

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 273

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H.P. 214

House of Representatives, January 27, 1995

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**An Act to Regulate Nonsewered Toilet Systems.**

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Reference to the Committee on Natural Resources suggested and ordered printed.

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

JOSEPH W. MAYO, Clerk

Presented by Representative LIBBY of Kennebunk.  
Cosponsored by Representatives: AIKMAN of Poland, DEXTER of Kingfield, NICKERSON  
of Turner, TUTTLE of Sanford.

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

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 indicates, the following terms have the following meanings.

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

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

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

40 4. Special event. "Special event" means any activity  
42 attracting more than 50 persons that is sponsored, organized,  
44 promoted, managed or financed by any person, group of persons,  
46 partnership, organization, corporation, business or governmental  
48 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.

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

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

1. Construction. Rooms, shelters or buildings housing  
toilets must be of solid construction, easy to clean and provide  
shelter and privacy. The toilet room must be ventilated to the

2 outside and have a latch on the inside to prevent inadvertent  
3 entry. Open vents must be covered with 16-mesh screen.

4 **2. Waste containers.** Waste containers must be made of an  
5 impervious material such as plastic, steel or fiberglass.  
6 Containers must be watertight and capable of containing the waste  
7 in a sanitary manner.

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

12 **4. Defective units.** Any defective unit must be repaired or  
13 withdrawn from service by locking or removing that unit.

14 **5. Waste removal.** Removal of waste must be done in a clean  
15 and sanitary manner by a vacuum hose and the waste received by a  
16 leak-proof tank truck. All ports on the tank must be valved and  
17 capped.

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

20 **§3453. Work site requirements**

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

24 **1. Ratio.** An employer must provide at least one toilet  
25 facility for every 15 employees at a work site. Separate toilets  
26 must be provided for each sex in the same ratio when there are  
27 more than 20 employees consisting of both sexes.

28 **2. Accessibility.** Accessibility to toilet facilities is  
29 governed by the following.

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

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

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

