Chapter SPS 391

SANITATION

SPS 391.01 Purpose. This chapter has the following purposes:

(1) This chapter establishes minimum standards and criteria for the design, installation and maintenance of sanitation systems and devices which are alternatives to water-carried waste plumbing fixtures and drain systems so that these sanitation systems and devices are safe and will safeguard public health and the waters of the state.

(2) This chapter establishes criteria for equal speed of access to toilets for each gender in restrooms serving an amusement facility and a specialty event center where the public congregates.

SPS 391.02 Scope. (1) This chapter has the following applications:

(a) This chapter applies to all composting toilet systems, incinerating toilets, pit privies and vault privies installed or constructed on or after the effective date of this chapter.

(b) This chapter applies to separate-gender restrooms serving an amusement facility and a specialty event center where the public congregates that are constructed or altered as specified in SPS 391.14.

(2) The provisions of this chapter are not retroactively applied to existing installations unless specifically stated in the administrative rule.

SPS 391.03 Definitions. In this chapter:

(1) “Amusement facility” has the meaning given in s. 101.128 (1) (a), Stats.

(2) “Composting toilet system” means a method that collects, stores and converts by bacterial digestion nonliquid-carried human wastes or organic kitchen wastes, or both, into humus.

(3) “Department” means the department of safety and professional services.

(4) “Facility where the public congregates” has the meaning given in s. 101.128 (1) (b), Stats.

(5) “Incinerating toilet” means a self-contained device for the treatment of nonliquid carried wastes that deposits the wastes directly into a combustion chamber, reduces the solid portion to ash and evaporates the liquid portion.

(6) “Pit privy” means an enclosed nonportable toilet into which nonwater-carried human wastes are deposited to a subsurface storage chamber that is not watertight.

(7) “Portable restroom” means a self-contained portable unit that includes fixtures, incorporating holding tank facilities, designed to receive human excrement.

(8) “Specialty event center” has the meaning given in s. 101.128 (1) (g), Stats.

(9) “Vault privy” means an enclosed nonportable toilet into which nonwater-carried human wastes are deposited to a subsurface storage chamber that is watertight.

SPS 391.04 Registrations. The installation of a vault privy or a pit privy to serve a state-owned facility shall be registered with the department prior to installation. The registration of a vault privy shall be accomplished by sufficient information to determine compliance with SPS 384.25. The registration of a pit privy shall be accomplished by sufficient soil information to determine compliance with s. SPS 384.44 (4) (b).

SPS 391.10 Composting toilet systems. (1) The materials, design, construction and performance of a composting toilet system shall conform to NSF Standard 41.

(2) All composting toilet systems shall be listed by a testing agency acceptable to the department.

SPS 391.11 Incinerating toilets. (1) The design, construction and installation of a gas-fired incinerating toilet shall conform to ANSI Z21.61.

(2) All electric and gas-fired incinerating toilets shall be listed by a testing agency acceptable to the department.

(3) All electric and gas-fired incinerating toilets shall be listed by a testing agency acceptable to the department.

(4) (a) The disposal of the compost shall be in accordance with 40 CFR part 503.

(b) The disposal of any liquid from a composting toilet system shall be either to a public sanitary sewer system or a POWTS conforming to ch. SPS 383.

Note: Listing agencies acceptable to the department include the American Gas Association; Canadian Standards Association; NSF International; Underwriter’s Laboratories; and Warnock Hersey.

SPS 391.12 Privies. (1) Privies shall be either to a public sanitary sewer system or a POWTS conforming to ch. SPS 383.


SPS 391.13 Portable restrooms. (1) Portable restrooms shall be constructed, installed and maintained to conform to ANSI Z21.61.
SPS 391.12 Privies. (1) (a) The storage chamber of a vault privy shall conform with the requirements of s. SPS 384.25 relating to holding tanks, and shall have a minimum storage capacity of 200 gallons or one cubic yard.

(b) The disposal of any liquid from an incinerating toilet shall be either to a public sanitary sewer system or a POWTS conforming to ch. SPS 383.

SPS 391.13 Portable restrooms. (1) The storage chamber of a portable restroom into which human waste is to be deposited shall be watertight.

(2) The entire floor and the side walls to a height of not less than 4 inches of a portable restroom shall be of a material impervious to water.

History: Cr. Register, April 2000, No. 532, eff. 7–1–00; correction in (4) (b) made under s. 13.92 (4) (b) 7., Stats., Register December 2011 No. 672; CR 17–065; am. (1) (2) Register June 2018 No. 750, eff. 7–1–18.

SPS 391.20 Incorporation of standards by reference. (1) CONSENT. Pursuant to s. 227.21, Stats., the attorney general has consented to the incorporation by reference of the standards listed in sub. (3).

(2) COPIES. Copies of the adopted standards are on file in the offices of the department and the legislative reference bureau. Copies of the standards may be purchased through the respective organizations listed in sub. (3).

(3) ADOPTION OF STANDARDS. The standards referenced in pars. (a) to (c) are incorporated by reference into this chapter.


(b) NSF 41–2016: Non–Liquid Saturated Treatment Systems, NSF International, 6300 Interfirst Drive, Ann Arbor, MI 48108.


History: Cr. Register, April 2000, No. 532, eff. 7–1–00; correction in (4) (b) made under s. 13.92 (4) (b) 6., Stats., Register December 2011 No. 672; CR 17–065; am. (1), (2), (3) (intro.) r. and recr. (3) (a), (b), (c) 5., Stats., Register June 2018 No. 750, eff. 7–1–18; correction in (3) (intro.) made under s. 35.17, Stats., Register June 2018 No. 750.