

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1312

H.P. 981

House of Representatives, April 22, 1993

An Act to Regulate Nonsewered Toilet Systems.

Received by the Clerk of the House on April 20, 1993. Referred to the Committee on Business Legislation and 1200 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative LIBBY of Kennebunk.

Be it enacted by the People of the State of Maine as follows:

2
4 - Sec. 1. 30-A MRSA c. 161, sub-c. IV is enacted to read:

6 SUBCHAPTER IV

8 NONSEWERED TOILET SYSTEMS

10 §3451. Definitions

12 As used in this subchapter, unless the context otherwise
14 indicates, the following terms have the following meanings.

16 1. Agricultural hand labor. "Agricultural hand labor"
18 means people that work in agricultural fields undertaking
20 activities by hand or with hand tools. Agricultural hand labor
22 does not include logging activities or operations in permanent
24 structures such as canning facilities, greenhouses or packing
26 houses.

28 2. Employer. "Employer" means any person, organization,
30 corporation, business, partnership or governmental entity
32 employing people to perform work at a specific site.

34 3. Nonsewered toilet system. "Nonsewered toilet system"
36 means any self-contained portable structure equipped with a waste
38 receiving and holding container, used for the collection of human
40 feces and urine, that is not connected to water and sewer systems.

42 4. Special event. "Special event" means any activity
44 attracting more than 50 persons that is sponsored, organized,
46 promoted, managed or financed by any person, group of persons,
48 partnership, organization, corporation, business or governmental
50 entity where individuals congregate to participate in or observe
 an activity in an outdoor setting or semi-enclosed structure for
 more than 2 consecutive hours.

38 §3452. Requirement for providing nonsewered toilet systems to
40 employees and the general public

42 Employers and sponsors of special events are required to
44 provide nonsewered toilet systems where sewered toilets are
46 insufficient in number or not available. These nonsewered toilet
48 systems must be maintained in clean, sanitary and functional
50 condition according to the standards of this section.

1 1. Construction. Rooms, shelters or buildings housing
2 toilets must be of solid construction, easy to clean and provide
3 shelter and privacy. The toilet room must be ventilated to the
4 outside and have a latch on the inside to prevent inadvertent
5 entry. Open vents must be covered with 16 mesh screen.

2 2. Waste containers. Waste containers must be made of an
4 impervious material such as plastic, steel or fiberglass.
6 Containers must be watertight and capable of containing the waste
8 in a sanitary manner. Containers must be adequate in size to be
 used by the number of people according to tables 1 and 2 without
 filling the container to more than half of its volume before
 regularly scheduled service.

10 3. Servicing. Servicing must include the use of a cleaning
12 solution for cleaning urinals and seats, removing waste from
14 containers, recharging containers with an odor-controlling
 solution and installing an adequate supply of toilet tissue.

16 4. Defective units. Any defective unit must be repaired or
 withdrawn from service by locking or removal.

18 5. Waste removal. Removal of wastes must be done in a
20 clean and sanitary manner by a vacuum hose and the wastes
22 received by a leak-proof tank truck. All ports on the tank must
 be valved and capped.

24 6. Waste disposal. Waste must be disposed of in municipal
 sanitary sewage systems or permitted septage disposal sites.

26 §3453. Work site requirements

28 The following requirements apply to employers with work
30 sites that do not have adequate numbers of sewerer toilets
 available for employees.

32 1. Ratio. The following table governs the minimum number
34 of toilet facilities required at a work site. Separate toilets
36 must be provided for each sex in the same ratio when there are
 more than 20 employees consisting of both sexes.

38 TABLE 1: Minimum Number of Toilet Facilities

<u>Number of Employees</u>	<u>Minimum Number of Toilet Facilities</u> <u>if Serviced Once a Week</u>
<u>1-10</u>	<u>1</u>
<u>11-20</u>	<u>2</u>
<u>21-30</u>	<u>3</u>
<u>31-40</u>	<u>4</u>
<u>Over 40</u>	<u>One additional facility for</u> <u>each 10 additional employees</u>

If Serviced More than Once a Week

<u>1-15</u>	<u>1</u>
<u>16-35</u>	<u>2</u>
<u>36-55</u>	<u>3</u>
<u>56-75</u>	<u>4</u>
<u>76-95</u>	<u>5</u>

One additional facility for
each 20 additional employees

2. Accessibility. Accessibility to toilet facilities is governed by the following.

A. Toilet facilities must be located within 200 feet horizontally of all employees.

B. On multistory structures that are work sites, toilet facilities must be located not more than 30 feet vertically from each other when possible.

C. At all agricultural hand labor sites, toilet facilities must be located within 1/4 mile of each employee's workplace.

3. Multiemployer work sites. The prime contractor on a multiemployer work site must ensure that the requirements of this subchapter are met.

4. Exemptions. This section does not apply to mobile crews or to normally unattended work locations if employees are working at those locations for less than 3 hours in the course of their duties and have transportation immediately available to nearby facilities otherwise meeting the requirements of this section.

§3454. Special event requirements

The following requirements apply to sponsors of special events that do not have adequate numbers of seweried toilets available for the general public attending the special event.

1. Ratio. The following table governs the minimum number of toilet facilities required at a special event.

TABLE 1. MEN

MAXIMUM LINE OR QUEUE LENGTH PER UNIT IS 10 PEOPLE
AVERAGE TIME BETWEEN USE PER INDIVIDUAL - 2 HOURS

AVERAGE TIME AT EVENT IN HOURS

	<u>PEAK</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>
	<u>CROWD</u>										
2											
4											
6	<u>250</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>3</u>	<u>3</u>	<u>3</u>	<u>3</u>	<u>3</u>
	<u>500</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>4</u>	<u>4</u>	<u>4</u>	<u>4</u>	<u>4</u>	<u>4</u>	<u>4</u>
8	<u>1,000</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>7</u>	<u>8</u>	<u>8</u>	<u>8</u>	<u>8</u>	<u>8</u>
	<u>2,000</u>	<u>6</u>	<u>10</u>	<u>12</u>	<u>13</u>	<u>14</u>	<u>14</u>	<u>14</u>	<u>15</u>	<u>15</u>	<u>15</u>
10	<u>3,000</u>	<u>9</u>	<u>14</u>	<u>17</u>	<u>19</u>	<u>20</u>	<u>21</u>	<u>21</u>	<u>21</u>	<u>21</u>	<u>22</u>
	<u>4,000</u>	<u>12</u>	<u>19</u>	<u>23</u>	<u>25</u>	<u>28</u>	<u>28</u>	<u>28</u>	<u>30</u>	<u>30</u>	<u>30</u>
12	<u>5,000</u>	<u>15</u>	<u>23</u>	<u>28</u>	<u>32</u>	<u>34</u>	<u>36</u>	<u>36</u>	<u>36</u>	<u>36</u>	<u>36</u>
	<u>6,000</u>	<u>17</u>	<u>28</u>	<u>34</u>	<u>38</u>	<u>40</u>	<u>42</u>	<u>42</u>	<u>42</u>	<u>44</u>	<u>44</u>
14	<u>7,000</u>	<u>20</u>	<u>32</u>	<u>40</u>	<u>44</u>	<u>46</u>	<u>48</u>	<u>50</u>	<u>50</u>	<u>50</u>	<u>50</u>
	<u>8,000</u>	<u>23</u>	<u>38</u>	<u>46</u>	<u>50</u>	<u>54</u>	<u>57</u>	<u>57</u>	<u>57</u>	<u>57</u>	<u>57</u>
16	<u>10,000</u>	<u>30</u>	<u>46</u>	<u>57</u>	<u>63</u>	<u>66</u>	<u>69</u>	<u>69</u>	<u>72</u>	<u>72</u>	<u>72</u>
	<u>12,500</u>	<u>36</u>	<u>57</u>	<u>72</u>	<u>80</u>	<u>84</u>	<u>88</u>	<u>88</u>	<u>88</u>	<u>88</u>	<u>92</u>
18	<u>15,000</u>	<u>44</u>	<u>69</u>	<u>84</u>	<u>96</u>	<u>100</u>	<u>105</u>	<u>105</u>	<u>105</u>	<u>110</u>	<u>110</u>
	<u>17,500</u>	<u>50</u>	<u>80</u>	<u>100</u>	<u>110</u>	<u>115</u>	<u>120</u>	<u>125</u>	<u>125</u>	<u>125</u>	<u>125</u>
20	<u>20,000</u>	<u>57</u>	<u>92</u>	<u>115</u>	<u>125</u>	<u>132</u>	<u>138</u>	<u>138</u>	<u>144</u>	<u>144</u>	<u>144</u>
	<u>25,000</u>	<u>72</u>	<u>115</u>	<u>144</u>	<u>154</u>	<u>168</u>	<u>175</u>	<u>175</u>	<u>175</u>	<u>176</u>	<u>184</u>
22	<u>30,000</u>	<u>88</u>	<u>138</u>	<u>168</u>	<u>192</u>	<u>200</u>	<u>207</u>	<u>207</u>	<u>216</u>	<u>216</u>	<u>216</u>
	<u>40,000</u>	<u>115</u>	<u>184</u>	<u>225</u>	<u>250</u>	<u>264</u>	<u>275</u>	<u>276</u>	<u>288</u>	<u>288</u>	<u>288</u>
24	<u>50,000</u>	<u>144</u>	<u>225</u>	<u>288</u>	<u>312</u>	<u>336</u>	<u>350</u>	<u>350</u>	<u>350</u>	<u>360</u>	<u>360</u>
	<u>75,000</u>	<u>216</u>	<u>350</u>	<u>425</u>	<u>475</u>	<u>500</u>	<u>525</u>	<u>525</u>	<u>525</u>	<u>528</u>	<u>550</u>
26	<u>100,000</u>	<u>288</u>	<u>450</u>	<u>575</u>	<u>625</u>	<u>675</u>	<u>675</u>	<u>700</u>	<u>700</u>	<u>725</u>	<u>725</u>

TABLE 2. WOMEN

MAXIMUM LINE OR QUEUE LENGTH PER UNIT IS 10 PEOPLE
AVERAGE TIME BETWEEN USE PER INDIVIDUAL - 2 HOURS

AVERAGE TIME AT EVENT IN HOURS

	<u>PEAK</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>
	<u>CROWD</u>										
38	<u>250</u>	<u>2</u>	<u>2</u>	<u>3</u>	<u>3</u>	<u>3</u>	<u>3</u>	<u>3</u>	<u>3</u>	<u>3</u>	<u>3</u>
	<u>500</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>6</u>
40	<u>1,000</u>	<u>5</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>9</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>
	<u>2,000</u>	<u>8</u>	<u>13</u>	<u>15</u>	<u>17</u>	<u>18</u>	<u>19</u>	<u>19</u>	<u>19</u>	<u>19</u>	<u>19</u>
42	<u>3,000</u>	<u>12</u>	<u>19</u>	<u>23</u>	<u>25</u>	<u>28</u>	<u>28</u>	<u>28</u>	<u>30</u>	<u>30</u>	<u>30</u>
	<u>4,000</u>	<u>16</u>	<u>24</u>	<u>30</u>	<u>34</u>	<u>36</u>	<u>38</u>	<u>38</u>	<u>38</u>	<u>38</u>	<u>38</u>
44	<u>5,000</u>	<u>19</u>	<u>32</u>	<u>38</u>	<u>42</u>	<u>44</u>	<u>46</u>	<u>46</u>	<u>48</u>	<u>48</u>	<u>48</u>
	<u>6,000</u>	<u>23</u>	<u>38</u>	<u>46</u>	<u>50</u>	<u>54</u>	<u>57</u>	<u>57</u>	<u>57</u>	<u>57</u>	<u>57</u>
46	<u>7,000</u>	<u>28</u>	<u>42</u>	<u>54</u>	<u>60</u>	<u>63</u>	<u>63</u>	<u>66</u>	<u>66</u>	<u>66</u>	<u>66</u>
	<u>8,000</u>	<u>32</u>	<u>48</u>	<u>60</u>	<u>66</u>	<u>72</u>	<u>72</u>	<u>75</u>	<u>75</u>	<u>75</u>	<u>75</u>
48	<u>10,000</u>	<u>38</u>	<u>60</u>	<u>75</u>	<u>84</u>	<u>88</u>	<u>92</u>	<u>92</u>	<u>96</u>	<u>96</u>	<u>96</u>
	<u>12,500</u>	<u>48</u>	<u>75</u>	<u>92</u>	<u>105</u>	<u>110</u>	<u>115</u>	<u>115</u>	<u>120</u>	<u>120</u>	<u>120</u>
50	<u>15,000</u>	<u>57</u>	<u>92</u>	<u>115</u>	<u>125</u>	<u>132</u>	<u>138</u>	<u>138</u>	<u>144</u>	<u>144</u>	<u>144</u>

	<u>17,500</u>	<u>66</u>	<u>105</u>	<u>132</u>	<u>147</u>	<u>154</u>	<u>161</u>	<u>161</u>	<u>168</u>	<u>168</u>	<u>168</u>
2	<u>20,000</u>	<u>75</u>	<u>120</u>	<u>150</u>	<u>168</u>	<u>175</u>	<u>184</u>	<u>184</u>	<u>192</u>	<u>192</u>	<u>192</u>
	<u>25,000</u>	<u>96</u>	<u>150</u>	<u>184</u>	<u>207</u>	<u>225</u>	<u>225</u>	<u>230</u>	<u>240</u>	<u>240</u>	<u>240</u>
4	<u>30,000</u>	<u>115</u>	<u>184</u>	<u>225</u>	<u>250</u>	<u>264</u>	<u>275</u>	<u>275</u>	<u>288</u>	<u>288</u>	<u>288</u>
	<u>40,000</u>	<u>150</u>	<u>240</u>	<u>300</u>	<u>336</u>	<u>350</u>	<u>360</u>	<u>375</u>	<u>375</u>	<u>375</u>	<u>375</u>
6	<u>50,000</u>	<u>192</u>	<u>300</u>	<u>375</u>	<u>425</u>	<u>450</u>	<u>450</u>	<u>475</u>	<u>475</u>	<u>475</u>	<u>475</u>
	<u>75,000</u>	<u>388</u>	<u>450</u>	<u>550</u>	<u>625</u>	<u>650</u>	<u>675</u>	<u>700</u>	<u>700</u>	<u>725</u>	<u>725</u>
8	<u>100,000</u>	<u>375</u>	<u>600</u>	<u>750</u>	<u>825</u>	<u>875</u>	<u>900</u>	<u>925</u>	<u>950</u>	<u>950</u>	<u>950</u>

10 **2. Accessibility.** The location of nonsewered toilets must
 12 be as close as practical to the highest concentration of
 14 participants, observers and employees at a special event. The
 16 sponsors shall consider user safety when determining the location
 18 for the facilities. Toilet facilities must be accessible for
 20 maintenance by truck.

22 **§3455. State and local permitting authorities**

24 State and local permitting authorities granting permits for
 26 work sites or special events must require compliance with this
 28 subchapter as a condition of granting the permit.

30 **§3456. Violation; forfeiture**

32 A person that violates this subchapter commits a civil
 34 violation for which a forfeiture not to exceed \$50 per day may be
adjudged.

STATEMENT OF FACT

This bill establishes construction standards, required numbers and servicing requirements for portable toilets on work sites and at special events.