ (milligrams per liter)
Airport	b, i, j, p, r, t	15 per employee plus 4 per parking space	200 to 280 r, s, t
Apartment	b, 1	120 per bedroom	200 to 280 r, s, t
Assembly hall	a, i, j	15 per employee plus 3 per seat without kitchen facilities or 7 per seat with kitchen facilities	200 to 280 r, s, t
Banquet hall	b i, j	15 per employee plus 3 per seat without kitchen facilities or 7 per seat with kitchen facilities	400
Barber shop	i, j	80 per basin	200 to 280 s
Beauty shop, styling salon	i, j	200 per basin	200 to 280 s
Bowling alley	a, i, j, p	75 per lane	200 to 280 r, s, t
Car wash	i, q	Sewer connection required; contact district office	
Campground or recreational park	a, i, j, m, n, p	30 per tent camp site without showers; 60 per tent camp site with showers; 60 per RV camp site without water hook-up; 90 per RV camp site with water hook-up	200 to 280 ^{r, s, t}
Church (less than 200 sanctuary seats)	a, h, j, k, o, p	3 per sanctuary seat without kitchen; 5 per sanctuary seat with	200 to 280 r, s, t

Other flow data listed in OAC 3701-29-11 (B)(3)

... or alternative daily design flow established by the director of health. The board of health may consider flow monitoring data in addition to or in place of the minimum design flow requirement in table A-1. If flow monitoring is used as the method of determining daily design flows, then daily design flow shall be **at least** one and a half to two times the measured average daily flows.



Other flow data listed in OAC 3745-42-05(A)(1)(a) and (b)

- (1) Flow monitoring. The director may consider flow monitoring data in addition to the minimum design flow requirements in table A-1 of this rule when evaluating the design of a treatment works sized for one hundred thousand gallons per day or less, provided that the flow monitoring data is obtainable and documented on a daily basis.
 - (a) The flow monitoring data shall be submitted with the permit to install application and shall conform to either of the following:
 - (i) Be from the facility for which the treatment works is being designed and **be representative of the range of operating** conditions that are expected to occur, which includes considering the months, days and hours of operation.
 - (ii) Be from a place of like kind, like usage, and located in a similar climate, and be representative of the range of operating conditions that are expected to occur, which includes considering the months, days and hours of operation.
 - (b) For facilities that operate year-round, at least twelve months of flow monitoring data shall be provided. For seasonal facilities, flow monitoring data shall be provided for the entire operational period within a calendar year.



When considering flows other than those listed in OAC 3745-42-05, Table A-1:

Use OAC 3701-29-11(B)(3)

Consider conditions of duration of flow monitoring under OAC 3745-42-05(A)(1)

In addition to flows, note number of units used per day of flow (i.e. campsites rented, cabins rented, persons attended, etc.)

When evaluating flow monitoring data numbers, ensure dataset includes peak season and weekends, to ensure wastewater system will handle actual flows



- If your health district has SFOSTS authority, you will still need to follow the requirements found in OAC 3701-29
- Site review with complete soil evaluation and plans in hand

Complete = soil delineation performed on the soil evaluation and the submitted design plans



REVIEWING SFOSTS DESIGN

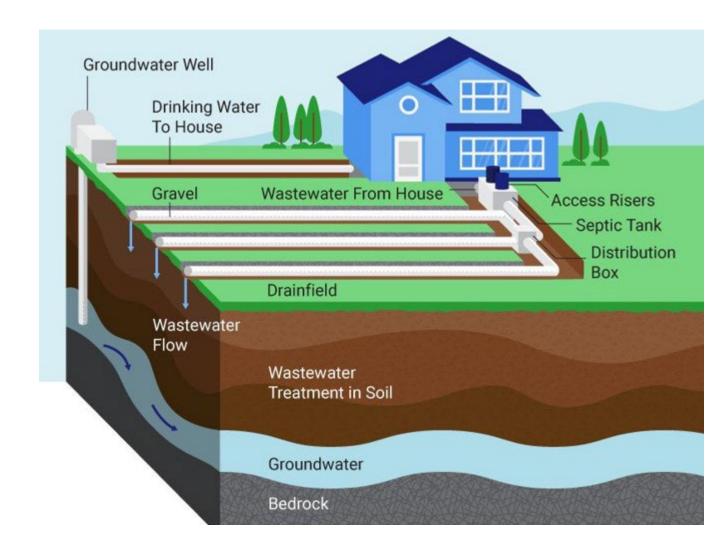
- Does the SFOSTS fit in the area delineated by the soil evaluation?
- Has this design been approved and meet all the requirements set forth in rule?
- For other programs (campgrounds, mobile home parks), has design also met those additional rules for sewage regulations?
- Upon installation, a 12-month inspection and enrollment into Operation & Maintenance program shall occur per ODH





IS THIS SYSTEM SFOSTS?

The system does not discharge. The sewage generated is similar to domestic sewage. Is the system designed to treat 1,000 gpd or less. ► or the peak flow is less than 3,500 gallons Then it is SFOSTS





COMMON QUESTIONS

- 1) Can an SFOSTS be installed through Ohio EPA PTI if the health department has SFOSTS authority?
- 2) Can the system be less than 1,000 gpd to be SFOSTS?
- 3) How are flow rates determined?
- 4) Are spray irrigation systems SFOSTS?
- 5) How do I get an NPDES permit for the SFOSTS?
- 6) Can a parcel have multiple SFOSTS systems?



COMMON SFOSTS QUESTIONS RECEIVED







OHIO EPA DIVISION OF SURFACE WATER – SEMIPUBLIC DISPOSAL SYSTEM INSPECTION PROGRAM (HB110)

A disposal system that treats the sanitary sewage discharged from publicly or privately owned buildings or places of assemblage, entertainment, recreation, education, correction, hospitalization, housing, or employment, but does not include a disposal system that treats sewage in amounts of more than 25,000 gallons per day; a disposal system for the treatment of sewage that is exempt from the requirements of section 6111.04 of the Revised Code pursuant to division (F)(7) of that section; or a disposal system for the treatment of industrial waste.



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. Dhio EPA / Divisions & Offices / Surface Water / Guides & Manuals / Semipublic Disposal System Inspection Program (HB1

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Semipublic Disposal System Inspection Program (HB110)

By implementing House Bill 110 (HB110) in 1984, the Ohio General Assembly created Ohio EPA's Semipublic Disposal System Inspection program (often referred to as the HB110 program). The program is a contractual partnership between Local Health Districts (LHDs) and Ohio EPA, whereby LHDs conduct, on behalf of the Agency, inspection and enforcement services for commercial sanitary waste treatment/disposal systems discharging between 0-25,000 gallons per day (semipublic).

Ohio EPA operates the program to better protect the public health and welfare, and to protect the environment. Due

to the proximity, the multitude of facilities and the availability of r disposal at semipublic facilities is best accomplished locally by qu

To offset costs of local oversight, State law (<u>Ohio Revised Code 37</u> inspection services to be paid by semipublic facilities.







epa.ohio.gov/divisions-and-offices/surface-water/guides-manuals/seddisposal-system-inspection-program-hb110

SEMIPUBLIC DISPOSAL INSPECTION PROGRAM

- Local health departments may request authority over the inspection of small commercial sanitary wastewater treatment systems (discharging systems)
- Local health departments may charge fees to the facility to help offset costs of the program







<u>epa.ohio.gov/divisions-and-offices/surface-water/guides-manuals/semipudisposal-system-inspection-program-hb110</u>

HEALTH DEPARTMENT RESPONSIBILITIES - INSPECTIONS

Perform inspections of semipublic disposal systems

- All discharging systems once per year
- At least 33% of non-discharging (OSTS) per year rotate so each system is inspected once every three years
- Within 14 days of a complaint, perform an inspection time starts when health department receives complaint

What does an inspection involve?

- Visual observations of plant operations and maintenance
- If a discharging system, verify the facility is being maintained by a certified professional operator or service provider
- Identify deficiencies and/or concerns and evaluate if previous deficiencies have been addressed
- If applicable, proper disposal of solids

Submit an annual report to Ohio EPA on March 1, detailing the inspections and enforcement performed during the previous calendar year





HEALTH DEPARTMENT RESPONSIBILITIES - ENFORCEMENT

- The health department may issue informal written warnings and certified warning letters
- Where noncompliance notifications and informal requests fail to correct violations, entities may be referred to Ohio EPA for enforcement or the county prosecutor may bring action under local nuisance ordinances





HOW DOES THIS PROGRAM AFFECT A CONTRACTOR OR SERVICE PROVIDER?

NPDES Permitted Systems	No Semipublic Inspection Program	Active Semipublic Inspection Program
Permitting	Ohio EPA	Ohio EPA
Who Inspects	Ohio EPA	Local HD
Inspection frequency	Once every 5 years	Annually
Compliance	Ohio EPA	Local HD & Ohio EPA
Enforcement	Ohio EPA	Ohio EPA*





*Local HD may enforce if noncompliance violates local regulations

COMMON QUESTIONS

- 1) If the health department is part of the semipublic disposal system inspection program, does a new system need a PTI from Ohio EPA?
- 2) Can the health department charge an inspection fee?
- 3) In this program, does an NPDES system still need an ORC (operator of record)?
- 4) Does compliance fall under the health department or Ohio EPA's regulations?
- 5) Would an HSTS fall under this program?
- 6) Who do I contact if I have questions regarding compliance?
- 7) Who do I contact if I have design questions about a new system?



- County does not have SFOSTS or semipublic inspections
- 1,100 gpd mound system for a campground.
 - 1. Which agency will the design be submitted to?
 - 2. What type of permit(s) are needed?
 - 3. Which agency or agencies have regulatory authority?
 - 4. Who will perform the inspection?



- County has SFOSTS but not semipublic inspections
- 955 gpd leach field for a wedding venue
 - 1. Which agency will the design be submitted to?
 - 2. What type of permit(s) are needed?
 - 3. Which agency or agencies have regulatory authority?
 - 4. Who will perform the inspection?



- County has SFOSTS and semipublic inspections
- 20,000 gpd package plant for dairy facility
 - 1. Which agency will the design be submitted to?
 - 2. What type of permit(s) are needed?
 - 3. Which agency or agencies have regulatory authority?
 - 4. Who will perform the inspection?



- County has SFOSTS and semipublic inspections
- 1,100 gpd discharging sewage treatment system for a triplex
 - 1. Which agency will the design be submitted to?
 - 2. What type of permit(s) are needed?
 - 3. Which agency or agencies have regulatory authority?
 - 4. Who will perform the inspection?



Bonus Slides?!



OPERATOR CERTIFICATION RULES (EFFECTIVE 11/7/2024)

- The experience requirements for Class II, III and IV certificates have been reduced by 12 months
 - Class II 24 months
 - O Class III 48 months
 - Class IV Class III certificate and 2 years of management experience at a Class III or IV plant
- Operators can now take the Class III exam as an operator in training (OIT) without meeting the experience requirements



OPERATOR CERTIFICATION RULES (EFFECTIVE 11/7/2024)

- Holiday staffing flexibility: During weeks with federal holidays, the minimum staffing requirement for Class II, III and IV facilities is reduced by up to 20% (both in days and hours), provided the facility meets the following:
 - Not under formal enforcement
 - An ORC or the backup can respond in person to the facility within one hour to respond to an emergency
- Off-site meeting flexibility: Class III and IV facilities have flexibility up to a maximum of 10% per week towards a facility's minimum staffing requirements for off-site meetings related to the operations or administration of the public water system/wastewater works. (Does not apply to facilities with active minimum staffing reductions) provided the facility meets the following:
 - Not under formal enforcement
 - An ORC or the backup can respond in person to the facility within one hour to respond to an emergency
 - The operator of record records the offsite meeting in the logbook

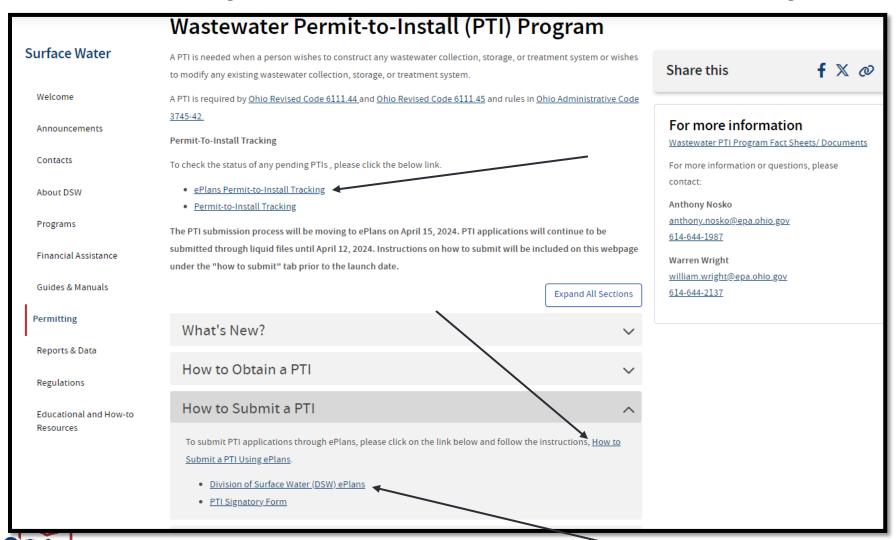


OPERATOR CERTIFICATION RULES (EFFECTIVE 11/7/2024)

- At least one ORC must be present during inspections, sanitary surveys, or site visits, required by the agency
- Updated the number of semester hours required for one year of education when referring to reductions in operating experience based on post high school education
- Added flexibility for reductions in operating experience based on post high school education
- Contract operations companies are required to notify the agency about the initiation or termination of service



EPLANS (PTI SUBMISSION PORTAL)



https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/wastewater-permit-to-install-pti-program (google search "Ohio EPA wastewater PTI")