



Division of Surface Water Response to Comments

Facility: Household Sewage Treatment Systems
Permit #: OHK000004

Agency Contacts for this Project

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Ohio EPA held a public comment period from September 17, 2021 to November 8, 2021 regarding Household Sewage Treatment Systems OHK000004. This document summarizes the comments and questions received during the associated comment period.

Ohio EPA reviewed and considered all comments received during the public comment period. The comments and responses are summarized below.

U.S. EPA Region 5

Comment 1: According to 40 CFR 122.64(c) and 1228.28(b)(2)(i) “as of December 21, 2025, all NOTs (and NOIs) submitted by general permit covered facilities must be submitted electronically by the permittee to the Director.

Response 1: The permit was changed to direct permittees to the instructions on our webpage. When electronic submission details are worked out, the instructions will be updated.

Comment 2: The draft permit does not include the standard condition for upset. This is required according to 40 CFR 122.41(n)

Response 2: The following change were made. Upset language is now in Part VI: Standard Permit Conditions (page 10), letter H.

Comment 3: EPA recommends updating the fact sheet to include an explanation of the derivation of the specific design effluent standards outlined in the permit. (40 CFR 124.56(a))

- Response 3:** These limits were continued from the previous permit. We will consider revising the fact sheet to further explain the derivation in the future.
- Comment 4:** **The new eligibility determination provision outlined in part IV section 2b of the fact sheet should be added to the permit under Part II, section C(2)(b).**
- Response 4:** The language was added to Part II.C.2.b.
- Comment 5:** **Please define the term “financial barriers.”**
- Response 5:** Financial barriers will be determined on a case-to-case basis by the local health departments with the assistance of the Ohio EPA and ODH.
- Comment 6:** **The EPA recommends that the permit not provide exceptions to the requirement for annual collection and analysis of effluent samples.**
- Response 6:** The change was not made. This exception is used as an incentive to reduce the amount of discharge and/or improve the quality of the discharge going to Waters of the State. Sampling costs do factor into the cost effectiveness of utilizing better technology to treat sewage at the household scale.
- Comment 7:** **The EPA would like the Ohio EPA to track the frequency of the usage of the new eligibility requirement.**
- Response 7:** This information will be submitted with the NOI so a record will be kept.
- Sean Logan
- Comment 8:** **Ohio Department of Health (ODH) Technical Advisory Committee (TAC) approved NPDES systems should require a performance warranty for the first 2-years.**
- Response 8:** System performance is both a factor of system design and proper maintenance and operations. The ODH TAC recommends system designs that meet the quality required by the NPDES permit for approval by the ODH director. Additional requirements regarding the design of approved systems should be raised with the ODH TAC. System

performance regarding proper maintenance and operation is provided for in the NPDES permit with requirements for service providers and annual diagnostic sampling data. These requirements are tools used at the local level to optimize the performance of the installed system.

Comment 9: Update the language part IV.A to “an HSTS system installed under this permit must be capable of consistently achieving design effluent standards in field applications.”

Response 9: The current language requires approval by the ODH TAC in accordance with the provisions of 3701-29. Starting in 2019, the TAC started requiring the renewal of already approved NPDES systems. As part of this review, field data is required and must show it consistently meets the design effluent standards.

Comment 10: The language in OAC 3701-29-12 sections P and Q should include the word designed.

Response 10: Comments on ODH rules should be made the appropriate agency.

Comment 11: Request for the Ohio EPA to make public how the results of the annual samples required were used in the development of the most recent general permit

Response 11: The design standards required by the current and renewed general permit are protective of water quality standards. The data gathered from the annual sampling provides diagnostic information to identify if maintenance or operational changes are necessary for existing permitted facilities. With >20,000 individual systems currently permitted this process is performed at the Local Health Department level in cooperation with service providers and homeowners.

End of Response to Comments

Sincerely,

Josh Griffin
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11/21

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permit file OHK000004