

**OHIO ENVIRONMENTAL PROTECTION AGENCY
FACT SHEET FOR THE DRAFT STATEWIDE GENERAL NATIONAL POLLUTANT
DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT COVERING DISCHARGES OF
SANITARY WASTEWATER FROM SELECT HOUSEHOLD SEWAGE TREATMENT
SYSTEMS NOT SUBJECT TO MEMORANDUMS OF UNDERSTANDING**

I. Background

The Federal Water Pollution Control Act [also referred to as the Clean Water Act (CWA)], the Ohio Water Pollution Control Act and the Ohio Revised Code (ORC Chapter 6111) provide that discharge of pollutants to waters of the state from any point source is unlawful, unless the discharge is in compliance with an effective NPDES permit.

The purpose of issuing NPDES permits to discharges from select household sewage treatment systems (HSTSs) such as single family, two family or three family dwellings or residential dwellings or appurtenances as defined by Chapter 3701-29 of the Ohio Administrative Code is to ensure that any wastewater discharges from these facilities are in compliance with all applicable state and federal water pollution control laws. Also, public health and safety will be better served by having such an applicable control document.

Ohio EPA has elected to issue two statewide general permits to possibly provide coverage of discharges from select replacement, new and/or updated HSTSs in situations where on-site dispersal of the wastewaters is not an option. Part I of the general permits provides a definition of those facilities eligible for coverage under the general permits.

The limits included in this general permit are representative of the best available demonstrated control technology for sanitary wastewater discharges as outlined by Ohio EPA rules. The general permit is intended to cover any HSTS that meets the eligibility requirements and was designed to meet these limits and that would consequently have a minimal impact on the environment.

The conditions under the heading "eligibility" are very important because discharges not eligible, such as co-mingled discharge streams, HSTSs discharge proposals from newly created lots, discharges to exceptional quality waters and discharges from industrial facilities, are addressed there.

II. Description of General Permit Coverage and Type of Discharge

The permit provides potential coverage for discharges from select new, replacement or updated HSTSs serving single family, two family or three family dwellings or residential dwellings or appurtenances as defined by Chapter 3701-29 of the Ohio Administrative Code to waters of the state. The permit does not cover any discharges that the Director of the Ohio EPA has determined to be contributing to a violation of a Water Quality Standard (WQS) as determined in Ohio Administrative Code Chapter 3745-01.

For the purpose of this permit, a new discharging HSTS is one that is to serve a new residential dwelling being constructed on an existing lot only when on-site treatment is not an option as determined by OAC 3701-29: Household Sewage Treatment Rules as administered by the local board of health and meets the eligibility requirements of the general permit, including the adequate receiving stream characteristics.

A replacement HSTS is one being installed to serve an existing residential dwelling that has inadequate sewage treatment and on-site dispersal is not an option as determined by OAC 3701-29 and meets the eligibility requirements of the general permit.

An updated HSTS is one where an existing, discharging system has already been installed (prior to January 1, 2007) utilizing a system whose model has been approved by ODH to discharge in accordance with the terms and conditions of the general HSTS permit OHK000001, OHK000002 or OHL000001 absent disinfection and/or post aeration. If such a system can be modified or updated to be identical to that approved by ODH simply by adding post aeration, disinfection and/or sampling ports then it can receive coverage under this renewal NPDES permit.

III. Description of Permit Conditions

Notice of Intent - Single family, two family or three family dwellings or residential dwellings or appurtenances as defined by 3701-29-01 of the Ohio Administrative Code that will require the installation of a new or replacement HSTS with a discharge or the installation of additional components to adequately update the discharging HSTS as permissible in accordance with OAC 3701-29 shall submit a Notice of Intent (NOI) application to apply for coverage under the general permit. The USEPA's regulations at 40 CFR 122.21 (a) exclude facilities covered by general permits from requirements to submit an application for an individual permit.

NOI requirements are intended to establish a mechanism that can be used to establish a clear accounting of the number of facilities covered by the general permit, their identities, locations, mailing addresses, and nature of discharge.

To apply for general permit coverage under the provisions of this general permit, applicants/homeowners will be required to submit the NOI application form that is available from Ohio EPA, along with an application fee of \$200 for initial coverage or \$100 for renewal coverage. The NOI application form, and appropriate fees shall be submitted to the following address:

Ohio Environmental Protection Agency
Office of Fiscal Administration
P.O. Box 1049
Columbus, Ohio 43216 - 1049

Any HSTS that is granted coverage under this general permit, may be required to connect into a publicly owned treatment works during the time this permit is effective, whenever a sanitary wastewater system of a publicly owned treatment works becomes available and accessible.

IV. Eligibility Determining Factors

1. Except for discharges identified under paragraph I.C.2., this permit may cover all point source discharges of wastewater from new, replacement and/or updated household sewage treatment systems (HSTS) serving an individual 1, 2 or 3 family dwelling as long as the following are met:
 - a. An independent third party evaluation is completed verifying that the conditions of this permit are met. Such an evaluation can be completed by a registered sanitarian of the local health district, a professional engineer registered in the state of Ohio, a soil scientist or other professional experienced in HSTS design, etc.
 - b. The site review documentation, established in accordance with OAC 3701-29, provides justification that it is not feasible to design an HSTS for a new or replacement HSTS in accordance with OAC 3701-29 that could eliminate the need for a point source discharge.
 - c. An HSTS in accordance with OAC 3701-29 is designed to meet the applicable final effluent limitations and monitoring requirements in Part III of this permit.
2. The following wastewater discharges associated with household sewage treatment systems are not eligible for coverage under this general permit:
 - a. any discharge in any local health district jurisdiction that has signed a MOU in accordance with the provisions of paragraph 1. of Part I.D of NPDES Permit No. OHK000002;
 - b. any discharge from a household sewage treatment system permitted to be installed, by the local health department, prior to the January 1, 2007, unless that system can be updated in accordance with the provisions of this permit;
 - c. any discharge that is mixed with another discharge, not covered by this permit, prior to reaching the receiving waters. If the wastewater discharge from a system does combine with another waste stream prior to reaching the receiving waters, and meets the effluent sampling capability

requirement in OAC 3701-29 making it possible to sample the wastewater discharge separately, the wastewater discharge may be covered by this permit;

- d any discharge from a new lot created after January 1, 2007;
- e. any discharge from a new or existing dwelling where any property line and/or structure associated with the household sewage treatment system is located within 400 feet of central sewer and it is determined that the publicly owned treatment works the sewers are tributary to has sewer and treatment capacity to accept the connection and there are no physical, legal or financial barriers prohibiting such connection. If it is determined that such a barrier exists, documentation of such as determined by the independent third party review (Part I.C.1.a.) shall be included with the notice of intent application described in Part II;
- f. any discharge or source that would conflict with an areawide waste treatment management plan adopted in accordance with section 208 of the Federal Water Pollution Control Act;
- g. any discharge from an existing household sewage treatment system, other than an adequately updated system in accordance with the provisions of this general permit;
- h. any discharge from a household sewage treatment system, except for a replacement or updated system meeting the eligibility criteria, to outstanding state waters, superior high quality waters or outstanding national resource waters, other than Lake Erie, as defined by and identified in rule 3745-1-05 of the Ohio Administrative Code, or direct tributaries to these waters within one mile of these waters;
- i. any discharge from a household sewage treatment system, except for a replacement or updated system meeting the eligibility criteria, to any waters of the state that are not considered a perennial stream with a watershed drainage area of at least 5 (five) square miles;
- j. any discharge from a household sewage treatment system, except for a replacement or updated system meeting the eligibility criteria, to any municipal separate storm sewer system, roadside ditch, agricultural ditch, swale or other manmade waters or drainage course.

V. Effluent Limitations and Monitoring Requirements

Effluent limitations and monitoring requirements are based on Water Quality Standards and best available demonstrated control technology for new sanitary wastewater discharges as outlined by OAC 3745-1-05.

VI. Notice of Termination

Each individual facility covered by the general permit must submit a Notice of Termination (NOT) form to terminate coverage under this permit once the wastewater discharges are eliminated. Failure to submit a NOT form constitutes a violation of the permit and is a violation of ORC 6111.

VII. Permit Justification–Antidegradation Review

The potential exists to authorize new discharges to waters of the state as a result of the issuance of this general permit. However, since the previous HSTS general NPDES permits No. OHK000001, No. OHK000002 and OHL000001 were subject to the review, intergovernmental coordination, public participation and prohibitions of Ohio's Antidegradation Rules (OAC 3745-1-05) and this renewal HSTS general NPDES permit No. OHL000002 does not expand the potential for coverage of these new discharges, the issuance of this draft general permit is not subject to the provisions of the antidegradation rules. The draft HSTS general NPDES permit No. OHL000002 continues to provide all of the necessary prohibitions, siting and design standards contained in the existing permit and program initiatives.