



July 22, 1971

NOTICE FOR PUBLICATION IN THE NEW JERSEY REGISTER

DEPARTMENT OF LABOR AND INDUSTRY. *Office of Labor Standards,*
BUREAU OF MIGRANT LABOR.

sanitation
Proposed Regulations, to fulfill the requirement of furnishing of drinking water and toilet facilities to seasonal farm workers while working in the fields and providing penalties for violations.

Ronald M. Heymann, Commissioner of Labor and Industry, pursuant to authority delegated in N.J.S.A. 34:9A-39, proposes to adopt Chapter 102 of Title 12 of the New Jersey Administrative Code pertaining to the furnishing of drinking water and toilet facilities to seasonal farm workers while working in the fields.

The complete text of these proposed regulations is as follows:

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12:102 FIELD SANITATION

12:102-1 DEFINITIONS

"Unreasonable distance from central facilities" shall mean, for purposes of Chapter 193, Laws of New Jersey 1971, a distance not more than 500 feet from the nearest door of the central toilet facility.

"Working area" shall mean the site where seasonal farm workers are assigned to work in the fields and a distance not in excess of 500 feet from the assigned work site of any individual worker.

12:102-2 DRINKING WATER

2:1 A supply of cool, potable water shall be provided in readily accessible locations at all working areas.

2:1-1 Drinking water shall be running water or fresh water contained in clean and covered receptacles.

2:1-2 Individual drinking cups shall be provided at each drinking station.

2:1-3 Where running drinking water cannot be provided, a regular schedule for distributing fresh drinking water daily shall be arranged by the farm operator.

2:1-4 The use of a common drinking cup or dipper is prohibited.

12:102-3 PRIVIES OR OTHER TOILET FACILITIES

3:1 Privies or other toilet facilities shall be provided in number sufficient, suitable and separate for each sex. These facilities shall be properly screened, ventilated and kept clean.

3:1-1 All toilet facilities shall be sheltered to provide privacy to the user.

3:1-2 No privy shall be closer than 100 feet to any lunch area.

3:1-3 Toilet facilities shall be distinctly marked "for men" and "for women" by signs printed in English and in the native language of the persons working in the work area, or marked with easily understood pictures or symbols. If the facilities for each sex are in the same building, they shall be separated by solid walls or partitions extending from the floor to the roof or ceiling.

3:1-4 An adequate supply of toilet paper shall be provided in each privy, water closet, or chemical toilet compartment.

3:1-5 Privies and toilet rooms shall be kept in a sanitary condition.

- 3:1-6 Privies constructed in conformity with paragraph 3:2 may be used for disposal of human excreta where their use will not contaminate ground or surface water because of privy location, type of soil, or ground-water table.
- 3:1-7 Chemical toilets constructed in conformity with paragraph 3:3 may be used in place of privies, or where a privy is not permitted due to possible contamination of ground and surface water.
- 3:1-8 Recirculating toilets constructed in conformity with paragraph 3:6 may be used in place of privies or chemical toilets.
- 3:1-9 Combustion toilets constructed in conformity with paragraph 3:5 may be used in place of privies, chemical toilets, or recirculating toilets.
- 3:1-10 Portable toilets constructed in conformity with paragraph 3:7 may be used. Such units may be:
- 3:1-10(a) Chemical, recirculating, or combustion toilets designed for installation in or as an integral part of a skid-mounted portable privy building, or in a separate toilet room, or
- 3:1-10(b) Portable privies designed for installation over a manhole of a sanitary or a combined waste water sewer system.
- 3:2 Privy specifications.
- 3:2-1 A privy pit shall be separated by a minimum distance of 100 feet between the privy and a well, spring, or other source of water supply for drinking, bathing, or culinary purposes.
- 3:2-1(a) At no time shall the pit bottom of a privy extend into ground water, nor shall it be constructed within 100 feet of the shoreline of any open body of water. Phreatic water, such as may be found in surface soil at depths of 10 feet or less, shall not be interpreted as ground water unless there is evidence of positive directional flow through the pit.
- 3:2-1(b) The privy shall be so located and so constructed that no surface water may enter into the pit either as runoff or as flood water.
- 3:2-1(c) The pit shall be constructed of such material and in such a manner as to prevent rapid deterioration, provide adequate capacity, and facilitate maintenance in a satisfactory manner under ordinary conditions of usage.

- 3:2-1(d) The pit and seat area shall be vented by a flue or vent pipe having not less than 7 square inches cross-sectional area, so as to provide a continuous escape of odors.
- 3:2-1(e) The pit shall provide a capacity of 50 cubic feet for each seat installed in the privy building. The vault within 16 inches of the surface grade shall not be counted as part of the 50-cubic-foot capacity.
- 3:2-1(f) Pit cribbing shall fit firmly and be in uniform contact with the earth walls on all sides, and shall rise at least 6 inches above the original ground line and descend to the full depth of the pit. However, pit cribbing below the soil line may be omitted in rock formations.
- 3:2-1(g) An earth plateau shall be constructed level with the top of the pit cribbing, and extend horizontally for a distance of at least 18 inches before sloping to the original ground level.
- 3:2-2 Privy building shall be firmly anchored, rigidly constructed, and free from hostile surface features, such as exposed nail points, sharp edges, rough or broken boards, etc., and shall provide privacy and protection from the elements. It shall be ventilated by leaving a 4-inch opening at the top of all the walls just beneath the roof.
- 3:2-2(a) The building shall be of fly-tight construction, doors shall be self-closing, and vent and building openings shall be screened with 16-mesh screen of durable material. The vent shall extend 12 inches above the roof.
- 3:2-2(b) The seat shall be so spaced as to provide a minimum clear space of 24 inches between each seat in multiple unit installations, and shall provide 12 inches clear space from the seat opening to the side wall in single and multiple units.
- 3:2-2(c) The seat riser shall have an inside clearance of not less than 21 inches from the front wall and not less than 24 inches from the rear wall of the privy building.
- 3:2-2(d) The seat top shall be not less than 12 inches nor more than 16 inches above the floor.
- 3:2-2(e) The seat opening shall be covered with an attached, movable toilet seat and lid, so constructed and installed that when closed it will limit access of insects, and which can be raised to allow sanitary use as a urinal.

- 3:2-2(f) The floor and riser shall be built of impervious material or tongue and groove lumber, and in a manner to deny access of insects.
- 3:2-2(g) Where electricity is available, lighting shall be provided with an intensity of not less than 10-foot candles 30 inches above the floor.
- 3:2-2(h) A conveniently located receptacle or dispenser containing an adequate supply of toilet paper shall be provided for each seat in each privy building.

3:3 Chemical toilet specifications.

- 3:3-1 Rooms, buildings, or shelters housing chemical toilets shall be of sound construction and easy to clean, and shall provide shelter and privacy. The toilet rooms shall be ventilated to the outside and adequately lighted, and all openings into the toilet room shall be covered with 16-mesh screen. The minimum requirements given in subparagraphs 2 through 7 of this paragraph shall apply.
- 3:3-2 Caustic receptacles shall be durable and corrosion proof, and provide a minimum capacity of 100 gallons per seat.
- 3:3-3 The caustic receptacle charge per seat shall be a minimum of 25 pounds of caustic dissolved in 10 gallons of water.
- 3:3-4 The chemical shall be drained and receptacle recharged every 6 months of continuous use, or at the beginning of each season of operation when in intermittent use, or when three-fourths full, whichever occurs first.
- 3:3-5 Each seat in the building shall be provided with a conveniently located agitator.
- 3:3-6 Receptacles shall be vented as prescribed in paragraph 3:2-1(d) of this section.
- 3:3-7 The receptacle shall be equipped with a manhole external to the privy building for cleaning and caustic removal purposes. The manhole shall be covered so as to prevent the escape of gases and odors.

3:4 Seepage pit construction.

- 3:4-1 Seepage pit construction shall conform with requirements for privy pit construction in paragraph 3:2-1(a), (b), (c), (f) and (g) of this section. The seepage pit may be filled with stone or rubble of not less than nominal 1 inch diameter.

- 3:4-2 Seepage pits shall be of such dimensions as to provide side wall area equal to at least 10 square feet per person served by the facility, or such greater area as may be required by the health agency having jurisdiction.
- 3:4-3 Temporary piping connections from sinks or shower platforms may be discharged beneath the floor if they have traps in accordance with the provisions of American National Standard National Plumbing Code, A 40.8-1955.
- 3:4-4 The platform covering the seepage pits shall be built of impervious material and in a manner to exclude insects.
- 3:4-5 The platform shall be provided with an opening at least 1 foot in each dimension and have a rim at least 1 inch above the floor to prevent precipitation from accumulating on the platform floor.
- 3:4-6 The platform opening shall be covered with a self-closing lid, so constructed that it can be easily opened by foot or hand, and so installed that when closed it will exclude insects and fit closely over the raised rim of the opening.

3:5 Combustion toilet.

- 3:5-1 Combustion toilets and combustion toilet buildings, rooms, or shelters shall conform to the applicable specifications given for chemical toilets in paragraph 3:3 of this section.
- 3:5-2 All external surfaces, including bowl and hopper, shall be easy to clean.
- 3:5-3 The residue must be sterile and inert.
- 3:5-4 The flue effluents must be free of bacteria.
- 3:5-5 The combustion system and all fuel and electrical parts shall be safe and in compliance with applicable gas and electrical codes of local authorities. Where such codes do not exist, the installations shall comply with the American National Standards National Electrical Code, C1-1968 (NFPA No. 70-1968).

3:6 Recirculating toilet specifications.

- 3:6-1 Recirculating toilet buildings, rooms, or shelters shall conform to the applicable specifications given for chemical toilets in paragraph 3:3 of this section.
- 3:6-2 All materials, bowl, piping, and fittings shall be corrosion resistant.

- 3:6-3 Waste passages shall have smooth surfaces and be free of obstructions, recesses, or chambers that would permit fouling.
- 3:6-4 Flushing shall be accomplished by a single control so arranged as to be operated without special knowledge or effort.
- 3:6-5 Recirculating toilets shall conform to "Self-Contained, Electrically Operated Recirculating, Chemically Controlled Toilet." International Association of Plumbing and Mechanical Officials Trailer Standard TSC 12-65.
- 3:6-6 The unit shall be maintained and cleaned; and water, filter, and odor-controlling chemical shall be replaced in accordance with the instructions of the manufacturer.
- 3:7 Portable toilet construction.
- 3:7-1 A portable toilet may comprise the seat and its treatment unit to be installed in a structure, or it may comprise an entire prefabricated, skid mounted, or otherwise portable structure containing a seat or treatment units with seat.
- 3:7-2 No pit, tank, or other subsurface structure shall be construed as part of a portable toilet.
- 3:7-2(a) Portable privies must be installed over a pit conforming to paragraph 3:2-1 of this section, or a manhole that is part of a sanitary or combined waste water disposal system.
- 3:7-2(b) No portable toilet shall discharge into a storm sewer.
- 3:7-3 A portable building shall be rigidly constructed, ventilated by a screened opening or a vent having a cross-sectional area of at least 1 square foot per seat, and equipped with a floor, riser, and seat meeting the requirements of paragraph 3:2-2 of this section or an equivalent individual stool and seat in prefabricated metal, fiber glass, plastic, or ceramic material.
- 3:7-3(a) The structure shall provide privacy and protection from the elements.
- 3:7-3(b) An airtight seal shall be provided between the structure base and any pit, receptacle, or manhole over which it is placed.
- 3:7-3(c) Ventilation of the pit, receptacle, or manhole shall conform to paragraph 3:2-1(d) of this section.
- 3:7-4 A portable toilet shall be provided with facilities, requisite to its construction, for the removal of chemicals, ash, or residue. All surfaces subject to soiling shall be readily accessible and easily cleaned.

12:102-4 FACILITIES FOR THE WASHING OF HANDS

4:1 Washing facilities shall be made available for all employees at all working areas.

4:1-1 Washing facilities shall consist of a supply of fresh, clean water and a container.

4:1-2 A fresh, clean running water outlet shall be provided.

4:1-3 A supply of soap and individual towels shall be provided.

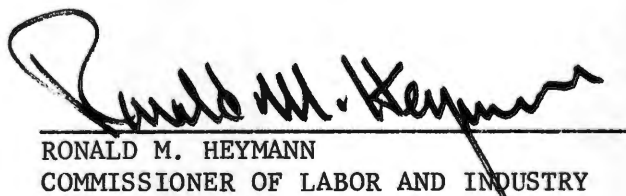
4:1-4 In lieu of and/or in addition to provisions of sections 1, 2, and 3 preceding, wet towelettes in individual sanitary sealed packets may be made available in sufficient supply.

Additional copies of the proposed regulations may be obtained without charge upon request to the Department of Labor and Industry, Bureau of Migrant Labor, Post Office Box 2039, Trenton, New Jersey, 08625.

Interested persons may present statements or arguments, orally or in writing, relevant to the proposed action, at a Public Hearing in Room 1304, Labor and Industry Building, John Fitch Plaza, Trenton, New Jersey, at 10:00 A.M., Wednesday, August 25, 1971.

Any person wishing to present statements or arguments will be required to give his name and address. Any person who wishes to present statements or arguments on behalf of an organization must present written evidence that he is authorized to represent such organization. A verbatim transcription of testimony will be made by a Certified Court Reporter. Any person desiring a record of the transcript may make arrangements with the reporter to purchase a copy.

The Commissioner proposes to adopt these regulations to become effective September 5, 1971.



RONALD M. HEYMANN
COMMISSIONER OF LABOR AND INDUSTRY