

R392. Health and Human Services, Population Health, Environmental Health.

R392-401. Roadway Rest Area Sanitation.

R392-401-1. Authority and Purpose.

- (1) This rule is authorized under Sections 26B-7-402, and Subsection 26B-1-202.
- (2) This rule establishes definitions; sets standards for health and welfare of individuals and for the prevention of the spread of disease in or from a roadway rest area.

R392-401-2. Applicability.

This rule applies to the maintenance, use, and operation of roadway rest areas designed, intended for use, or otherwise used by the public while traveling on public roadways, unless specifically exempted. This includes any area designated as an Interstate Oasis as defined by the Federal Highway Administration under 23 U.S.C. Sec. 111 and listed in 71 Federal Register 201 (18 October 2006), pp. 61529-61534. This rule does not apply to scenic view or roadside picnic areas or other parking areas if those areas have proper signage indicating that public facilities are not offered.

R392-401-3. Definitions.

For the purposes of this rule:

- (1) "Local health officer" means the health officer of the local health department having jurisdiction or designated representative.
- (2) "Nuisance" means a condition or hazard, or the source thereof, which may be deleterious or detrimental to the health, safety, or welfare of the public.
- (3) "Operator" means a person with ownership or overall responsibility for managing or operating a roadway rest area.
- (4) "Plumbing Code" means International Plumbing Code as incorporated and amended in Title 15A, State Construction and Fire Codes Act.
- (5) "Roadway rest area" or "Rest area" means any building, or buildings, or grounds, parking areas, including toilet, hand washing, water supply and wastewater facilities intended for the accommodation of people using such facilities while traveling on public roadways. This includes rest areas, welcome centers, and rest stops.
- (6) "Vault privy" means the same as defined in Rule R317-560, Rules for the Design, Construction, and Maintenance of Vault Privies and Earthen Pit Privies.
- (7) "Wastewater" means discharges from each plumbing facility including rest rooms, kitchen, and laundry fixtures either separately or in combination.

R392-401-4. General.

- (1) This rule does not require a construction change in any portion of a roadway rest area if the rest area was in compliance with the law in effect at the time the roadway rest area was constructed, except that construction changes may be required by the local health officer if it is determined the roadway rest area or portion thereof is dangerous, unsafe, unsanitary, or a nuisance to life, health, or property.
- (2) The operator shall carry out the provisions of this rule.
- (3) A roadway rest area operator or agent shall select or construct a location for the facility that will provide adequate surface drainage. The operator shall make a reasonable effort to locate the facility away from any existing or potential public health hazard or nuisance.
- (4) The operator shall comply with all applicable building, zoning, electrical, health, fire codes and all local ordinances.

R392-401-5. Water Supply Requirements.

- (1) When an operator supplies potable water for rest area patron use, the potable water supply system shall be designed, installed, and operated according to the requirements set forth by:
 - (a) Plumbing Code;
 - (b) the Utah Department of Environmental Quality, Division of Drinking Water under Title R309, Drinking Water;and
 - (c) local health department regulations.
- (2) Any plumbing fixture provided by the operator that normally requires water for its operation shall have an adequate potable water supply under pressure.
- (3) The operator may be required to sample water systems operated on a seasonal basis for bacteriologic analysis, as determined by the local health officer.
- (4) If a roadway rest area experiences or will experience a disruption of potable water or sewer service for more than four hours, for any reason, the operator shall notify the local health officer within one hour of becoming aware of the service disruption.

R392-401-6. Wastewater Disposal Requirements.

- (1) The operator shall ensure that sewer services are made available to roadway rest area patrons.
- (2) Sewer systems for use by roadway rest area patrons shall be designed, installed, and operated according to the requirements set forth by:

- (a) Plumbing Code;
 - (b) the Utah Department of Environmental Quality, Division of Water Quality under Title R317, Water Quality;
 - (c) local health department regulations; and
 - (d) the local sewer district having jurisdiction.
- (3) Wastewater shall be discharged to a public sanitary sewer system whenever practicable.
- (4) Where connection to a public sanitary sewer is not practicable, wastewater shall be discharged to:
- (a) an approved onsite wastewater disposal system; or
 - (b) a vault privy, which shall be located, constructed, and maintained according to the requirements of Rule R317-560 and local health department regulation in such a manner that:
- (i) users do not contact waste matter deposited;
 - (ii) access to the vault privy interior or vault is minimized for flies, insects, rats, and other animals;
 - (iii) surface or ground water cannot enter the vault, either as runoff or as flood water;
 - (iv) the waste material in the vault privy cannot contaminate a water supply, stream, or body of water; and
 - (v) odors are minimized both inside and outside the vault privy structure.
- (5) The operator shall submit any required plans for the construction or alteration of an onsite wastewater disposal system in accordance with Title R317, Water Quality.

R392-401-7. Solid Wastes.

- (1) The operator shall provide adequate containers to prevent the accumulation of solid waste in or around the rest area.
- (2) Solid waste generated at a roadway rest area shall be stored in a leak-proof, non-absorbent container, which shall be kept covered with a tight-fitting lid.
- (3) Solid wastes shall be disposed with sufficient frequency and in such a manner as to prevent insect breeding, rodent harborage, or a public health nuisance.

R392-401-8. Maintenance Requirements.

- (1) Buildings, rooms, and equipment and the grounds surrounding them shall be maintained in a clean and operable condition.
- (2) Where necessary, any reasonable means shall be employed to eliminate or control infestations of vermin, vectors, or pests within a roadway rest area. This shall include approved screening or other approved control of outside openings in structures.
- (3) Where electric power is available, roadway rest areas shall be provided with outside lighting to indicate the location and entrance doorways.

R392-401-9. Operation Requirements.

- (1) When an operator provides plumbing fixtures as described in Subsection R392-401-5(2), the operator shall supply in each toilet room:
 - (a) soap and toilet tissue in suitable dispensers;
 - (b) individual disposable towels or other approved hand drying facilities; and
 - (c) a solid, durable, and easily cleanable waste receptacle with lid.
- (2) When a vault privy is provided for patron use as described in Subsection R392-401-6(4)(b), and potable water is not plumbed, connected, or supplied to the toilet room, the operator shall supply in each toilet room:
 - (a) a solid, durable, and easily cleanable waste receptacle with lid; and
 - (b) toilet tissue in a suitable dispenser.
- (3) The operator shall post signage in a conspicuous location to discourage patrons from depositing toilet tissue in a waste receptacle.

R392-401-10. Inspections and Investigations.

Upon presenting proper identification, the operator shall permit the local health officer to enter upon the premises of a roadway rest area to perform inspections, investigations, reviews, and other actions as necessary to ensure compliance with this rule.

R392-401-11. Closing or Restricting of a Roadway Rest Area.

- (1) If a local health officer deems a roadway rest area or portion thereof to be an imminent risk to the life, health, or safety of the public, the roadway rest area may be closed or its use may be restricted, as determined by the local health officer.
- (2) The operator shall restrict public access to the impacted area of any roadway rest area closed or restricted to use by a local health officer within a reasonable time as ordered by the local health officer.
- (3) It shall be unlawful for an operator to allow the public to utilize any roadway rest area or portion thereof that has been deemed unfit for use until written approval of the local health officer is given.

R392-401-12. Severability.

If any provision of this rule, or its application to any person or circumstance is declared invalid, the application of such provisions to other persons or circumstances, and the remainder of this rule shall be given effect without the invalidated provision or application.

KEY: public health, recreation areas, rest areas, restrooms

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