

19 Mo. Code of State Regulations 20-1.010

19 CSR 20-1.010 Sanitation of Food Service Establishments

(Rescinded October 30, 1999)

19 Mo. Code of State Regulations 20-1.020

19 CSR 20-1.020 Sanitation of Retail Food Stores

(Rescinded October 30, 1999)

19 Mo. Code of State Regulations 20-1.025

19 CSR 20-1.025 Missouri Food Code

PURPOSE: This rule establishes up-to-date sanitation standards for food establishments designated in Chapter 196, RSMo.

(1) Food establishments shall comply with the sanitation standards and processes contained in the Department of Health and Senior Services *Missouri Food Code* manual. The manual is incorporated by reference in this rule as published June 3, 2013, by the Department of Health and Senior Services and is available on the web at www.health.mo.gov or by contacting the department at PO Box 570, Jefferson City, MO 65102-0570, (573) 751-6095. This rule does not incorporate any subsequent amendments or additions.

19 Mo. Code of State Regulations 20-1.030

19 CSR 20-1.030 Sanitation and Production Standards for Frozen Desserts

PURPOSE: This rule defines and establishes sanitation and production standards for frozen desserts as they relate to public health.

(1) The following definitions shall apply in the interpretation and enforcement of this rule:

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(A) A frozen dessert shall mean a frozen product made from any of the following: milk solids or other milk products, water, organic acids, natural or artificial flavoring, sweetening agents, and harmless coloring together with any safe or suitable functional ingredient. Frozen desserts shall include ice cream, frozen custard, ice milk, sherbet, water ice, mellorine or any other frozen product intended to be eaten in its frozen state, but which in its unfrozen, but otherwise edible state, is recognized by a common or usual name for a nonstandardized food. Any of these frozen products which are prepared for special dietary use are also included as a frozen dessert;

(B) The term mix shall mean the unfrozen combination of all ingredients of a frozen dessert with or without fruits, fruit juices, candy, nut meats, flavor or harmless color;

(C) The terms pasteurization and pasteurized shall refer to the process of heating in approved and properly operated equipment every particle of mix to one (1) of the following minimum temperatures and holding at this temperature continuously for the specified time: one hundred fifty-five degrees Fahrenheit (155°F) and holding at that temperature for at least thirty (30) minutes; or one hundred seventy-five degrees Fahrenheit (175°F) and holding at that temperature for at least twenty-five (25) seconds; or any other method or process demonstrated to be equally efficient and approved by the Missouri Department of Health;

(D) A frozen dessert processor is any person who freezes any pasteurized mix into semi-solid or solid form for retail distribution or sale as a frozen dessert;

(E) A frozen dessert distributor is any person who offers for sale or sells to another any frozen dessert or mix for human consumption;

(F) A frozen dessert plant is any place or premises where frozen desserts or mixes are processed, pasteurized, frozen or packaged for distribution or sale;

(G) An official laboratory is a biological, chemical or physical laboratory which is under the direct supervision of the state or local health authority and which has been approved by the appropriate state laboratory agency;

(H) Health authority shall mean the director of the Department of Health or his/her designated representative;

(I) The word person shall mean an individual, partnership, corporation, company, firm, trustee, cooperative or association;

(J) Adulterated shall mean the condition of a frozen dessert when it contains any poisonous or harmful substance in a quantity which may render it injurious to health; when it contains any added poisonous or harmful substance for which no safe tolerance has been established by regulation or in excess of that tolerance if one has been established; when it consists in whole or in part of any substance unfit for human consumption; when it has been processed, prepared, packaged or held under unsanitary conditions whereby it may have been

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rendered injurious to health; when its container is composed in whole or in part of any toxic or harmful substance which may render the contents injurious to health or when it contains any substance that does not conform with section 196.856, RSMo (1986) or this rule;

(K) Misbranded shall mean the presence of any false or misleading written, printed or graphic matter upon a container of frozen dessert or accompanying a frozen dessert or any label which violates any applicable federal, state or local labeling laws or regulations; and

(L) Confectionary shall mean candy, cakes, cookies and glazed fruits.

(2) All frozen dessert processors and frozen dessert plants shall be inspected at least annually to determine eligibility for license. The inspection procedure for renewal of license shall be the same as that for initial licensing.

(3) Raw milk and raw milk products used in the manufacture of frozen desserts shall meet at least the minimum requirements as defined in the Missouri Department of Agriculture Farm Certification Regulations.

(4) No ingredients shall be used in processing frozen desserts which are adulterated within the meaning of section 196.070, RSMo (1986).

(5) At irregular intervals during any six (6)-month period at least four (4) samples of frozen desserts or pasteurized mix shall be taken and examined by an official laboratory designated by the Missouri Department of Health or its authorized representative. Pasteurized mix and frozen desserts shall not exceed fifty thousand (50,000) standard plate count or ten (10) coliform per gram in three (3) out of the last five (5) consecutive samples taken by the health authority.

(6) The floors of all rooms in which frozen desserts or frozen dessert mix or the ingredients for them are processed or frozen or in which containers and utensils are washed shall be constructed of concrete or other equally impervious and easily cleaned material; and shall be smooth, properly drained, provided with trap drains and kept clean and in good repair. Cold storage rooms used for storing frozen desserts, milk, cream, milk products, frozen fruits, frozen eggs and comparable ingredients need not be provided with floor drains, but the floors shall be sloped to drain to one (1) or more exits and shall be kept clean. Dry storage rooms need not to be drained and tight wood-floor construction is optional.

(7) Walls and ceilings of rooms in which frozen dessert mix, frozen desserts or ingredients for them are processed or frozen or in which containers or utensils are washed shall have a smooth, washable, light-colored surface and shall be kept clean and in good repair.

(8) Effective means shall be provided to prevent flies and rodents from entering a frozen dessert plant. All doors shall be self-closing.

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(9) All rooms shall be well lighted and ventilated. All exposed working surfaces shall have at least twenty (20) footcandles of light as measured by a light meter. Dry storage and cold storage rooms shall have at least ten (10) footcandles of light at a distance of thirty inches (30") from the floor.

(10) The pasteurization, processing, cooling, freezing and packaging operations must be separated by solid partitions from other plant operations. Unless prohibited by existing construction, plants receiving milk products or frozen dessert mix in bulk transport tanks shall provide a room for receiving, cleaning and sanitizing transport tanks. Unless all milk products and mix are received in bulk transport tanks, a receiving room that is separate from rooms already listed in this section of this rule shall be required. Rooms in which milk products, frozen dessert ingredients or frozen desserts are handled, processed, sorted or packaged or in which product-contact containers, utensils and equipment are washed or stored shall not open directly into any room used for domestic purposes. All milk, milk products, mix or frozen desserts that have overflowed, leaked or been spilled shall be discarded.

(11) Every frozen dessert plant shall have conveniently located toilet facilities. Toilet rooms shall not open directly into any room in which milk products, frozen desserts or frozen dessert ingredients are processed or packaged. Toilet rooms shall be completely enclosed and shall have tight-fitting self-closing doors. Dressing rooms and toilet rooms shall be kept clean, in good repair and well ventilated.

(12) The water supply shall be easily accessible, adequate and of a safe and sanitary quality.

(13) Convenient handwashing facilities shall be provided, including hot and cold or warm running water, soap and individual sanitary towels or other approved hand-drying devices. Handwashing facilities shall be kept in a clean condition and in good repair.

(14) All piping and fittings used to conduct milk, cream, milk products, mix or frozen desserts shall be of sanitary design and construction. Mix, frozen desserts, fluid milk products and ingredients shall be conducted from one (1) piece of equipment to another only by sanitary piping and fittings.

(15) All multiuse containers, utensils and equipment which come in contact with mix, frozen desserts, milk, cream and milk products and other ingredients shall be smooth, impervious, noncorrodible, nontoxic, relatively low-absorbent material. Equipment shall be designed and installed so it is easily cleaned and shall be kept in good repair. All single-service containers, closures, gaskets and other articles shall be manufactured, packaged, transported and handled in a sanitary manner.

(16) All waste shall be disposed of in a sanitary manner. All plumbing and appurtenances to plumbing shall be so designed and installed in a manner that prevents the contamination of mix or frozen desserts or any ingredient, utensil, container or equipment by drip, condensation or backflow.

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(17) All multiflow utensils, containers and equipment shall be thoroughly cleaned before each use. All product-contact surfaces of utensils, containers and equipment shall be subjected effectively to an approved bactericidal process immediately prior to use. Multiuse containers used for the transportation of mix shall be thoroughly rinsed immediately after emptying. Cleaning in place shall be used only on equipment and pipeline systems that are designed and engineered for that purpose. Installation and cleaning procedures shall be in accordance with Standard 605-04 of the 3-A Accepted Practices formulated by the International Association of Milk, Food and Environmental Sanitations, United States Public Health Service and the Daily Industry Committee.

(18) After cleaning, all multiuse utensils, containers and equipment shall be stored to drain dry in a manner so they will not be contaminated before usage.

(19) Caps; parchment paper; wrappers; liners; gaskets and single-service sticks, spoons, covers and containers for frozen dessert mix or frozen desserts or their ingredients shall be purchased and stored in sanitary tubes, wrappings or cartons. All of these shall be kept in a clean, dry place until used and shall be handled in a sanitary manner.

(20) Between bactericidal treatment and usage and during usage, containers and equipment shall be handled or operated in a manner that prevents contamination of mix, frozen desserts or their ingredients. Pasteurized milk and frozen desserts shall not be permitted to come into contact with equipment with which unpasteurized mix, milk, cream or milk products have been in contact unless the equipment has been thoroughly cleaned and effectively subjected to an approved bactericidal process.

(21) All frozen desserts which are made from liquid dairy and egg products must be pasteurized after formulation; flavoring ingredients and the reconstituted liquid mixes prepared from dry powder mixes are exempt from the pasteurization requirement. All milk and egg products used in dry mixes shall have been subjected to a pasteurization process. The design and operation of all pasteurization equipment and all appurtenances of that equipment shall comply with applicable specifications and operational procedures as outlined by the most recent recommendations of the federal Food and Drug Administration (FDA).

(22) All milk, cream and milk products in fluid form received at a frozen dessert plant for use in frozen dessert mix shall immediately be cooled to a temperature of forty-five degrees Fahrenheit (45° F) or less and maintained at that temperature until pasteurized and all pasteurized mix shall be cooled immediately in approved equipment to a temperature of forty-five degrees Fahrenheit (45° F) or less and shall be maintained at that temperature until frozen.

(23) A manufacturer of frozen desserts must comply with the following manufacturing practices:

(A) Powder or dry frozen dessert mixes intended for reconstitution with water and which contain no milk or other fluid dairy product ingredients but contain egg ingredients, dry whey, reduced mineral whey, whey protein concentrate or whey reduced in lactose or caseinates are exempt from the pasteurization requirement of section (21) of this rule. Any of these ingredients used in the formulation of powder or dry frozen dessert mixes shall have been pasteurized;

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(B) Powder or dry frozen dessert mixes shall contain no ingredients except those which are generally recognized as safe by the federal FDA;

(C) Water ices are exempt from the pasteurization requirements of section (21) of this rule; and

(D) All frozen dessert manufacturers shall apply for a license from the Department of Health prior to the manufacture or sale and distribution of their products in the state. Volume of powder or dry frozen dessert mixes required on the application shall be reported as gallons of mix after reconstitution. The application shall also include the name under which the frozen dessert is to be advertised or offered for sale; a list of the ingredients, including optional ingredients, with percentages in the product; method of preparation; and any other relevant information.

(24) Packaging, cutting, molding and other preparations of mix or frozen desserts or their ingredients shall be done in a sanitary manner.

(25) After delivery, mix or frozen desserts in broken or open containers may be returned to the plant for inspection but shall not be sold or used for making mix or frozen desserts.

(26) Product drip or overflow or spilled mix or frozen desserts or their ingredients shall not be sold for human consumption.

(27) No person, while affected with any disease in communicable form or while a carrier of that disease, or while affected with boils, infected wounds, sores or an acute respiratory infection, shall engage in pasteurization handling of ingredients, filling, packaging or freezing operation or in any capacity in which there is a likelihood that this person will contaminate mix, frozen desserts or mix and frozen dessert-contact surfaces with pathogenic organisms or transmit disease to other individuals. No person known or suspected of being affected with any disease or condition shall be employed in such a capacity.

(28) All persons who come in contact with milk, cream, milk products, mix, frozen desserts, containers or equipment shall wear clean outer garments and head coverings and shall keep their hands clean at all times while engaged in that work.

(29) All vehicles used for the transportation of mix, frozen desserts, cream, milk and milk products shall be constructed and operated so as to protect their contents from sun and contamination. These vehicles shall be kept clean and no substance capable of contaminating mix, frozen desserts, cream, milk and milk products shall be transported in the vehicles. Any such vehicle shall have the name of the distributor prominently displayed on it. Transport tanks used for transporting mix, cream, milk and milk products shall comply with the construction, cleaning, bactericidal treatment storage and handling requirements of this rule. Each shipment shall be sealed and labeled in an approved manner.

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(30) Surroundings of frozen dessert processors and plants shall be kept clean, neat and free from conditions which might attract or harbor flies or other insects and rodents or which might otherwise constitute a nuisance.

(31) Lubricants, such as orange oil or petroleum jelly, which are applied to filling machine pistons and cylinders, pumps and valves, shall be sterile and shall be applied in a sanitary manner.

(32) No person shall transfer frozen desserts from one container to another on the street, in any vehicle or store, or in any other place except under sanitary conditions as permitted by the health authority.

(33) Frozen desserts from points beyond the limits of routine inspection of the health authority may be sold in the state if they are processed and pasteurized under provisions which are substantially equivalent to the requirements of this rule as determined by the health authority.

(34) All frozen dessert plants which are constructed, reconstructed or extensively altered after the effective date of this rule shall conform to construction requirements of this rule. Properly prepared plans for all frozen dessert plants which are constructed, reconstructed or extensively altered after October 11, 1980 shall be submitted to the health authority for approval before work is begun. Signed approval shall be obtained from the health authority.

(35) Notice shall be sent to the health authority immediately by any frozen dessert processor or distributor when any employee has any infectious, contagious or communicable disease.

(36) Whenever reasonable cause exists to suspect the possibility of transmission of infection from any person concerned with the handling of milk, milk products, frozen desserts, frozen dessert ingredients or frozen dessert mix, the health authority is authorized to require the immediate exclusion of that person from product handling. In addition, the health authority can require the immediate exclusion of the products concerned from distribution and require adequate medical and bacteriological examination of the person and of his/her associates and of his/her and their body discharges.

19 Mo. Code of State Regulations 20-1.040

19 CSR 20-1.040 Good Manufacturing Practices

PURPOSE: This rule establishes sanitation standards of public health significance for manufactured foods.

(1) Applicability. The requirements of this rule apply to buildings or facilities, or parts thereof, used for or in connection with the manufacturing, packaging, transporting, or holding of human food.

(2) Standards. Manufacturers, distributors, and warehouses shall operate in accordance with 21 CFR Part 110

Current through May 31, 2014

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Current Good Manufacturing Practice in Manufacturing, Packing, or Holding Human Food, revised as of April 1, 2012, hereby incorporated by reference and made a part of this rule as published by the U.S. Government Printing Office, 732 North Capitol Street NW, Washington, DC 20401-0001, (202) 512-1800, <http://bookstore.gpo.gov>. This rule does not incorporate any subsequent amendments or additions.

19 Mo. Code of State Regulations 20-1.042

19 CSR 20-1.042 Acidified Foods

PURPOSE: This rule establishes standards to assure the facilities, methods, practices, and controls used to manufacture, process, and package acidified foods are safe and conducted under sanitary conditions.

(1) Applicability. The requirements of this rule apply to any person engaged in or connected with manufacturing, processing, and/or packaging of acidified foods.

(2) Standards. Any person engaged in the manufacturing, processing, and/or packaging of acidified foods shall operate in accordance with 21 CFR Part 114 Acidified Foods, revised as of April 1, 2012, hereby incorporated by reference and made a part of this rule as published by the U.S. Government Printing Office, 732 North Capitol Street NW, Washington, DC 20401-0001, (202) 512-1800, <http://bookstore.gpo.gov>. This rule does not incorporate any subsequent amendments or additions.

19 Mo. Code of State Regulations 20-1.045

19 CSR 20-1.045 Food Labeling

PURPOSE: This rule establishes food labeling standards for manufactured foods.

(1) Applicability. The requirements of this rule apply to buildings or facilities or parts thereof, used for or in connection with the labeling of human food.

(2) Standards. Manufacturers, distributors, and warehouses shall label human food in accordance with 21 CFR Part 101 Food Labeling, revised as of April 1, 2012, hereby incorporated by reference and made a part of this rule as published by the U.S. Government Printing Office, 732 North Capitol Street NW, Washington, DC 20401-0001, (202) 512-1800, <http://bookstore.gpo.gov>. This rule does not incorporate any subsequent amendments or additions.

19 Mo. Code of State Regulations 20-1.050

19 CSR 20-1.050 Sanitation Standards for the Manufacture of Soft Drinks and Beverages

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PURPOSE: This rule defines and establishes sanitation standards for nonintoxicating beverage and soft drink manufacturers.

(1) The following definitions shall apply the interpretation and the enforcement of this rule:

(A) Bottling means filling, capping, packaging and enclosing in bottles or other containers, including metal cans and premixed tanks;

(B) Flavor manufacturing plant means a building in which soft drink flavors are prepared, manufactured and packaged, including any separate room used for the accommodation of workers;

(C) Franchisee means a person authorized or given contractual permission to bottle, offer for sale or distribute a soft drink in a specified territory for a company or franchiser who owns the trademark or name and formula for the soft drink;

(D) Governing jurisdiction means standards, codes or ordinances as administered by local, state or federal agencies;

(E) Nonintoxicating beverage plant means a building in which soft drinks are produced including any separate room used in the preparation or storage of soft drink flavors and including any separate room used for the accommodation of production employees;

(F) Nonnutritive sweeteners means saccharin salt, aspartame and other such nonsugar sweetening ingredients as may be approved by the federal Food and Drug Administration (FDA) and recognized by of the Department of Health;

(G) Person means any individual, firm, corporation or other legal entity;

(H) Sodium means the amount of this element expressed in terms of milligrams (mg) per eight (8) fluid ounces.

1. Sodium-free means less than five milligrams (5 mg) of sodium per eight (8) fluid ounces.

2. Very low sodium means thirty-five milligrams (35 mg) or less of sodium per eight (8) fluid ounces.

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3. Low sodium means one hundred forty milligrams (140 mg) or less of sodium per eight (8) fluid ounces;

(I) Soft drink shall be held to mean and include all beverages of every kind manufactured or sold in the state which shall be understood to include those containing less than one-half (1/2) of one percent (1%) of or no alcohol, including carbonated beverages, still drinks, seltzer water, artificial or natural mineral waters and all other waters used and sold for beverage purposes. Among other products, this rule shall be interpreted to include carbonated beverages, soda, soda water, fruitade, any nonalcoholic flavored still beverages, artificial or natural mineral waters, bottled table waters, artificial waters whether carbonated or not, seltzer and club soda, and beverages that are manufactured or created by the use of parts of or natural fruit juices and the use of artificial flavoring and water such as orange juice, lemon drink, reconstituted orange juice or other similar names. These rules do not apply to whole or concentrated beverages such as concentrated grape juice, unfermented grape juice, orange juice, lemon juice, grapefruit juice, pineapple juice and apple juice or cider, provided that the same is the juice extracted from the natural fruit and that it is in its natural state and properly labeled. This rule does, however, cover all reconstituted products which are bottled from the concentrates referred to in this subsection;

(J) Soft drink flavors mean any type of soda water flavor or beverage base, syrup extracts, concentrate, powder or other compound prepared for use as a flavoring for soft drinks; and

(K) Sweetening ingredient means cane sugar or beet sugar, in liquid or crystal form, dextrose, corn sugar syrup in liquid or direct form, honey or any syrup from any sugar or any combination of these sugars;

(2) Beverage Labeling. Beverages shall be labeled in compliance with sections 196.010, 196.015, 196.075, 196.120 and 196.415, RSMo (1986).

(A) Labels or advertising pertaining to sodium content shall have the serving size and sodium content declared on the label and shall be in conformance with section (1) of this rule.

(B) Supplemental printed information and graphics may appear on the label but shall not imply properties of the product or preparation methods which are not factual.

(C) In addition, the following shall also be required when labeling bottled water:

1. If a public water system is used as the source of water for the bottled water, the container shall be labeled to clearly inform the consumer of the source of the water. If the bottler further processes, conditions or treats the water from the public water system, the additional treatments may also be included on the label;

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2. A bottled water with or without natural added carbonation may be prepared with added flavors, extracts, essences or fruit juice concentrates derived from a spice or fruit and comprising less than one percent (1%) by weight of the final product. The final product shall contain no sweeteners or additives—including nonnutritive sweeteners—other than any of the following flavors, extracts, essences or fruit juice concentrates and carbon dioxide and shall be designated on labels and in advertising as follows:

A. The common or usual name of the characterizing flavor shall accompany the designation of the bottled water-product type;

B. The product may be designated as natural only if it meets the requirements of the designation as defined in subparagraph (2)(C)3.E. of this rule and naturally derived flavors, extracts or essences are used;

C. Products labeled as one (1) type or one (1) source of bottled water shall not be blended with water that is not bottled water or that is of another bottled water type; and

D. Water which meets the definition of more than one (1) type of water as defined in paragraph (2)(C)3. of this rule may be labeled with either the applicable description or a combination of applicable descriptions; and

3. If a manufacturer or distributor provides information on the label or in advertising stating or implying it is the product of a specific water type—for example, spring water—or treated in a specific manner—for example, purified water—the type or treatment shall be on the label in an easily readable format. A label or advertising implying a specific water type or specific treatment shall conform to the following criteria:

A. Artesian well water means water from a well tapping an aquifer in which the water level will stand above the bottom of the confining bed of the aquifer, and in which the hydraulic pressure of the water in the aquifer is greater than the force of gravity. Artesian well water shall not be altered by the addition or deletion of minerals or by blending it with water from a nonartesian well water source, except that artesian well water shall be treated with a disinfection process and may be filtered to reduce the concentration of any naturally occurring substance which exceeds the bottled water standards set forth in sections (6)-(8) of this rule;

B. Fluoridated water means water containing naturally occurring or added fluoride. The label shall specify whether fluoride is naturally occurring or is added. Any water which meets the designation of fluoridated water shall contain at least eight-tenths of a milligram per liter (0.8 mg/l) fluoride and shall otherwise comply with standards established by the United States FDA in 21 CFR 103.35(d)(2)(1991);

C. Mineral water means water containing more than five hundred milligrams per liter (500 mg/l) of total dissolved solids and originating entirely from an underground source, which may be a well, artesian well or spring. Mineral water may be derived from a natural orifice or from a bore hole

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adjacent to the natural orifice. If it is derived from a bore hole adjacent to the natural orifice, the water shall be from the same underground stratum and be of the same quality and composition as the water derived from the natural orifice without external force. Mineral water may not be altered by the addition or deletion of minerals or by blending it with water from a non-mineral water source, except that mineral water may be filtered and shall be treated with a disinfection process approved by the Department of Health and shall be treated to reduce the concentration of any naturally occurring substance which exceeds the bottled water standards set forth in sections (6)-(8) of this rule. Exemption from the requirement for a disinfection process of the mineral water may be granted on an individual basis and only if the bottler can demonstrate continuing compliance with the standards of the European Economic Community Directive 80/777/EEC for Natural Mineral Water, July 15, 1980. Mineral water may be collected and transported by pipes, tunnels, trucks or similar devices. Any water which meets the criteria of this paragraph may also be labeled natural mineral water.

(I) Mineral water which contains carbon dioxide as it emerges from the source and is bottled directly with its entrapped gas, or from which the gas is mechanically separated and later reintroduced into the water at the time of bottling shall be labeled naturally carbonated or naturally sparkling.

(II) Mineral water which contains carbon dioxide other than that naturally occurring in the source product shall be labeled with the words carbonation added or carbon dioxide added, whether the carbonation is obtained from a natural or manufactured source;

D. Mineralized water means water which meets the requirements of mineral water in subparagraph (2)(C)3.C. of this rule, except that the water also contains added minerals;

E. Natural water means spring, artesian well or well water which is unmodified by mineral addition or deletion, except natural water may be filtered and shall be treated with a disinfection process and treated to reduce the concentration of any substance which exceeds standards set forth in sections (6)-(8) of this rule;

F. Purified water means water produced by distillation, deionization, ion exchange treatment or reverse osmosis and that meets the definition of purified water in the *United States Pharmacopeia*: Purified water is water obtained by distillation, exchange, reverse osmosis or other suitable exchange. It is prepared from water complying with the regulations of the United States Environmental Protection Agency (U.S. EPA) with respect to drinking water. It contains no added substance. Purified water which is vaporized and then condensed may be labeled distilled water;

G. Sparkling, carbonated or carbonation added means water which contains carbon dioxide. Naturally sparkling water means water with a carbon dioxide content from the same source as the water;

H. Spring water means water which issues by natural forces out of the earth at a particular place. Spring water may be derived from the natural orifice or from a bore hole adjacent to the natural orifice. If it is derived from the natural orifice by external force or from a bore hole adjacent to the

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natural orifice, the water shall be from the same underground stratum and be of the same quality and composition as the water derived from the natural orifice without external force. Spring water may not be altered by the addition or deletion of minerals or by blending it with water from a nonspring source. Spring water shall be treated with a disinfection process and may be filtered. Spring water may be collected and transported by pipes, tunnels, trucks or similar devices; and

I. Well water means water from a hole bored or drilled into the ground which taps the water of an aquifer. Well water shall be treated with a disinfection process and may be filtered. Well water may not be altered by the addition or deletion of minerals or by blending it with water from a nonwell water source.

(3) License Application and Expiration. Any person desiring to manufacture or distribute soft drinks or beverages as defined by the statute shall apply to the Department of Health for a license for each production facility and each warehouse operated by the applicant. The application shall be made on a form prescribed by the department for that purpose. Each license shall expire on the last day of June following the day of issuance. A license is not transferable and no refunds will be made. If the business is sold, the new owner shall obtain a new license.

(4) Sanitary Requirements. Every building, room, basement or cellar occupied or used for the preparation for sale, holding for sale, manufacturing, packing, storage, sale or distribution of soft drinks or beverages shall be properly lighted, drained, plumbed and ventilated and conducted with due regard for the purity and wholesomeness of the products produced there and the strict regard to the influence of the conditions upon the health of the operatives, employees, clerks or other persons employed there.

(A) The following rules regarding the building and premises used within Missouri for the manufacture and distribution of soft drinks and beverages shall be observed:

1. Location and use of building. The building or portion of the building shall be used for no other purpose and shall be so located as to be protected from objectionable surroundings;

2. Plant layout. Bottling plants shall be located in buildings so constructed that the bottling operation and syrup preparation are located in a separate room. This relates specifically to operations such as bottle washing and filling, compounding and mixing of syrups, warehousing and loading. This requirement, except for the syrup room, does not apply to existing bottling plants which have been located continuously in the same building prior to the promulgation of this rule. In all cases of major structural changes to existing production facility or construction of a new production facility all separation requirements are to be achieved. The Department of Health will assist and recommend suggestions prior to the start of construction;

3. Floors. The floors of all rooms used for manufacturing operations shall be of a construction as to be impervious, easily cleaned, smooth and shall be kept sanitary and in good repair;

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4. Walls and ceilings. Walls and ceilings in the syrup and bottling room shall be of hard, sound materials with smooth, easily cleaned surfaces and maintained clean. Surfaces that require painting shall be frequently painted with light colored paint;

5. Light. All processing areas shall have shielded fixtures with adequate footcandle lighting. All other areas shall be adequately lighted;

6. Ventilation. All room areas utilized for manufacture, bottling and container cleaning shall be provided with the necessary air movement to prevent excessive condensation on the ceiling and on filling equipment, which could contaminate the beverage or its ingredients. When overhead drip due to condensation is exposing cleaned containers on conveyor lines to possible contamination, shields shall be provided over the conveyor lines;

7. Screening and vermin control. Screens or other suitable equipment must be provided and used for the purpose of excluding insects from the processing area. All necessary vermin and rodent control measures must be taken;

8. Syrup room. All nonintoxicating beverage plants shall be equipped with a room known as a syrup room in which syrup, flavors, extracts and other liquid beverage ingredients or concentrates are measured, mixed or prepared. This room shall be separately enclosed and substantially constructed of easily cleanable material. It shall be well-ventilated and lighted, shall be provided with adequate facilities for washing and sanitizing equipment and shall have hot and cold running water easily accessible to all parts. It shall be protected against rodents, vermin, insects and dust and so constructed as to be easily cleaned;

9. Water and sewer connections. Water supply (if private) must meet construction requirements as found in 19 CSR 20-3.010 of the rules of the Department of Health and be of a sanitary quality. Running water under pressure from an approved source shall be easily accessible to all parts of the plant and adequate provisions for quickly carrying off and disposing of waste water shall be provided. If more than one (1) source of water is available in a plant, no cross connections shall be permitted between the two (2) sources. Sewage and other wastes must be disposed of in a manner approved by the Department of Natural Resources;

10. Toilet and washrooms. Every nonintoxicating beverage plant shall be provided with toilet facilities complying with plumbing codes of the governing jurisdiction. Toilet rooms should not open directly into any room used as a processing area. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair and well-ventilated. A sign directing employees to wash their hands before returning to work shall be posted in all toilet rooms used by employees;

11. Lavatory facilities. Adequate and convenient handwashing facilities shall be provided, including hot and cold running water, soap and approved sanitary towels. The use of a common towel is prohibited. No employee shall resume work after using the toilet room without first washing his/her hands; and

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12. Clothing storage. Suitable places for changes of garments and proper care of same are required.

(B) The following rules regarding the machinery and equipment used within Missouri for the manufacture and distribution of soft drinks and beverages shall be observed:

1. soft drinks, soft drink flavors and beverages shall be equipped with easily cleaned, suitable mechanical-washing apparatus and with approved machines for carbonating, filling and closing so that they may be readily accessible for cleaning and sanitizing;

2. Conveyors, palletizers and cases. These items shall be maintained free from accumulating dust, dirt, mud and other foreign materials;

3. Syrup making equipment. All vats, covers, jars, mixing and storage tanks, pipe lines, filters and other apparatus employed in the preparation of syrups shall be of sanitary construction and lined when necessary with materials resistant to the action of syrup ingredients;

4. Water clarification equipment. Electrical or chemical coagulation devices and filters employed for clarification of water shall be of types acceptable to the Department of Health, shall not be operated beyond their rated capacity and shall be maintained in a clean, wholesome and sanitary condition at all times; and

5. Miscellaneous equipment. Every plant shall be adequately provided with thermometers and methods for ascertaining the strength of the washer solution employed in bottle washing. All piping, vats, covers, tanks and other equipment or utensils shall be of easily cleanable construction and shall be kept in good repair. No containers shall be used for mixing or storing syrup or soft drink flavors unless they are of glass, stainless steel, good grade plastic, porcelain lined or block-tin lined; or made of or lined with, or both, some other suitable impervious, non-corrosive material. Utensils or equipment which are cadmium plated or zinc plated or in which cadmium, zinc or lead is a part of the metal are prohibited for the delivery of finished syrup or beverage. Only solder of a low lead content should be used for jointing.

(C) The following rules regarding the manufacturing methods and operations of soft drink and beverage plants which manufacture beverage products in Missouri shall be observed:

1. Cleaning facilities. Adequate facilities must be provided for the proper cleaning of all containers, utensils and equipment used in the manufacturing and processing of soft drinks;

2. Cleaning. All pipe lines, apparatus and containers employed in the manufacturing process shall be cleaned and washed after each day's use. Sanitization shall be done as necessary to maintain at all times a sanitary system. Steam, hot water, chlorine or other equally efficient agents approved by the Department of Health are permissible for sanitization;

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3. Sanitation of bottles. All closable containers in which soft drink flavors and beverages are sold or dispensed shall be washed or rinsed immediately before filling and shall be free of pathogenic bacteria. No containers intended by the manufacturer to be nonreturnable shall be refilled with beverages. Hand bottle washing, except as a preliminary before mechanical washing, shall be prohibited.

A. All reusable glass containers used in the manufacture or bottling of soft drinks and beverages, before being filled, shall be sanitized during the washing cycle in a hot caustic solution of a temperature of not less than one hundred forty degrees Fahrenheit (140°F) that shall contain not less than four percent (4%) caustic or alkali, sodium hydrate or other residual materials acquired from the sanitizing procedure. Noncaustic cleansers may be used for reusable glass containers as described in subparagraph (4)(C)3.C. of this rule if the bottler can demonstrate to the Department of Health that the process is sufficient to clean and sanitize the glass.

B. All premix and postmix containers, before being filled, shall be sanitized in a hot caustic solution at a temperature of not less than one hundred eighty degrees Fahrenheit (180°F) that shall contain not less than three percent (3%) caustic or alkali expressed in terms of sodium hydrate for a washing cycle of not less than one (1) minute and then thoroughly rinsed in clean water until free of alkali, sodium hydrate or other residual materials acquired from the sanitizing procedure.

C. Polycarbonate and other plastic containers designed and intended for reuse shall be sanitized with noncaustic cleansers in the following manner:

(I) Only noncaustic cleansers labeled for use for polycarbonate or plastic returnable containers shall be used. Specific washing conditions directed by the manufacturer shall be followed;

(II) Washing shall be performed for at least one (1) minute if using high-velocity jets or for three (3) minutes if using soaker-type wash;

(III) A sanitizing rinse shall follow the washing of the container. The sanitizing rinse shall use either water at an inside bottle temperature not less than one hundred seventy degrees Fahrenheit (170° F) for not less than fifteen (15) seconds; or shall use a sanitizing solution. The sanitizing solution shall contain not less than one hundred parts per million (100 ppm) nor more than two hundred parts per million (200 ppm) chlorine water solution at seventy-five degrees Fahrenheit (75°F) for not less than thirty (30) seconds. Other sanitizing agents may be allowed upon approval of the Department of Health;

(IV) A final rinse with product water or operations water shall be used to remove all traces of sanitizer; and

(V) Manufacturers currently using caustics for sanitizing plastic containers as of July 1, 1992,

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the effective date of this rule may continue to use this method of sanitizing bottles as described for glass containers in subparagraph (4)(C)3.A. New installations of bottle washing equipment shall use the non-caustic cleanser method as described in this section.

D. A record of key operating parameters of the container washer shall be maintained. The record shall include wash temperature, concentration of caustic or cleanser, concentration of sanitizer when using non-caustic cleansers, lack of carry-over of caustic or cleanser in containers, and maintenance on washers. Records shall be kept on file at least two (2) years for regulatory inspection.

4. Preparation of syrup. Syrups shall be prepared in a clean manner and every precaution shall be taken against contamination or absorption of deleterious substances during the process, preparation and subsequent storage. All vats, tanks and other equipment must be provided with suitable covers so as to protect the syrup and other ingredients used in the manufacturing of soft drinks from contamination. Covers shall be in place on all vats which contain ingredients;

5. Filling and closing. Manual filling crowning, closing or both shall be prohibited. Containers shall be filled and closed with automatic machinery and neither the operator nor his/her clothes shall come in contact with any portion of the bottle, can or machinery which might result in contamination of the product. This shall not apply to premix or postmix tanks for which mechanical closing equipment is not available. If and when mechanical closing apparatus becomes available, manual closing shall be prohibited after a period of five (5) years;

6. Storage of closures. Crowns, can covers or any other closures shall be stored in dustproof containers;

7. Storage of sweetening ingredient. Sweetening ingredients shall be stored in a clean sanitary manner and protected from insects, rodents, dust and other contamination;

8. Storage of finished goods. The finished product shall be stored in a manner as not to interfere with the sanitation of the processing area;

9. Refuse and rubbish. All waste, broken bottles and other such refuse shall be promptly and properly disposed of and all garbage and trash shall be kept in suitable clean, covered receptacles in a manner as not to become a nuisance;

10. Storage and handling of utensils and equipment. After bactericidal treatment, utensils shall be stored in a clean, dry place protected from insects, dust or other contamination and utensils shall be handled in a manner as to prevent contamination; and

11. Miscellaneous. The surroundings of all plants shall be kept clean and free from litter or rubbish. None

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of the operations shall be conducted in any room used for domestic purposes. Clothing and hands shall be kept clean. Soiled linens, aprons and coats shall be kept in covered containers for this purpose. Animals such as dogs, cats or birds, etc. are not permitted in the plant.

(D) The following rules regarding personnel employed in the manufacture and distribution of soft drinks and beverages must be observed:

1. Appearance and sanitary habits. All employees engaged in the mixing of syrups, filling of containers or in any other capacity which brings them in contact with the ingredients or containers of soft drinks, soft drink flavors or beverages shall be clean, have a neat appearance and wear clean clothes as determined by the licensee. Spitting or the use of tobacco in any form in the syrup room or bottling rooms is prohibited; and

2. Health. It is the employer's responsibility to assure him/herself that no employee has a contagious or infectious disease while engaged in handling, production, preparation, manufacture, packing, storage, sale or distribution of soft drinks, soft drink flavors or beverages.

(E) All bulk water sources and facilities shall be approved and maintained for sanitary quality at all times.

1. Bulk water shall be from approved sources.

A. All sources of water within the state intended for bulk water that is obtained from community public water supplies, non-community public water supplies or both shall comply with the laws and rules administered by the Public Drinking Water Program, Department of Natural Resources, governing public water supplies.

B. All sources of water within the state intended for bulk water that is obtained from springs or private wells shall be approved by the Department of Health. The Department of Health shall request a preliminary review by the Division of Geology and Land Survey, Department of Natural Resources of the geology and potential sources of contamination of springs and their recharge areas, such as sinkholes or chemical pipelines. The review, at the option of the Division of Geology and Land Survey, may include site evaluation, dye tracing, flow movement or other criteria to assist in determining characteristics of the spring. The spring orifice shall be protected from avoidable contamination, such as keeping livestock out. Because each spring and surrounding area may be unique, plans for protection from avoidable contamination shall be presented for review and approval by the Department of Health.

C. All privately owned wells within the state intended for bulk water shall be in compliance with the laws and rules administered by the Division of Geology and Land Survey, Department of Natural Resources, governing wells.

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D. Sources of water which may be classified as surface or ground water under the influence of surface water shall be provided with filtration or disinfection methods capable of controlling pathogenic organisms or both.

E. All sources of water outside the state intended for bulk water, after treatment if needed, shall be in compliance with the appropriate regulatory authority for that jurisdiction and shall meet the requirements for microbiological, chemical and radiological standards set forth in sections (6)-(8) of this rule. Documentation of compliance with the appropriate regulatory authority shall be provided to the Department of Health.

2. Bulk water sources shall meet requirements for microbiological, chemical and radiological standards set forth in sections (6)-(8) of this rule.

3. All water storage facilities shall be maintained clean and sanitary at all times and shall meet the requirements set forth in section (4) of this rule.

4. Tank trucks, loading and unloading facilities, and other equipment used to transport bulk water shall be constructed of materials that do not impart toxic substances, tastes, odor or color to the water, and shall be maintained clean and sanitary at all times. Tanks previously used to transport toxic materials, petroleum products or other deleterious substance shall not be used to haul drinking water.

5. Bulk transport and transfer procedures, at a minimum, shall meet the following requirements:

A. The tank shall be sanitized monthly and at any time contamination is suspected or any substance other than water has been introduced or transported in the tank. The tank interior shall be cleaned, flushed with potable water, sanitized with a chemical sanitizer equivalent in bactericidal action of either a two (2)-minute exposure of fifty parts per million (50 ppm) of available chlorine at fifty-seven degrees Fahrenheit (57° F) when used as a circulating solution or an exposure of one hundred parts per million (100 ppm) available chlorine at fifty-seven degrees Fahrenheit (57° F) when used as a spray or fog. The tank cover shall not be opened after sanitizing;

B. Tanks also used for the transport of dairy products must have the interior of the tank inspected with an ultraviolet lamp by the hauler each time water is to be transported. Tanks shall be rejected for use when odors or contaminants are found. The dome cover shall be closed immediately after inspection;

C. All hoses, connections and fittings shall be sanitized with a chemical solution equivalent in bactericidal action of a one (1) minute exposure of fifty parts per million (50 ppm) chlorine water solution by brushing solution on all exposed parts;

D. A minimum chlorine residual of one-half parts per million (0.5 ppm) shall be maintained in the

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water being hauled;

E. Tank trucks or tank trailers may be filled through the fitting on the inner-dome cover when the tailpipe cannot be used;

F. Water quality in the tank, after twenty to thirty (20-30) gallons have been delivered into the tank, shall be checked as follows:

(I) Stop filling;

(II) Have discharge valve opened;

(III) Inspect water as it discharges. If water has unpleasant odor or looks dirty, it shall be rejected for use; and

(IV) When these checks indicate satisfactory water quality, proceed to fill the tank; and

G. The dome cover and tank discharge valve cover shall be closed and sealed after filling to volume desired;

H. When a fill connection is used, it shall be constructed in a manner to prevent contamination and shall be capped at all times when not in use; and

I. Records, at a minimum, shall meet the following requirements:

(I) Records shall be maintained and include the number of gallons delivered daily and cleansing and sanitizing methods used for tank truck and tank trailer interiors, riser, connections and hoses;

(II) Records shall include date, time and location of delivery, concentration of chlorine residual and time of contact when applicable; and

(III) The records shall be maintained for two (2) years and be available upon written or oral

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request by the Department of Health.

(5) Approval of License. When the analysis of samples shows the beverages to be unadulterated and free from ingredients injurious to health and sanitation conditions are satisfied as described in subsections (5)(A) and (B) of this rule, the manufacturer, upon payment of license fee, will be issued a license authorizing the applicant to manufacture a nonintoxicating beverage or a soft drink. A license will be renewed annually upon the same terms and conditions as required for the original license. Licenses are not transferable and no refunds shall be made. If the business is sold, the new owner shall obtain a new license to operate.

(A) The buildings and equipment to be used by beverage manufacturers located in Missouri are found by the Department of Health to be in a sanitary condition as described in section (4) of this rule.

(B) Out-of-state manufacturers shall provide a copy of a current license or permit from the regulatory authority of the state or country of origin to manufacture the beverage; a copy of a current inspection report indicating the manufacturer is approved for a license or permit by the regulatory authority of the state or country of origin and that application for a license or permit has been made and issuance of a license or permit is pending; or other documentation acceptable by the Department of Health may be provided when a license or permit is not yet available. If a license or permit is not required by the regulatory authority of the state or country of origin, the manufacturer shall provide the Department of Health a copy of a current inspection report indicating the manufacturer is in compliance with the standards of the regulatory authority. If no regulatory authority exists for the inspection of the manufacturer, the manufacturer shall provide either a copy of the most current inspection report from an independent third party acceptable to the Department of Health which indicates the manufacturer complies with the standards of the state or country of origin or a signed affidavit that the beverages were manufactured under sanitary conditions, are unadulterated and do not contain ingredients injurious to health.

(6) Bacteria, Yeast and Mold Standards. All product-contact surfaces of nonreturnable containers shall be exposed to an adequate clean water rinse. Each size and flavor of beverage shall be sampled at least annually. The following bacteria, yeast and mold standards shall be used to determine the sanitary status of all containers and their contents:

(A) No carbonated beverages, including carbonated and mineral waters, shall be sold, offered for sale or held in possession for sale in the state which contains a total bacterial count above one hundred (100) bacteria per milliliter as determined by the pour plate method using plate count agar, incubated at thirty-two degrees Centigrade (32° C) for seventy-two (72) hours; or a most probable number of coliforms which exceeds a count of two (2) per one hundred (100) milliliters as determined by the multiple-tube fermentation test method or which indicates the presence of coliforms as determined by the membrane filter method; or the yeast or mold count or a combination of yeast and mold count which exceeds ten (10) per milliliter;

(B) No still beverage including nondairy fluid products used as a beverage, excluding bottled water, shall be sold, offered for sale or held in possession for sale in the state which contains a bacterial count in excess of one thousand (1,000) bacteria per milliliter; or a most probable number of coliforms which exceeds a count of two (2) per one hundred (100) milliliters as determined by the multiple-tube fermentation test method or which indicates the presence of coliforms as determined by the membrane filter method; or the yeast or mold count or a combination of yeast or mold count which exceeds ten (10) per milliliter;

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(C) No still, flat or uncarbonated bottled water shall be sold, offered for sale or held in possession for sale in the state: which contains a total bacterial count above twenty thousand (20,000) bacteria per milliliter as determined by the pour plate method using R2A agar, incubated at twenty-eight degrees Centigrade (28° C) for five (5) days or which contains a most probable number of coliforms which exceeds a count of two (2) per one hundred (100) milliliters as determined by the multiple-tube fermentation test method or which indicates the presence of coliforms as determined by the membrane filter method, presence-absence coliform method, minimal medium ONPG-MUG (MMO-MUG) method or any other analytical method approved by the U.S. EPA for the determination of coliform in drinking water; or which indicates the presence of *Pseudomonas aeruginosa*; or which contains a yeast or mold count or a combination of yeast or mold count which exceeds ten (10) per milliliter; and

(D) Total bacteria counts by the rinse method shall not exceed two hundred fifty (250) bacteria per bottle for sanitized empty bottles. Sanitized equipment or premix containers should not exceed an estimated count of one hundred (100) bacteria per swabbed area of eight (8) square inches.

(7) Chemical Quality Water for Bottled Water. Source water for bottled water shall meet standards of chemical quality as established by the United States FDA in 21 CFR 103.35 (1991) *Standards of Quality for Bottled Water*, except—

(A) Samples for all chemical parameters shall be analyzed at least every three (3) years;

(B) The total dissolved solids limitation and other standards for which the U.S. EPA has not established a primary drinking water standard shall not apply to mineral water; and

(C) The level of lead shall not exceed fifteen thousandths milligrams per liter (0.015 mg/l).

(8) Radiological Quality Standards for Source Water for Bottled Water. Source water for bottled water shall meet the standards of radiological quality as established by the United States FDA in 21 CFR 103.35 (1991) *Standards of Quality for Bottled Water*. Samples shall be analyzed at least every four (4) years. Instate sources of water may be exempted from these standards if they are located in areas unlikely to yield water excessive of the United States FDA standards. Sources will be exempted on an individual basis by the Department of Health after consultation with the Department of Natural Resources.

(9) Routine Sampling of Beverages Including Bottled Waters. Manufacturers or their distributors shall send samples for microbiological quality standards either to the Department of Health laboratory or to an approved laboratory, as described in paragraph (9)(C)3. of this rule, with results of required analyses recorded and routinely forwarded to the Department of Health. Samples of source water or finished water for bottled water for chemical and radiological quality standards shall be sent to an approved laboratory, as described in paragraph (9)(C)3. of this rule, with results of required analyses recorded and routinely forwarded to the Department of Health.

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(A) Beverages shall be sampled at the minimum frequency and analyzed for the parameters described in sections (6)-(8) of this rule.

(B) Samples for any parameter not specified in sections (6)-(8) of this rule shall be collected and analyzed as may be required by the Department of Health.

(C) Sampling methods and analyses, at a minimum, shall meet the following requirements:

1. Source water samples for bulk water, bottled water or both shall be taken from each approved source;

2. Product samples shall be taken from a batch or segment of a continuous production run for each type of beverage produced in a day's production. The representative sample shall consist of a primary container of the beverage;

3. All beverage manufacturers source water suppliers for bulk water, water bottled or both within Missouri shall submit microbiological samples either to the Department meeting one (1) of the following criteria; and all chemical and radiological samples shall be sent to a laboratory meeting one (1) of the following criteria:

A. A laboratory certified by the Department of Health for analyses required for beverages, bulk water or source water;

B. A laboratory operated or approved the governmental regulatory agency having authority for beverage regulation or drinking water regulation or both in that state, province or country, provided their laboratory tests and procedures are acceptable to the Department of Health; or

C. A laboratory operated by or approved by the United States FDA, the U.S. EPA or other appropriate federal agency, provided the laboratory tests and procedures are acceptable to the Department of Health; and

4. If a laboratory other than a Department of Health laboratory is used, each manufacturer or distributor must submit proof of certification approval or acceptance by an appropriate governmental agency concerning the ability to perform the designated analyses.

19 Mo. Code of State Regulations 20-1.060

**19 CSR 20-1.060 Licensing of Beverage Manufacturers and Distributors and the Collection of
Inspection Fees**

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(Rescinded October 30, 2005)

19 Mo. Code of State Regulations 20-1.070

19 CSR 20-1.070 Monitoring Animals for Presence of Diseases and Toxic Substances

Emergency rule filed March 19, 1986, effective March 29, 1986, expired July 12, 1986.

19 Mo. Code of State Regulations 20-1.100

19 CSR 20-1.100 Seafood Hazard Analysis and Critical Control Points (HACCP)

PURPOSE: This rule establishes standards to determine whether the facilities, methods, practices, and controls used to process fish and fishery products are safe and that those products have been processed under sanitary conditions.

(1) Applicability. The requirements of this rule apply to buildings or facilities, or parts thereof, used for or in connection with the processing of fish and fishery products.

(2) Standards. Any person engaged in commercial, custom, or institutional processing of fish or fishery products shall operate in accordance with 21 CFR Part 123 Fish and Fishery Products, revised as of April 1, 2012, hereby incorporated by reference and made a part of this rule as published by the U.S. Government Printing Office, 732 North Capitol Street NW, Washington, DC 20401-0001, (202) 512-1800, <http://bookstore.gpo.gov>. This rule does not incorporate any subsequent amendments or additions.

19 Mo. Code of State Regulations 20-1.200

19 CSR 20-1.200 Juice Hazard Analysis and Critical Control Points (HACCP)

PURPOSE: This rule establishes sanitation and Hazard Analysis and Critical Control Points (HACCP) standards for the processing of fruit and vegetable juices.

(1) Applicability. The requirements of this rule apply to buildings or facilities, or parts thereof, used for or in connection with the processing of fruit and vegetable juices.

Current through May 31, 2014

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(2) Standards. Manufacturers of any juice sold as such or used as an ingredient in beverages shall operate in accordance with 21 CFR Part 120 Hazard Analysis and Critical Control Point (HACCP) Systems, revised as of April 1, 2012, hereby incorporated by reference and made a part of this rule as published by the U.S. Government Printing Office, 732 North Capitol Street NW, Washington, DC 20401-0001, (202) 512-1800, <http://bookstore.gpo.gov>. This rule does not incorporate any subsequent amendments or additions.

19 Mo. Code of State Regulations 20-3.010

19 CSR 20-3.010 The Construction of Water Supply Wells

(Rescinded October 25, 1987)

19 Mo. Code of State Regulations 20-3.015

19 CSR 20-3.015 The Operation of On-site Sewage Treatment and Disposal Systems

PURPOSE: This rule implements the provisions of sections 701.025-701.039, RSMo (1986) relating to the regulation of certain sewage disposal systems.

(1) The following definitions shall apply in the interpretation and the enforcement of this rule:

(A) Aquifer means water-bearing formation (soil or rock horizon) that transmits water in sufficient quantities to supply a well;

(B) Department means the Missouri Department of Health;

(C) Director means the director of the Missouri Department of Health;

(D) Domestic sewage means wastewater originating primarily from the sanitary conveniences of residences, commercial buildings, factories and institutions, including any wastewater that may have infiltrated the sewer;

(E) Engineer means an individual registered as a professional engineer in the state of Missouri;

(F) Hauled sewage means accumulated solids and liquids from septic and holding tanks, private aerobic

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treatment plants, dosing chambers, distribution boxes and various forms of toilets and privies;

(G) Human wastes means undigested food and byproducts of metabolism which are passed out of the human body;

(H) Innovative system means a sewage system of new design, construction and/or operation that could be utilized in place of a conventional system;

(I) Normal business hours means an eight (8)-hour interval beginning at 8:00 a.m. and ending at 5:00 p.m.;

(J) On-site sewage disposal system means any sewage handling or treatment facility receiving domestic sewage and retaining that sewage on the property(ies) upon which it was generated;

(K) On-site sewage disposal contractor means any person engaged in the business of maintaining, serving or cleaning on-site sewage disposal systems or the hauling or disposal of wastes removed from sewage disposal systems;

(L) Person means any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, the state of Missouri or any department of the state of Missouri or any political subdivision of this state;

(M) Property owner means the person in whose name legal title to the real estate is recorded;

(N) Treatment facilities means any method, process or equipment which removes, reduces or renders less obnoxious water contaminants released from any source; and

(O) Wastes means either human waste or domestic sewage, or both.

(2) The requirements of this rule pertain to on-site sewage disposal contractors and to any owner or operator of an on-site sewage disposal system with a daily flow of one thousand five hundred (1,500) gallons or less of domestic sewage where people live, work or assemble with the exception of lots of three (3) acres or more which are excluded if the entire on-site sewage disposal system is more than ten feet (10') from the property line and if no effluent enters an adjoining property or contaminates a water supply as determined by dye tracing.

(3) All on-site sewage disposal systems having a maximum daily flow of one thousand five hundred (1,500) gallons

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or less shall be operated in a manner that will not cause nuisances, health hazards or contamination of surface waters or groundwater. These operations shall comply with the following:

(A) On-site sewage disposal systems shall be designed and operated so that no effluent leaves the property of the owner. These systems must comply with 10 CSR 20-7.015 of the Missouri Clean Water Commission--

1. When a discharge does occur from any facility other than a single-family residence, a National Pollution Discharge Elimination System (NPDES) permit shall be secured to comply with 10 CSR 20-6.010 of the Missouri Clean Water Commission;

2. Subsurface discharges shall receive adequate soil treatment to prevent contamination of aquifers; and

3. On-site sewage disposal systems shall be operated so that the treated effluence does not pool on the surface creating insect-breeding habitat, odors or other nuisances; and

(B) The owner or operator shall have all hauled sewage properly disposed of either by transporting the sludge to a municipal sewage treatment plant (STP) capable of receiving the sludge or by arranging for removal by a person or company in the business of cleaning septic tanks and properly disposing of the removed sewage.

(4) All on-site sewage disposal systems being repaired by construction replacement or parts replacement shall have such repairs designed and built in compliance with 10 CSR 20-8.020 of the Missouri Clean Water Commission unless an innovative system proposed by an engineer is used. The trial or experimental use of an innovative system for on-site sewage disposal shall be allowed if approved by the department after consultation with the staff of the Missouri Clean Water Commission and shall be subject to conditions that the department may set.

(5) All on-site sewage disposal systems shall be operated in accordance with the manufacturer's specifications, the design engineer's operating and maintenance guide or a nationally recognized standard for the systems operation and maintenance recognized by the department.

(6) All owners and operators of on-site sewage disposal systems shall permit department staff and staff of the Missouri Department of Natural Resources to inject dyes or other tracers into their on-site sewage disposal systems during normal business hours for the purpose of tracing the discharge. All owners and operators shall cooperate in attempts to recover dyes injected into on-site sewage disposal systems by allowing samples of their drinking water to be collected for analysis.

(7) The department shall investigate any written or verbal complaint received concerning an on-site sewage disposal system. These investigations shall be made during the normal business hours and all results and findings shall be in writing. Copies of the report shall be filed with the owner, the complainant and the department. When a complaint is received within a political subdivision that maintains its own ordinances establishing standards to control on-site

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sewage disposal systems that are equal to or more stringent than those standards established in this rule, the complaint shall be transferred to the political subdivision. If a properly documented inspection and action report is received from the political subdivision within thirty (30) days, no additional action will be taken by the department. If the report is not received, the department shall proceed with the investigation.

(8) When it is determined by the department that an emergency exists--conditions that constitute an immediate health hazard or threat of an immediate health hazard--which requires immediate action to protect the health and welfare of the public, the department shall seek a temporary restraining order and injunction. This action shall be taken upon the request of the director of the department by the prosecuting attorney of the county in which the violation occurred. When the conditions that caused the emergency are corrected and the health of the public is no longer threatened, the department shall request that the temporary restraining order or injunction be dissolved.

(9) All owners or operators of on-site sewage disposal systems who are found to be in violation of this rule or Chapter 701, RSMo (1986) shall be subject to a violation notice from the director. The written notice shall--

(A) Include a statement of the reasons for the issuance of the notice;

(B) Allow reasonable time as determined by the director for the performance of any act it requires;

(C) Be served upon the owner, operator or contractor, as the case may require, provided that the notice or order shall be deemed to have been properly served upon the owner, operator or contractor when a copy of the notice or order has been sent by registered or certified mail to his/her last known address as furnished to the director, or when s/he has been served such notice by any other method authorized by the laws of this state; and

(D) Contain an outline of remedial action which is required to effect compliance with sections 701.025-701.039, RSMo (1986) and this rule.

(10) The prosecuting attorney of the county in which any case of noncompliance or violation of sections 701.025-701.039, RSMo (1986) or of this rule occurs shall institute, upon request of the department, appropriate proceedings for correction of the noncompliance or violation involved.

(11) Action under sections 701.025-701.039, RSMo (1986) does not preempt any private rights of action which exist.

19 Mo. Code of State Regulations 20-3.020

19 CSR 20-3.020 Sanitation of Public Bathing Places

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PURPOSE: This rule provides public bathing places standards which will assure sanitary conditions and water quality that is satisfactory for bathing purposes.

(1) The following definitions shall apply in the interpretation and the enforcement of this rule:

(A) Public bathing places shall include any place open to the public for swimming or recreative bathing whether or not a fee is charged for use and shall be classified as natural lakes, artificial lake impoundments, ponds, rivers, streams; outdoor pools which are partly artificial and partly natural in character; and pools outdoor or indoor which are entirely of artificial construction;

(B) Owner shall mean the state, county, city, town, village, corporation, firm, company, institution, person(s) owning, controlling or operating any public bathing place; and

(C) Department of Health shall mean the Missouri Department of Health.

(2) Preliminary Report Required. Before detailed plans and specifications for new construction or improvements are prepared, the owner or his/her authorized agent shall submit to the Department of Health a preliminary report concerning the construction or improvements to be made, together with the preliminary plans and reports as have been made, whereupon the Department of Health will outline the requirements as regards further investigations, analytical data, information required and general design of proposed works, conformity with which will meet approval.

(3) Submission of Plans for New Public Bathing Facilities. Every owner or his/her authorized agent, before installing or entering into a contract for installing public bathing facilities, shall submit in duplicate to and receive the written approval of the Department of Health for complete plans and specifications fully describing the bathing places and thereafter the plans and specifications shall be substantially adhered to unless deviations are submitted to and receive the written approval of the Department of Health.

(4) Submission of Plans for Alteration to Public Bathing Places. Every owner or his/her authorized agent, before making or entering into contract for making alterations or changes in or additions to any existing public bathing place shall submit to and receive the written approval of the Department of Health for complete plans and specifications fully describing such alterations, changes or additions; and thereafter, plans and specifications must be substantially adhered to unless deviations are submitted to and receive the written approval of the Department of Health.

(5) Procedure for Submission of Plans. All reports, plans and specifications shall be submitted at least thirty (30) days prior to the date upon which action by the Department of Health is desired. The documents submitted for formal approval shall include: engineering report; general layout; detailed plans; specifications; summary of design data; and revisions to approved plans.

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(A) The preliminary plans must be submitted with the engineer's report for review prior to the preparation of detailed plans and specifications. No approval for construction can be issued until final, complete, detailed plans and specifications have been submitted to the Department of Health and found to be satisfactory. The Department of Health will issue the general requirements concerning submission of plans, necessary data and design criteria which will meet the approval of the Department of Health.

(6) Final Approval. Every owner before accepting or placing in operation new public bathing-place facilities, or additions to, or changes or alterations in any existing facility shall receive written final approval of the Department of Health stating that the completed work substantially adheres to the approved plans and specifications.

(7) Operation of Public Bathing Facilities. No public bathing place shall be provided or rendered available to the public for swimming or recreational purposes where water quality and other sanitation conditions which may affect the health of users are unsatisfactory and are not approved by the Department of Health. All public bathing facilities shall be maintained in an efficient operating condition in order to insure satisfactory functioning of the facilities. Every owner will be required to operate the bathing facilities so as obtain the highest possible degree of efficiency at all times. A competent person, familiar with the principles and operation of the various bathing place equipment and facilities shall be in charge of each facility. Chemicals used in connection with sanitation shall be on hand at all times in sufficient quantity of high grade material to insure against ineffective operation due to delays in securing these materials. The owner shall make suitable analyses and maintain records of operation as required by the Department of Health and shall submit copies of these records upon request to the Department of Health.

(8) Water. The water in the public bathing place and that supplied to it shall at all times have a sanitary quality satisfactory to the Department of Health. The Department of Health will establish the standards of quality as are deemed necessary.

(9) If, after investigation, the Department of Health finds that any public bathing place is in any way a menace to health on account of defective design, inadequacy, incompetent supervision or inefficient operation, or if the water quality is unsatisfactory for bathing purposes, alterations and additions in the design or the construction of the equipment, or such changes in the operation of the facilities as are necessary to produce satisfactory results, shall be made in accordance with recommendations of, and within the time limits set by the Department of Health. Failure to properly maintain a public bathing place in a sanitary condition shall be sufficient reason to close it as a public health menace.

19 Mo. Code of State Regulations 20-3.030

19 CSR 20-3.030 Sanitation of Preparation Rooms in Funeral Establishments

(Rescinded August 27, 1987)

19 Mo. Code of State Regulations 20-3.040

19 CSR 20-3.040 Environmental Health Standards for the Control of Communicable Diseases

Current through May 31, 2014

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PURPOSE: This rule provides general sanitation rules which will help assure conditions that are not injurious to the health of the people.

(1) Spitting upon the floors or walls of a public building(s) used for public assemblage, or a building used for manufacturing or industrial purposes, or upon the floors for platforms or any part of any railroad or ferry boat, or any other public conveyance is prohibited.

(2) No person(s), firm(s), corporation(s) or authority(ies) owning, in charge of, or in control of any lavatory or washroom in the hotel, theater, lodging house, restaurant, factory, school, church, store, office building, railway station or public conveyance by land, water or air or other institution or conveyance frequented by the public, or which may be used for the purpose of public assembly or as a place of employment, shall provide in or about such lavatory or washroom any towel for common use. The term common use in this section shall be construed to mean the use of all or any portion of a towel by more than one (1) person without adequate cleansing.

(3) No person(s), firm(s), corporation(s) or authority(ies) owning, in charge of, or in control of any hotel, theater, restaurant, lodging house, factory, school, church, store, office or public conveyance by land, water or air, or other institution or conveyance frequented by the public or which may be used for the purpose of public assembly or as a place of employment, is permitted to furnish any cup, vessel or other receptacle for common use in any such place for drinking or eating purposes. The term common use in this section shall be construed to mean for use by more than one (1) person without adequate cleansing.

(4) The Department of Health may make investigation(s) as necessary of all private water supplies. If this investigation(s) shows that such a water supply is or may be a menace to health, the supply shall be abandoned, in a manner that will prevent its further use for drinking purposes or the alterations or changes shall be made as are necessary to produce a safe drinking water in accordance with the rules of and within a time limit set by the Department of Health.

(A) All plants for the preparation of water for sale in bottles or other containers for drinking purposes and the sources of the water supply shall be inspected as frequently as necessary by a representative of the Department of Health and samples of water collected for sanitary analysis at the Department of Health laboratories.

(B) Bottles or other containers in which water is sold for drinking purposes shall be sterilized before refilling. The method of sterilization shall be approved by the Department of Health.

(C) Processes of purification of waters that are to be sold for drinking purposes shall be approved by the Department of Health before the water can be sold or offered for sale.

(D) Any company, corporation or individual outside of the state of Missouri shall file full information with the Department of Health as to the sources of supply, methods of sterilization of bottles, equipment for handling

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the water and any other information requested by the Department of Health.

(E) For the purpose of this rule, private water supplies are individual drinking water supplies available to the general public not included under the rules governing public water supplies.

(5) No ice shall be sold, offered for sale or rendered available for use to the public unless the ice is of a sanitary quality approved by the Department of Health.

(6) No privy contents, drainage from a building or the effluent from any sewage treatment device shall be discharged directly into any well, either abandoned or constructed for that purpose that is carried to a depth as to penetrate the water-bearing strata.

(A) No privy contents, drainage from a building or the effluent from any sewage treatment device shall be discharged into any crevice, sinkhole or other opening, either natural or artificial, in a rock formation which will or may permit the pollution or contamination of groundwater, except with the approval of the Department of Natural Resources.

(7) All methods or devices for the disposal of human excreta within any city, town or village or within normal travel of insects and rodents of any residence other than that of the owner or tenant, or of any public building or place, or of any place where food is prepared for sale or sold shall be approved by the Department of Natural Resources.

(A) Whenever one (1) or more water-flush toilets are provided the contents from the toilets shall be discharged into one (1) of the following:

1. A public sanitary sewer, provided a public sanitary sewer is now or shall hereafter be located in a street, alley, easement or thoroughfare, upon which the residence, public building or place abuts; and

2. A suitable sewage treatment device, provided no public sewer is available as specified in paragraph (7)(A)1. of this rule the sewage treatment device to be constructed in a manner approved by the Department of Natural Resources.

(B) In the absence of flush toilets, a privy, chemical toilet or other toilet device constructed and maintained in a manner approved by the Department of Health shall be installed.

(8) For the purpose of this rule, the terms used are defined as follows:

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(A) Garbage shall mean all solid and semisolid kitchen refuse subject to decay or putrefaction and all market waste of animal and vegetable matter which was intended to be used as food;

(B) Trash and rubbish shall mean all waste material not of a putrescible nature, which for the purpose of this rule shall include ashes;

(C) Offal shall mean waste-animal matter from butcher, slaughter or packing houses;

(D) Dead animals shall mean all animals large and small which may die or which may be killed for other than food purposes; and

(E) Manure shall mean cleanings from all barns, stables, corrals, pens or cars used for stabling or penning of animals or fowl.

1. Garbage, offal, dead animals and manure; or rubbish, trash and ashes mixed with garbage, offal, dead animals or manure shall be disposed of by incineration, burial, sanitary fill or other method approved and within a time limit set by the Department of Natural Resources. This material shall not be disposed of by being deposited in any ditch, gulch, ravine, river, stream, lake, pond nor upon the surface of the ground on any highway where it may become a nuisance or menace to health through the breeding of flies, harboring of rodents or pollution of water.

(9) Any person, firm or corporation is prohibited from keeping or sheltering animals in a manner that a condition resulting from same shall constitute a nuisance.

(10) The Department of Health, after investigation, may prescribe necessary rules for the control of mosquitoes to apply to those localities in the state of Missouri where malaria fever exists or where mosquitoes capable of carrying malaria are known to propagate. This rule shall be enforced by the county health officer and adopted and enforced by the legislative bodies of incorporated communities not under the jurisdiction of the county health officer.

(11) Any municipality, community, institution, corporation, association, firm or person who owns, operates or maintains on or near any public highway, a place catering to the traveling public, shall maintain and operate the place in a way that it does not constitute a menace to public health or a public nuisance.

(12) A public building shall be construed to mean any theater, public hall or any other public building not covered by specific rules.

(A) All public buildings supplied with water under pressure shall be equipped with sanitary drinking fountains

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of an approved type. Where water supplied for drinking is not obtained from a public water supply, the water shall be of a quality approved by the Department of Health. When not under pressure, drinking water shall be stored in a covered container of an approved type. The use of the common drinking cup is prohibited.

(B) All public buildings shall be properly lighted and ventilated according to the type of building and the uses to which it is put.

(13) Every public building shall be provided with adequate sanitary toilet facilities for each of the sexes; and the facilities shall be convenient and accessible. It shall be the duty of the owner, manager or other responsible person in charge to see that the toilet system is properly installed and maintained in a usable and sanitary condition at all times. The method of sewage disposal for all public buildings shall comply with the rules of the Department of Natural Resources.

(14) All public buildings shall be kept at all times in a clean and sanitary condition and the cleaning shall be carried on under proper sanitary conditions. All rooms used for public meetings shall be cleaned after each meeting. In construing this rule, all meetings held during the course of a single day shall be regarded as one (1) meeting.

19 Mo. Code of State Regulations 20-3.050

19 CSR 20-3.050 Sanitation and Safety Standards for Lodging Establishments

PURPOSE: This rule establishes sanitation and safety standards pertaining to life safety, fire safety, electrical wiring, fuel-burning appliances, plumbing and swimming pools/spas for lodging establishments.

(1) General.

(A) Definitions.

1. "Administrative authority" shall mean local or state health department representative or local codes administrator/fire marshal, state fire marshal or his/her representative.

2. "Air break" shall mean a piping arrangement in which a drain from a fixture, appliance or device discharges indirectly into another fixture, receptacle or interception at a point below the flood level rim. The connection does not provide an unobstructed vertical distance and is not solidly connected but precludes the possibility of backflow to a potable water source.

3. "Air gap" shall mean the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or outlet supplying fixture, or other device, and the flood level rim of the

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receptacle. The vertical physical separation shall be at least two (2) times the inside diameter of the water inlet pipe above the flood rim level but shall not be less than one inch (1").

4. "Approved" shall mean acceptable to the administrative authority having jurisdiction.

5. "Bed and breakfast" shall mean an existing building(s) with no more than three (3) occupiable stories, with at least five (5) but no more than ten (10) guest rooms. The building shall have interior corridors and be provided with a kitchen; breakfast shall be provided to guests and the owner must live in or adjacent to the building.

6. "Dead-end corridor" shall mean a corridor, aisle or passageway arranged without an exit access in two (2) directions.

7. "Equivalent code" shall mean any code that is accepted by state regulatory authorities and the industry that contains the same definition or standard as the code referenced in this rule, including but not limited to, fire alarm systems, wireless smoke detectors and supervised sprinkler systems.

8. "Existing lodging establishment" shall mean a building, component or feature that is operating as a licensed lodging establishment or has a current inspection conducted by or for the Missouri Department of Health and Senior Services (DHSS) and is in the process of obtaining a lodging license as of the effective date of this rule.

9. "Exit" shall mean the portion of a means of egress that is separated from all other spaces of the building or structure by construction or equipment required to provide a protected way of travel to the exit discharge. Exits include exterior exit doors, exit passageways, horizontal exits, separated exit stairs and separated exit ramps.

10. "Exit access" shall mean the portion of a means of egress that leads to an exit.

11. "Exit discharge" shall mean the portion of a means of egress between the termination of an exit and a public way.

12. "Fire alarm system" is as described in the National Fire Protection Association 72, *National Fire Alarm Code 2002 Edition*, which is incorporated by reference in this rule or equivalent code. Any interested person may view this material at the agency's headquarters or may purchase a copy from the National Fire Protection Association, 11 Tracy Drive, Avon, MA 02322. This rule does not incorporate any subsequent amendments or additions.

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13. "Fire barrier" shall mean a structural element, either vertical or horizontal, such as a wall or floor assembly, that is designed and constructed with a specified fire resistance rating to limit the spread of fire and restrict the movement of smoke. Such barriers may have protected openings.

14. "Fire resistance rating" shall mean the length of time, in minutes or hours, that materials or structural elements can withstand fire exposure.

15. "Flame resistant material" shall mean the property of material or its structural elements that prevents or retards the passage of excessive heat, hot gases or flames under conditions in which they are used.

16. "Furnace" shall mean a heating device with forced air ductwork.

17. "Group of buildings" as referenced in the lodging establishment definition, shall mean any building, structure, facility, place, bed and breakfast, or places of business, including but not limited to, multiple, individual or multi-unit cabins and guest rooms that are not attached to the main building but receive the same services/amenities as those guest rooms within the main building.

18. "Guest room" shall mean any room or unit where sleeping accommodations are regularly furnished to the public.

19. "Hardwired" shall mean wired directly and permanently into the building's main electrical wiring system and/or a wireless system as described in the National Fire Protection Association 72, *National Fire Alarm Code 2002 Edition* or equivalent code.

20. "Hazardous areas" shall mean areas of structures or buildings posing a degree of hazard greater than normal to the general occupancy of a building or structure, such as areas used for the storage or use of combustibles or flammable, toxic, noxious or corrosive materials, or heat-producing appliances.

21. "Historic building" shall mean a building that is listed individually in the National Register of Historic Places or is located in a registered historic district and certified by the Secretary of the Interior as contributing to the historic significance of the district.

22. "Lodging establishment" shall include any building, group of buildings, structure, facility, place, or places of business where five (5) or more guest rooms are provided, which is owned, maintained, or operated by any person and which is kept, used, maintained, advertised or held out to the public for hire which can be construed to be a hotel, motel, motor hotel, apartment hotel, tourist court, resort, cabins, tourist home, bunkhouse, dormitory, or other similar place by whatever name called, and includes all such accommodations operated for hire as lodging establishments for either transient guests, permanent guests, or for both transient and permanent guests. This definition shall not apply to dormitories and other living

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or sleeping facilities owned or maintained by public or private schools, colleges, universities, or churches unless made available to the general public and not used exclusively for students and faculty, school-sponsored events, baseball camps, conferences, dance camps, equitation camps, football camps, learned professional society meetings, music camps, retreats, seminars, soccer camps, swimming camps, track camps, youth leadership conferences, or church-sponsored events.

23. "Major renovation" shall mean a physical change to a lodging establishment or portion thereof, including the replacement or upgrading of major systems, which extends the useful life. Examples include, but are not limited to, demolition of the interior or exterior of a building or portion thereof, including the removal and subsequent replacement of electrical, plumbing, heating, ventilating and air conditioning systems, fixed equipment and interior walls and partitions (whether fixed or moveable). Replacement of broken, dated or worn equipment/items, including but not limited to, individual air conditioning units, bathroom tile, shower stalls that do not require any additional or new plumbing, electrical, etc. shall not be considered a major renovation.

24. "Means of egress" shall mean a continuous and unobstructed way of travel from any point in a building or structure to a public way. A means of egress consists of three (3) distinct parts, the exit access, the exit and the exit discharge.

25. "New lodging establishment" shall mean a building, component or feature that begins operation as a lodging establishment after the effective date of this rule or an existing lodging establishment that has ceased operation for a time period of eighteen (18) months or more and reopens as a lodging establishment after the effective date of this rule.

26. "Occupiable story" shall mean a story available to guests.

27. "Potable water" shall mean water which is safe for human consumption in that it is free from impurities in amounts sufficient to cause disease or harmful physiological effects and, for the purpose of this rule, must be approved by the Department of Natural Resources (DNR) or the DHSS prior to serving to the general public.

28. "Potentially hazardous food" shall mean those foods that are referenced in 19 CSR 20-1.025 Sanitation of Food Establishments.

29. "Prepackaged" shall mean bottled, canned, cartoned, securely bagged or securely wrapped, whether packaged in a food establishment or a food processing plant. It does not include a wrapper, carryout box or other nondurable container used to containerize food with the purpose of facilitating food protection during service and receipt of the food by the consumer.

30. "Primary means of egress" shall consist of, but is not limited to, an enclosed interior stair, an exterior stair, horizontal exit, door, stairway, or ramp providing a means of unobstructed travel without traversing

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any corridor or space exposed to an unprotected vertical opening. The primary means of escape shall lead outside of the dwelling unit at street or ground level. Stairways serving as part of the primary means of egress shall be enclosed with fire barriers (vertical), such as wall or partition assemblies with a fire resistance rating of not less than thirty (30) minutes. Such enclosures shall be continuous from floor to floor. Openings shall be protected as appropriate for the fire resistance rating of the barrier.

31. "Private water supply" shall mean a piped water supply having less than fifteen (15) service connections or serving less than twenty-five (25) people at least sixty (60) days out of the year.

32. "Public water supply" shall mean a piped water supply having fifteen (15) or more service connections or serving twenty-five (25) or more people at least sixty (60) days out of the year. It may be a community water system, transient noncommunity water system or nontransient noncommunity water system.

33. "Public way" shall mean an area such as a street or sidewalk that is open to the outside and is used by the public for moving from one (1) location to another.

34. "Remote exit or means of egress" shall mean when two (2) exits or two (2) exit access doors are required.

35. "Secondary means of egress" shall consist of, but is not limited to, a door, outside window, stairway, passage, fire escape or hall providing a way of unobstructed travel to the outside of the dwelling at street or ground level; a passage through an adjacent nonlockable space to any approved means of escape; an outside window or door operable from the inside without the use of tools, keys, or special effort and providing a clear opening of not less than twenty inches (20") in width, twenty-four inches (24") in height, and 5.7 square feet in area. The bottom of the opening shall not be more than forty-four inches (44") above the floor. Such means of escape shall be acceptable if the window is within twenty feet (20') of grade or opens onto an exterior balcony and is directly accessible to fire department rescue apparatus as approved by the local fire inspector or State Fire Marshal's office.

36. "Self-closing" shall mean to be equipped with an approved device that will ensure closing after having been opened.

37. "Sleeping room" shall mean the part of the guest room where people sleep.

38. "Smoke proof enclosure" shall mean a stair enclosure designed to limit the movement of combustion products, produced by a fire occurring in any part of the building, into such enclosure.

39. "Spa" shall mean a pool designed for recreational and/or therapeutic use and not drained, cleaned and refilled for each individual. It may include, but is not limited to, hydrojet circulation, hot water, cold

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water, mineral baths, air induction systems or any combination thereof.

40. "Story" shall mean the portion of a building located between the upper surface of a floor and the upper surface of the floor or roof next above.

41. "Supervised sprinkler system" is as described in the National Fire Protection Association 13, *Standard for the Installation of Sprinkler Systems 2002 Edition* and the National Fire Protection Association 13R, *Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height 2002 Edition*, which are incorporated by reference in this rule or equivalent code. Any interested person may view this material at the agency's headquarters or may purchase a copy from the National Fire Protection Association, 11 Tracy Drive, Avon, MA 02322. This rule does not incorporate any subsequent amendments or additions.

42. "Wet location" shall mean a location subject to saturation with water or other liquids, including but not limited to, bathtubs, sinks and/or shower stalls.

(2) Requirements for Obtaining a Lodging License (Existing, New and Renovated). Lodging establishments shall be responsible for providing any and all documentation related to inspections and evaluations required in this rule, including but not limited to, fire extinguishers, fire alarm systems, sprinkler systems and smoke detectors.

(A) Existing lodging establishments shall:

1. Comply with Missouri laws and the DHSS rules and regulations regarding lodging establishments;
2. Comply with Missouri laws and the DNR rules and regulations regarding, but not limited to, sewage treatment, drinking water and backflow;
3. Comply with Missouri laws and the Department of Public Safety (DPS) rules and regulations regarding pressure vessels;
4. Be operated and maintained in compliance with any and all applicable ordinances and regulations; and
5. If listed as a historical building, the owner must notify the DHSS. Upon notification, the DHSS will collaborate with the DNR, State Historical Preservation Office, to determine requirements for licensing.

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(B) New lodging establishments shall:

1. Comply with Missouri laws and the DHSS rules and regulations regarding lodging establishments;
2. Comply with Missouri laws and the DNR rules and regulations regarding, but not limited to, sewage treatment, drinking water and backflow;
3. Comply with Missouri laws and the DPS rules and regulations regarding pressure vessels;
4. If built within a jurisdiction with applicable local ordinance(s), be erected, operated and maintained in compliance with those ordinances and regulations, or if not built within a jurisdiction with applicable local ordinance(s), be erected, operated and maintained in accordance with the 2002 Edition of a national code(s) regarding life safety, structural, electrical, plumbing, mechanical and architectural elements of the establishment, unless otherwise specifically stated in this rule;
5. If listed as a historical building, the owner must notify the DHSS. Upon notification, the DHSS will collaborate with the DNR, State Historical Preservation Office, to determine requirements for licensing; and
6. Present an occupancy permit issued by the regulating authority, or if not located within a jurisdiction that issues occupancy permits, certify to the DHSS that the establishment has been designed and erected in accordance with the 2002 Edition of a national code(s) regarding life safety, structural, electrical, plumbing, mechanical and architectural elements of the establishment. Certification to these facts will be accepted by a professional engineer, architect or the general contractor responsible for the construction of the establishment being licensed.

(C) Lodging establishments undergoing a major renovation shall:

1. Present an occupancy permit issued by the regulating authority, or if not located within a jurisdiction that issues occupancy permits, certify to the DHSS that the addition has been designed and erected in accordance with the 2002 Edition of a national code(s) regarding life safety, structural, electrical, plumbing, mechanical and architectural elements of the establishment. Certification to these facts will be accepted by a professional engineer, architect or the general contractor responsible for the construction of the establishment being licensed.

(3) Requirements for Operating a Lodging Establishment.

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(A) Drinking Water Supply. Water supplies that serve lodging establishments shall provide safe drinking water. Bacteriological, chemical and radiological contaminants shall be within levels acceptable to the administrative authority. Supplies deemed unsafe by the DHSS or DNR shall not be used as a potable water supply.

1. Treatment equipment for community, noncommunity public and private water supplies.

A. New or existing treatment equipment necessary to provide a safe drinking water supply shall be installed, maintained and operated according to manufacturer's specifications and the DHSS requirements as defined in (3)(A)1.-7. or the DNR requirements.

B. Existing chlorinators and chlorinators required to be installed to provide safe drinking water, after the effective date of this rule, shall be a positive feed liquid chlorinator with thirty (30)-minute retention time based on pump capacity and must maintain a residual no less than 0.5 and no greater than four (4) parts per million (ppm) free available chlorine.

C. Equipment, approved by the administrative authority, shall be available to test the treatment system.

2. Community and noncommunity public water supplies:

A. Shall be in compliance with Missouri laws and the DNR rules and regulations;

B. Noncommunity water supplies shall have a valid DNR permit to dispense water. A current copy of the DNR permit to dispense water must be available for review by the administrative authority.

3. Private water supplies:

A. Shall be regulated under the jurisdiction of the DHSS and constructed and located according to 10 CSR 23-3.010-10 CSR 23-3.110 Missouri Well Construction Code with the following aboveground construction components verified by inspection:

(I) Well casing shall extend a minimum of twelve inches (12") above grade; and

(II) The top of the well casing shall be free of openings that may allow the entry of contaminants;

B. Potentially influenced by surface water or shallow groundwater (i.e. springs, bored and dug

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wells) shall be equipped with a treatment system that includes:

(I) Microfiltration using a filter with a one (1) micron absolute or smaller pore size; and

(II) A chlorinator as defined in (3)(A)1.B.

4. Routine testing for transient noncommunity public and private water supplies.

A. Transient noncommunity public water and private water supplies shall be in compliance with all applicable testing mandated by the DHSS or DNR.

(I) During each inspection, but no less than annually, a bacteriological water sample shall be collected by the administrative authority and analyzed for the presence of coliform bacteria; and

(II) A nitrate sample shall be collected when deemed necessary by the administrative authority and at least annually when a chlorinator is present. Wells exceeding nitrate levels of ten (10) ppm shall not be used for drinking water; a permanent alternative water supply must be provided.

B. Water supplies with chlorinators installed, after the effective date of this rule, shall:

(I) Have a nitrate analysis conducted prior to installing a chlorinator;

(II) Provide two (2) consecutive bacteriological sampling results, collected by the administrative authority a minimum of five (5) days apart, that are absent for total coliform and/or *E. coli*; and

(III) Provide monthly bacteriological sampling results for twelve (12) months.

(a) If results are satisfactory for twelve (12) consecutive months, the administrative authority shall determine future sampling frequencies.

(b) If bacteriological sampling results continue to indicate the presence of total coliform, the well may be deemed unsafe by the DHSS.

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(c) If two (2) water samples collected by the administrative authority within a twelve (12)-month period separated by at least thirty (30) days are *E. coli* positive, the well shall be deemed unsafe by the DHSS, unless immediate corrective actions can be taken to provide safe drinking water. These corrective actions must be approved by the DHSS.

C. Private water supplies not meeting satisfactory bacteriological water results shall be placed under a Boil Water Order or Boil Water Notice/Advisory. Private water supplies not meeting satisfactory chemical or radiological water results shall be placed under a Limit Use Order.

5. During a Boil Water Order (including precautionary Boil Water Notice/Advisories) or a Limit Use Order issued on a public and/or private water supply, the operator shall comply with the following intermediate process(es) until permanent corrections have been made to the water supply:

A. Notify guests, verbally and again by written notice prominently placed in each rented guest room, that the plumbed water is not potable and only potable water should be used for drinking and/or brushing of teeth. Additional restrictions for water use may be required by the DHSS;

B. Discard ice that may have been made from or exposed to contaminated water; and

C. Obtain a temporary, alternate supply of potable water using one of the following practices:

(I) Individual containers of commercially bottled water shall be placed in each rented guest room and additional bottled water shall be available upon request by guests;

(II) Bulk water containers acceptable to the DHSS and which are filled from a source acceptable to the DHSS or DNR may be used. Such water shall be treated with an appropriate concentration of residual disinfectant to effectively counteract potential contamination that may be introduced between the filling of the container(s) and the dispensing of the water. This water shall be transported and handled in a safe and sanitary manner, which prevents contamination; or

(III) Other methods approved by the DHSS or DNR.

D. Community and noncommunity public water supplies shall comply with all mandated requirements issued by the DNR, local water district or utilities.

6. For a Boil Water Order to be lifted on private water supplies, the operator shall comply with one (1) of the following permanent corrections:

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A. Provide a chlorinator and comply with (3)(A)1.B. and (3)(A)4.B.(II);

B. Provide an alternate connection to an adjacent plumbing source of water acceptable to the DHSS and/or DNR, which is protected from contamination and capable of supplying a sufficient quantity of water; or

C. Other permanent disinfection process(es) or permanent corrective measure(s) as authorized by the DHSS.

7. For a Limit Use Order to be lifted for public and/or private water supplies, the operator shall comply with one (1) of the following permanent corrections:

A. Provide an alternate connection to an adjacent plumbing source of water acceptable to the DHSS and/or DNR, which is protected from contamination and capable of supplying a sufficient quantity of water; or

B. Other permanent corrective measures that provide a safe water supply, as approved by the DHSS.

(B) Wastewater Handling, Sewage and Wastewater Treatment and Disposal Systems.

1. On-site sewage treatment and disposal systems which generate three thousand (3,000) gallons or less of wastewater per day and are maintained in a subsurface treatment and disposal system shall be regulated by the DHSS.

A. Any on-site wastewater treatment system installed after January 1, 1996 shall be constructed according to 19 CSR 20-3.060 Minimum Construction Standards for On-Site Sewage Disposal Systems or applicable local ordinance.

B. On-site wastewater treatment systems shall be operated and maintained to preclude surfacing or discharging effluent, production of odors or the creation of a habitat for insect breeding, contamination of surface water or groundwater or creation of a nuisance or health hazard.

C. Malfunctioning systems shall be renovated according to 19 CSR 20-3.060 Minimum Construction Standards for On-Site Sewage Disposal Systems or applicable local ordinance.

2. Wastewater treatment and disposal systems which generate more than three thousand (3,000) gallons of wastewater per day or are connected into waste stabilization ponds, or other alternative systems which

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discharge shall be regulated by the DNR.

A. Any wastewater treatment system installed after February 2002 shall have a National Pollutant Discharge Elimination System (NPDES) Permit, a General Permit or Exemption Letter issued by the DNR.

B. Wastewater treatment systems shall be operated and maintained to preclude the production of odors or creation of a habitat for insect breeding, growth of tall weeds or trees on or in a lagoon or its berm, or creation of a nuisance or health hazard.

(C) Sanitation/Housekeeping. Lodging establishments shall be kept in a clean and sanitary condition, in good repair, and shall be maintained and operated with strict regard to the health and safety of the patrons. The following items shall be held in compliance:

1. Walls, floors and ceilings of guest rooms shall be kept clean and in good repair. Furnishings, including draperies, beds, appliances, furniture and lamps, shall be kept clean and in good repair;

2. Clean and proper housekeeping shall be employed in guest rooms and related facilities;

A. A room in use shall be cleaned at least each time a different guest rents the room. If the same guest continuously occupies a room, the room shall be cleaned at least weekly.

B. Clean towels and washcloths shall be provided in the guest room each day that guest room is occupied by a different guest.

C. Clean bed linens shall be provided in the guest room each day that guest room is occupied by a different guest. If the same guest continuously occupies a room, bed linens shall be changed at least weekly. Bedspreads shall be clean and maintained in good repair.

D. Mattresses and boxsprings shall be clean and in good repair. The sleeping surfaces of a mattress in use shall be completely covered by a sheet. Excessively damaged or soiled mattresses and/or boxsprings shall be replaced.

E. Single-service drinking glasses and/or utensils, if provided in guest rooms, shall be prepackaged.

F. Insects, rodents, and other pests shall be controlled to minimize their presence on the premises by routinely inspecting the premises for evidence of pests, eliminating harborage conditions and using methods, if pests are found, such as trapping devices or other means of pest control. If rodenticides

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and/or pesticides are used and/or stored on the premises, they shall be stored away from areas containing food and not accessible to guests.

G. Ice provided for guests and patrons' use shall be from a commercial source or made from a potable water supply approved by the DHSS or DNR. The ice shall be protected from contamination, which shall include the following:

(I) Ice machines, dispensers or chests shall be sheltered from the weather, kept in good repair and the ice compartment shall be kept clean and free of mold, rust, debris, foreign objects or other contaminants. Existing establishments operating before February 2002 may continue to use existing chest type ice machines and dispensers. All establishments that replace or add a new self-service ice machine for guest use shall only provide dispensing type self-service ice machines;

(II) Ice machines and ice trays within guest refrigerators shall be kept clean and sanitary. Ice shall be removed from the ice bin and ice trays each time a different guest rents the room;

(III) An approved scoop with a handle that is seamless and without cracks shall be provided for each bin-type ice machine or chest. The scoop may be stored in a holster in the ice compartment, in a smooth nonabsorbent holder outside the ice machine or chest, or in another manner acceptable to the administrative authority; and

(IV) Individual ice buckets or containers, if provided, shall be kept clean, in good repair, and constructed of a smooth, non-absorbent, food-grade material.

(a) If a food-grade single service liner is provided, the individual ice buckets/containers shall be washed, rinsed and sanitized as needed. Reuse of the food-grade single service liner is forbidden.

(b) If a food-grade single service liner is not provided, the individual ice buckets/containers shall be washed, rinsed and sanitized at least each time a different guest rents the room.

H. Ice buckets/containers and reusable glasses and utensils, if provided, shall not be located within the room housing the toilet unless approved by the administrative authority.

I. Ice buckets/containers, reusable glasses and utensils, if provided, shall be washed, rinsed and sanitized using one (1) of the following practices. Exception: Guest rooms provided with kitchenettes--

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(I) A sink with at least three (3) compartments shall be provided for manually washing, rinsing, and sanitizing the reusable items. Sink compartments shall be large enough to accommodate immersion of the largest piece of equipment and utensil;

(II) A mechanical dishwasher that meets the requirements for washing, rinsing and sanitizing as outlined in 19 CSR 20-1.025 Sanitation of Food Establishments; or

(III) Other methods approved by the administrative authority.

J. The guest rooms, buildings and premises shall be kept neat and free of refuse and debris.

(I) Garbage and refuse shall be stored in a covered durable, leak-proof and vermin-proof non-absorbent container. If there is evidence of vermin or a creation of a nuisance or health hazard, outdoor trash containers shall be stored on a smooth, hard surface such as concrete or machine-laid asphalt that is sloped to drain, or other methods approved by the administrative authority.

(II) Garbage and refuse shall be disposed of on a routine basis.

(III) Plant growth or other items in close proximity to the lodging establishment and its attendant facilities shall be maintained so as not to create a nuisance through harborage (cover) for pests such as rodents, vermin, reptiles and other small animals.

(IV) Items creating harborage for insects or vermin, or creating a health or safety hazard, shall be removed;

3. Lodging establishments that store, prepare, package, serve, vend or otherwise provide food(s), other than prepackaged nonpotentially hazardous food, for human consumption directly or indirectly to a consumer, where consumption is on or off the premises and regardless of whether there is a charge for the food, shall be considered a food establishment and shall be regulated according to 19 CSR 20-1.025 Sanitation of Food Establishments or applicable local ordinance;

4. Lodging establishments that offer only commercially prepared, individually-portioned prepackaged foods that are nonpotentially hazardous and/or whole-uncut fresh fruits and vegetables and/or only prepare coffee for guest use shall not be considered a food establishment, and shall comply with the following requirements:

A. Food shall be of sound condition, free from spoilage, filth or other contamination and shall be safe for human consumption;

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B. Condiments served shall be provided in individual packages;

C. Single service articles shall be stored, handled and dispensed in a manner that prevents contamination of surfaces, which may come into contact with food or with the mouth of the user;

D. Food serving areas and food contact surfaces shall be smooth, free of breaks, open seams, cracks, chips and similar imperfections;

E. Food shall be stored and presented in such a way as to be protected from cross-contamination; and

F. Employees shall observe good hygienic practices during all working periods of food service. Employees shall wash their hands prior to beginning work, during work, and as often as necessary to keep them clean, and after using the toilet, smoking, eating and drinking; and

5. Coffeemakers and coffeepots used by the lodging establishment for preparing coffee to the guests or provided in guest rooms, shall not be located within the room housing the toilet unless approved by the administrative authority and shall be washed, rinsed and sanitized using one (1) of the following methods and/or equipment:

A. A sink with at least three (3) compartments shall be provided for manually washing, rinsing, and sanitizing the coffeemakers and coffeepots. Sink compartments shall be large enough to accommodate immersion of the largest piece of equipment and utensil;

B. A mechanical dishwasher that meets the requirements for washing, rinsing and sanitizing as outlined in 19 CSR 20-1.025 Sanitation of Food Establishments;

C. A clean-in-place method shall be designed so that cleaning and sanitizing solutions circulate throughout the fixed system and contact all interior food contact surfaces; the system shall be self-draining or capable of being completely drained of cleaning and sanitizing solutions, and the cleaning and sanitizing solutions used are intended for food contact surfaces; or

D. Other methods approved by the administrative authority.

(D) Life Safety. The lodging establishment shall be constructed, operated and maintained with strict regard to health and safety.

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1. Operation and maintenance requirements are as follows:

A. Combustibles, whether solid, liquid or gaseous, shall be properly used and stored so that they do not present a hazard to health or life safety;

B. Toxic, corrosive, oxidizing or other hazardous materials shall be properly used, stored, and disposed of in such a manner that they do not present a hazard to health or life safety;

C. All guards placed on the sides of open face stairs shall be attached to the stair in a sturdy manner and maintained in good repair. All railings for balconies shall be attached to the balcony in a sturdy manner and maintained in good repair;

D. There shall be no storage on stairs or landings;

E. Stairways, walks, ramps and porches shall be kept free of ice and snow;

F. If the administrative authority suspects that defects are present with regard to the integrity of the structure or electrical system of the lodging establishment, that authority may require the owner to retain the services of a professional engineer to certify the lodging establishment for building safety;

G. Buildings must be adequately maintained to assure safe and sanitary conditions;

H. All repairs, additions and maintenance must be conducted in a manner that produces safe and sanitary conditions; and

I. Facilities using fuel-fired equipment or appliances that pose a potential carbon monoxide risk, including facilities with attached parking garages or wood burning fireplaces, shall install a carbon monoxide detector(s). Carbon monoxide detectors shall be installed according to manufacturer's specifications and should not be placed within five feet (5') of gas-fueled appliances or near cooking or bathing areas. Exception: carbon monoxide detectors installed prior to the effective date of this rule.

(I) Carbon monoxide detectors shall not be required to be installed in the attached parking garage area.

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(II) Carbon monoxide detectors shall be required in rooms adjoining or sharing a common ventilation system with the attached parking garage.

(III) Carbon monoxide detectors shall be in good working condition. If the battery-operated detector is routinely not operational, the owner shall install a detector that is hardwired with battery backup.

(IV) By September 2010, all carbon monoxide detectors shall be hardwired with battery backup. All additional carbon monoxide detectors shall be maintained and in good working condition.

(V) Carbon monoxide detectors shall be tested at least monthly or as needed to ensure they are operating properly and batteries shall be changed as needed.

2. Electrical. Installation and maintenance of electrical components shall be in compliance with local codes when applicable. In the absence of local codes, the following requirements shall be met:

A. New lodging establishments having electrical outlets installed within five feet (5') of wet locations or outdoors are required to be fitted with ground-fault circuit interrupters. Existing lodging establishments undergoing a major renovation or rewiring shall be required to install ground-fault circuit interrupters in electrical outlets located within five feet (5') of wet locations or outdoors;

B. Electrical switches, outlets and junction boxes must be covered and properly protected from physical damage at all times;

C. All appliances must be grounded to design specifications;

D. Wire splices shall be located in covered junction boxes at all times;

E. Bare or frayed wiring is prohibited;

F. Three (3)-prong receptacles must be properly grounded at all times. Nongrounded three (3)-prong receptacles in existing lodging establishments shall be replaced with two (2)-prong receptacles or properly grounded;

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G. Public hallways, stairways, landings, and foyers shall be sufficiently illuminated at all times to prevent tripping or other injuries to persons;

H. Exit signs shall be provided when guest room doors open to an interior corridor and where guest room doors open to the outside but not directly at grade level;

I. Exit signs shall be maintained in a clean and legible condition and shall be illuminated at all times that the building is occupied. For new construction, supplemental directions signs, when necessary, shall be installed indicating the direction and way of egress;

J. All emergency lighting shall be maintained in good working condition.

(I) Emergency lighting shall be provided when guest room doors open to an interior corridor and where guest room doors open to the outside but not directly at grade level;

K. Temporary wiring and flexible cords shall not be used in place of fixed wiring.

(I) Use of extension cords longer than six feet (6') shall be prohibited unless provided with over-current protection or rated with properly sized wire. No more than two (2) extension cords per room may be used;

L. Wattage of light bulbs shall not exceed the wattage rating of corresponding light fixtures;

M. Empty light sockets are prohibited;

N. Circuit boxes shall be protected from physical damage and maintained in good condition. Storage of items that obstruct the vision of or access to circuit boxes is prohibited; and

O. Access to electrical panels shall be unobstructed; fuses and circuits must be labeled for identification.

(E) Fire Safety.

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1. Operation and maintenance requirements for existing and new lodging establishments.

A. All facilities shall comply with all local building codes, fire codes and ordinances.

B. Housekeeping practices that ensure fire safety shall be maintained daily.

C. No fresh-cut Christmas trees shall be used unless they are treated with a flame resistant material. Documentation of the treatment shall be on file at the facility.

D. No door in any means of egress shall be locked against egress when the building is occupied.

(I) Delayed egress locks shall be permitted in buildings provided with a fire alarm system and/or an approved supervised automatic sprinkler system. No more than one (1) such device may be located in any one (1) egress path, and the door lock must unlock upon loss of power to the building, upon actuation of the fire alarm system, or upon actuation of the approved supervised automatic sprinkler system in the building.

E. Every bathroom door shall be designed to allow opening from the outside during an emergency when locked.

F. Doors serving a single dwelling unit shall be permitted to be provided with a lock, however, a key operation shall be allowed, providing that the key cannot be removed when the door is locked from the side from which egress is made.

G. Textile materials having a napped, tufted, looped, woven, nonwoven or similar surface shall not be applied to walls or ceilings unless they are treated with a flame resistant material. Documentation of the treatment shall be on file at the facility.

H. Foam plastic materials or other highly flammable or toxic material shall not be used as an interior wall, ceiling or floor finish unless approved by the administrative authority.

I. Hangings or draperies shall not be placed over exit doors or located to conceal or obscure any exit.

J. Mirrors shall not be placed on exit doors or adjacent to any exit that may confuse the direction of exit.

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K. Portable fire extinguishers (5 pound, 2A-10BC) shall be required for the protection of all guests and located in the hallways, mechanical room(s), laundry area(s) and all other hazardous areas.

(I) The maximum travel distance to a fire extinguisher from a guest room door that opens into an interior corridor or a guest room door that opens to the outside but not directly at grade level shall be no greater than seventy-five feet (75') and accessible to the guest.

(II) All fire extinguishers shall be maintained in a fully charged and operable condition and inspected annually by a fire extinguisher company, fire department representative or other entity approved by the administrative authority.

(III) Fire extinguishers having a gross weight not exceeding forty (40) pounds shall be installed so that the top of the extinguisher is not more than five feet (5') above the floor. Extinguishers having a gross weight more than forty (40) pounds shall be installed so that the top of the extinguisher is not more than three and one-half feet (3 1/2') above the floor. In no case shall the clearance between the bottom of the extinguisher and the floor be less than four inches (4").

L. There shall be no louvers or other air passages penetrating the wall except properly installed heating and utility installations.

M. Guest room doors shall be provided with room latches or other mechanisms suitable for keeping the doors closed.

N. Guest room doors shall be self-closing or provided with a closing device that closes the door automatically upon detection of smoke. Door-closing devices shall not be required in buildings protected throughout by an approved, automatic sprinkler system or when the guest room door opens directly to the outside of the dwelling unit at or to grade level.

O. Smoke detectors shall be installed in all sleeping rooms, cooking areas/kitchens, hallways, laundry rooms, mechanical rooms, hazardous areas and where specifically stated within this rule. Heat sensing devices may be installed in cooking areas in lieu of a smoke detector(s).

(I) Smoke detectors and heat sensing devices shall be maintained in good operating condition.

(II) If a wireless system is used, the system shall be designed, installed and maintained in accordance with the National Fire Protection Association 72, *National Fire Alarm Code 2002 Edition* or equivalent code.

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(III) Smoke detectors shall be tested at least monthly or as needed to ensure they are operating properly and batteries shall be changed as needed.

(IV) All hardwired-interconnected smoke detectors shall be tested and approved annually by a sprinkler company, fire alarm company, fire department representative or other entity approved by the administrative authority.

(V) The administrative authority may require the installation of additional smoke detectors at any time.

P. All fire alarm systems and sprinkler systems shall be tested and approved annually by a fire alarm company, sprinkler company, fire department representative or other entity approved by the administrative authority.

Q. Individual fire sprinklers plumbed into a potable water line over gas water heaters and/or furnaces shall not be required to be tested and approved annually unless required by local ordinance.

R. An evacuation route diagram reflecting the actual floor or exterior doors that lead outside of the dwelling unit at street or ground level arrangement, exit locations, and room identification shall be posted in a location and manner acceptable to the administrative authority in every guest room or immediately adjacent to every guest room door. Guest room doors leading directly to the outside of the dwelling unit at grade level are not required to post an evacuation route diagram.

S. A copy of an emergency evacuation plan and employee instruction guide shall be kept on file that is accessible by all staff. All staff shall be able to demonstrate knowledge of the emergency evacuation plan.

T. Fire safety information shall be available so that guests may make an informed decision as to evacuate to the outside, evacuate to an area of refuge, remain in place, or employ any combination of the three (3) options.

2. Existing lodging establishments shall also meet the following requirements:

A. All facilities that use stairs as a component in the means of egress shall comply with the following:

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(I) All open face stairs shall have guards placed on the sides. Guards shall be placed so that a four inch (4") diameter sphere cannot pass through them;

(II) Handrails for stairs shall not be less than thirty-four inches (34") and not more than thirty-eight inches (38") above the surface of the tread, measured vertically to the top of the rail from the leading edge of the tread;

(III) Railings for balconies shall not be less than forty-two inches (42") in height. Guards shall be placed so that a four inch (4") diameter sphere shall not pass through them; and

(IV) Existing handrails, railings and guards for stairs may continue to be used subject to approval of the administrative authority;

B. All facilities that use ramps as a component in the means of egress shall comply with the following:

(I) Ramps shall have a minimum width of forty-four inches (44") in all facilities;

(II) Ramps shall have a slip resistant surface;

(III) Ramps that are greater than six inches (6") in height shall have handrails and guards placed on each side. The handrails and guards shall comply with the stair requirements in (3)(E)2.A.(I)-(IV); and

(IV) Existing ramps may continue to be used subject to approval of the administrative authority;

C. Floors that separate stories in a building shall be maintained as a smoke barrier to provide a basic degree of compartmentation;

D. Openings through floors, such as hoistways for elevators, shaftways used for light, ventilation or building services; or expansion joints and seismic joints used to allow structural movements shall be enclosed with fire barriers (vertical), such as wall or partition assemblies whose fire resistance rating is not less than thirty (30) minutes. Such enclosures shall be continuous from floor to floor. Openings shall be protected as appropriate for the fire resistance rating of the barrier;

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E. Service openings such as laundry chutes, dumbwaiters and inclined and vertical conveyors shall be provided with closing devices and must be kept closed when not in active use. Outlet doors for trash or laundry chutes shall open only to a separate room designed exclusively for that purpose. This room shall be provided with a one (1)-hour fire rated door that is self-closing. Existing installations may continue to be used upon approval of the administrative authority.

(I) Service openings provided with closing devices shall be self-closing, with a positive-latching frame and door assembly of one (1)-hour fire rating.

(II) Vertical conveyors and chutes shall be separately enclosed by walls or partitions. Service openings shall not open to an exit. Existing installations may continue to be used upon approval of the administrative authority;

F. All guest rooms shall have a means of egress to the outside of the building at or to grade level;

G. Egress routes that have been approved prior to February 2002 shall not be altered without prior approval by the administrative authority;

H. Dead-end corridors or hallways shall not exceed fifty feet (50');

I. No door or path of travel in a means of escape shall be less than twenty-eight inches (28") wide. Bathroom doors shall not be less than twenty-four inches (24") wide;

J. All guest rooms opening into an interior corridor(s) shall be separated by walls and twenty (20)-minute fire protection-rated doors, forty-four millimeters (44 mm) (one and three-fourths inch (1 3/4")) solid-bonded wood-core doors, steel-clad (tin-clad) wood doors, solid-core steel doors with positive latch and closer, or as approved by the administrative authority;

K. Existing transoms shall be permitted but must be permanently fixed in the closed position;

L. Smoke detectors and heat sensing devices should be installed on the ceiling, preferably in the center, but no less than four inches (4") from the wall of the sleeping area or on a sleeping room wall between four and twelve inches (4"-12") from the ceiling or as otherwise approved by the administrative authority;

M. If a battery-operated detector is routinely not operational, the owner shall install a detector

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that is hardwired with a battery backup;

N. By September 2010, all smoke detectors and heat sensing devices shall be hardwired with battery backup; and

O. Existing fire alarm systems and sprinkler systems shall be maintained in good working order.

3. New lodging establishments shall meet these additional requirements. In addition to the required certification that the establishment has been designed and erected in accordance with the 2002 Edition of a national code(s), the DHSS has outlined minimum requirements for the maintenance of fire safety components and the installation of smoke detectors, fire alarm systems, sprinkler systems, and fire extinguishment to provide adequate life safety protection to ensure the safety of the occupants.

A. Lodging establishments meeting the definition of a bed and breakfast may have two (2) secondary means of egress that are independent and remote from one another in lieu of a primary means of egress.

B. Smoke detectors and/or heat sensing devices shall be installed on the ceiling, preferably in the center, but no less than four inches (4") from the wall of the sleeping area or on a sleeping room wall between four and twelve inches (4"-12") from the ceiling.

(I) All smoke detectors and/or heat sensing devices shall be hardwired with battery backup.

C. A fire alarm system shall be installed and maintained in accordance with the National Fire Protection Association 72, *National Fire Alarm Code 2002 Edition* or equivalent code and maintained in good working order. Exception 1: Single story buildings with guest room doors that open directly to the outside at grade level. Exception 2: Buildings with no more than three (3) occupiable stories and with no more than four (4) guest rooms per building with guest room doors that lead directly outside at or to grade level.

(I) When a fire alarm system is required, all smoke detectors and/or heat sensing devices shall be interconnected, except those located in sleeping rooms.

D. All buildings shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with the National Fire Protection Association 13, *Standard for the Installation of Sprinkler Systems 2002 Edition* or the National Fire Protection Association 13R *Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height 2002 Edition* or equivalent code.

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(I) Bed and breakfasts and buildings with no more than three (3) occupiable stories, where all guest rooms have a door that opens directly to the outside at or to grade level or to an exterior exit access are not required to be protected throughout by an approved, supervised automatic sprinkler system.

(F) Swimming Pools/Spas. Design, maintenance and operation of swimming pools, spas, and other bathing facilities shall be in accordance with the following requirements:

1. New swimming pools and swimming pools undergoing a major renovation, such as installing a diving board or slide, shall be designed by a professional engineer and certified by a professional engineer, architect or other qualified professional approved by the administrative authority. The design must comply with a national swimming pool code;

2. Requirements regarding the general safety of swimming pools are as follows:

A. Swimming pools shall be protected by a fence, wall, building or other enclosure that is at least four feet (4') in height. The enclosure shall be made of a durable material. Artificial barriers shall be constructed so as to afford no external handholds, footholds, or opening large enough to pass a four inch (4") diameter sphere through. Existing installations may continue to be used upon approval of the administrative authority;

B. Gates shall be equipped with a self-closing and positive self-latching closure mechanism. The latch shall be installed as high as possible, but no greater than four feet (4'), to preclude access of a toddler;

C. Doors leading into an indoor pool area shall be installed with self-closing and positive self-latching closure mechanism(s). The closure mechanism shall be installed as high as possible, but no lower than four feet (4') in height. Other means of precluding the access of a toddler into the indoor pool area must be approved by the administrative authority;

D. All natural barriers, hedges, swimming pool covers, or other protective devices must be approved by the administrative authority;

E. Depth of water shall be plainly marked with four inch (4")-high numbers, of a contrasting color to the pool background color, at or above the water surface on the vertical pool wall and on the edge of the deck, at maximum and minimum points of break between the deep and shallow portions, and at intermediate increments of depth, spaced at not more than twenty-five feet (25') intervals measured peripherally.

(I) Markings shall be on both sides and ends of the swimming pool.

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(II) Where depth markings cannot be placed on the vertical walls above the water level, other means shall be used so that the markings will be plainly visible to persons in the swimming pool;

F. Lifesaving equipment, consisting of both a throwable device and a reaching device, shall be provided for all swimming pools. Swimming pools over two thousand (2,000) square feet and up to four thousand (4,000) square feet of water surface area shall have two (2) throwable and reaching devices. Approval by the administrative authority shall be required for swimming pools in excess of four thousand (4,000) square feet of water surface area.

(I) A throwable device shall be a U.S. Coast Guard approved device, fitted with a one-quarter inch (1/4")-diameter line with a length of 1.5 times the maximum width of the swimming pool or fifty feet (50'), whichever is less and a reaching device shall be a life pole or shepherd's crook type of pole, having blunted ends with a minimum length of twelve feet (12') or as approved by the administrative authority. This equipment shall:

(a) Be mounted in conspicuous places, distributed around the pool deck;

(b) Be kept in good repair and ready condition; and

(c) Be kept in an established location and shall be used only for its intended purpose;

G. Whenever the swimming pool area is less than two thousand (2,000) square feet of water surface area and is opened for use and no lifeguard service is provided, warning signs shall be placed in plain view of the entrances and inside the pool area which state "WARNING--NO LIFEGUARD ON DUTY" with plainly legible letters;

H. Swimming pools having two thousand (2,000) square feet of water surface area or greater shall have a certified lifeguard present at all times the pool is available for use. In swimming pools with two thousand (2,000) square feet of water surface area or more, one (1) additional certified lifeguard shall be provided for each additional two thousand (2,000) square feet of water surface area;

I. A first aid kit must be readily available to lodging employees for pool use at all times. The first aid kit shall be stored in an easily accessible location (such as the front office);

J. No glass containers shall be used in the swimming pool area;

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K. The swimming pool and pool deck shall be kept clean of sediment, floating debris, visible dirt and algae; free of cracks, peeling paint and tripping hazards. Pools shall be refinished when the pool surface cannot be maintained in a safe and sanitary condition;

L. Rooms that house a gaseous chlorine introduction system shall be located on the opposite side of the pool from the direction of the prevailing winds and must provide the following features:

(I) A respiratory protective device suitable to provide protection during exposure to chlorine gas. This device shall be housed in a convenient location outside the chlorine room, which is quickly and readily accessible;

(II) An airtight duct at a maximum of eight inches (8") above the floor that terminates at a safe point of discharge to the outside away from the pool deck;

(III) A ventilating fan, capable of one (1) air change per minute and operated from a switch located outside the chlorine room door in conjunction with the airtight duct;

(IV) A louvered air intake near the ceiling;

(V) Adequate lighting with the light switch located outside the chlorine room, adjacent to the chlorine room door; and

(VI) A plastic bottle of ammonia for leak detection; automatic chlorine detectors are recommended;

M. Chlorine and chlorinating equipment shall be housed in a separate room. This room shall have no openings to other interior openings; and

N. Chlorine-feeding devices shall be designed to automatically terminate gas feed when the water supply flow is interrupted. The release of chlorine gas shall be terminated when the recirculation pump is shut off;

3. Requirements regarding the water quality of swimming pools and spas are as follows:

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A. Swimming pools and spas shall be designed and maintained to provide for continuous disinfection of the water with a chemical or process which is an effective disinfectant and which imparts an easily measurable, active residual;

B. The disinfecting materials and methods shall not be dangerous to public health, create objectionable physiological effects, or impart toxic properties to the water;

C. An easily adjustable, automatic disinfection feeder shall be provided for the continuous application of disinfectant to the pool and/or spa water. The concentration of disinfectant in the pool and/or spa water must be maintained at the following levels:

(I) When chlorine is the disinfectant, a free chlorine residual of at least one part per million (1.0 ppm) shall be maintained throughout the pool. When bromine is the disinfectant, a minimum residual between three and five (3-5) ppm shall be maintained throughout the spa; and

(II) Other disinfecting materials or methods are subject to approval of the administrative authority and may only be used when it has been demonstrated that they provide a satisfactory residual which is easily measured and operated according to the manufacturer's specifications;

D. An appropriate test kit shall be provided and capable of properly measuring disinfectant and pH residual;

E. The pH of the swimming pool and spa water shall be maintained at a level between 7.2 and 7.8; and

F. Swimming pool water shall have sufficient clarity that the main drain cover is readily visible at the deepest point of the pool when viewed from the side of the pool;

4. Requirements regarding the maintenance and operation of swimming pools and spas are as follows:

A. A boundary line between the shallow and deep water shall be marked at the point where the swimming pool slope begins, or at the five foot (5') depth, by a line of contrasting color on the floor and walls of the pool, and by a safety rope and floats equipped with float keepers;

B. Steps, ladders or stairs shall be provided at the shallow end (less than five feet (5') and steps or ladders shall be provided in the deep end (greater than five feet (5')). If the pool is over thirty feet (30') wide, such steps, ladders or stairs shall be installed on each side.

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(I) Pool steps, ladders, and stairs shall be easily cleanable, corrosion-resistant and equipped with non-slip treads.

(II) All ladders shall be designed so as to provide a handhold. Where steps or ladders are provided, there shall be a handrail at the top of each side thereof extending over the coping of the edge of the deck. When stairs are provided, there shall be a handrail provided.

(III) Pool steps, ladders, stairs and handrails shall be maintained in good repair at all times;

C. Daily operating records shall be maintained and be available upon request. The residual concentration of the disinfectant used in the pool and/or spa, pH, water temperature and the date and time the information was collected shall be recorded;

D. Indoor pool areas and chemical storage rooms shall be vented directly to the exterior or vented to a room that is vented directly to the exterior;

E. Any chemical applied in swimming pools and/or spas shall be used, handled, stored and labeled in accordance with the manufacturer's specifications;

F. Main drain grates shall be whole and openings shall not be over one-half inch (1/2") wide. Main drain grates shall be in good repair, firmly affixed at all times and designed and maintained to prevent user entrapment;

G. All pool and spa equipment shall be kept clean and in good repair at all times;

H. Diving boards and slides shall be maintained in good repair at all times;

I. A cleaning system shall be provided to remove dirt from the bottom of the pool;

J. Surface skimmers, strainer baskets and perimeter overflow systems shall be kept clean and in good repair;

K. Water shall be maintained at the overflow level; and

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L. Discharged pool water shall conform to the DNR regulations;

5. Requirements regarding the lighting and electrical systems for swimming pools and spas are as follows:

A. Artificial lighting shall be provided at swimming pools used at night or which do not have adequate natural lighting so that all portions of the pool, including the bottom, are readily seen without glare;

B. All lighting shall be maintained in good repair at all times;

C. All receptacles on the property shall be located at least ten feet (10') from the inside walls of a pool. One (1) receptacle to provide power for a recirculating pump motor on permanently installed swimming pools shall be permitted not less than five feet (5') from the inside walls of the pool provided the receptacle is single, of the locking and grounding types and protected by a ground-fault circuit interrupter;

D. All receptacles located within twenty feet (20') of the inside walls of a pool shall be protected by a ground-fault circuit interrupter;

E. Switching devices on the property shall be located at least five feet (5') from the inside walls of a pool unless separated from the pool by a solid fence, wall or other permanent barrier; and

F. Swimming pool areas over which utility-owned, operated and maintained supply lines, service drops, electrical lines and communication lines (i.e., telephone, cable TV) pass shall be approved in writing by the utility company;

6. The recirculation system serving the swimming pool and/or spa shall operate continuously or in accordance with manufacturer's specifications/recommendations or other engineering criteria;

7. Spas shall meet the additional following requirements: Exemption--a spa used under direct supervision of qualified medical personnel is excluded:

A. The maximum water depth shall be four feet (4') measured from the water line. The maximum depth of any seat or sitting bench shall be two feet (2') measured from the water line;

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B. Water temperature controls shall be provided to prevent water temperatures from exceeding one hundred four degrees Fahrenheit (104°F). The controls shall be accessible only to the swimming pool operator;

C. Outlets shall be designed so that each pumping system prevents user entrapment;

D. The agitation system shall be separate from the water treatment recirculation system. The agitation system shall be connected to a timer; and

E. A legible sign visible from the spa shall be provided. The sign shall contain wording to the effect of:

(I) Caution. Any person having an acute or chronic disease such that use of this spa might adversely affect their health should consult a physician before using this spa;

(II) Do not use the spa alone or without supervision;

(III) Do not use the spa longer than ten (10) minutes;

(IV) Children shall be accompanied by an adult; and

(V) Additional precautionary information may be added as deemed necessary by the lodging establishment or manufacturer.

(G) Plumbing/Mechanical. Installation and maintenance of plumbing supply lines and equipment shall be in compliance with local codes when applicable. In the absence of local codes the following requirements shall be met:

1. General requirements are as follows:

A. Hot and cold running water shall be available at all times;

B. Restrooms shall be provided with adequate ventilation to prevent excessive condensation, mold or algae growth or odors. New lodging establishments shall provide mechanical ventilation;

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C. Adequate venting of the drainage system shall be provided and vents shall extend above the roof;

D. All fixtures shall be adequately and properly trapped;

E. Openings for the passage of plumbing shall be vermin proof; and

F. No fitting, connection, device or method of installation shall obstruct or retard the flow of water, wastes, sewage or air in the drainage or venting system;

2. Certification of Inspection by the Missouri Division of Fire Safety shall be required for the following water heaters, boilers and pressure vessels. Evidence of inspection and approval shall be posted on the premises, as well as on file with the State Fire Marshal's Office, Division of Fire Safety;

A. Water heaters with heat input greater than two hundred thousand British thermal units per hour (200,000 Btu/hr) or fifty-seven and six-tenths kilowatts (57.6 kW) if electric;

B. All boilers; and

C. Hot water storage tanks greater than one hundred twenty (120) gallon capacity, and water temperatures exceeding two hundred ten degrees Fahrenheit (210°F), and heat input greater than two hundred thousand (200,000) Btu/hr or fifty-seven and six-tenths (57.6) kW if electric;

3. Water heaters and pressure vessels not required to be inspected and approved by the Missouri Division of Fire Safety:

A. Shall be rated for a minimum working pressure of one hundred twenty-five pounds per square inch (125 psi). The maximum pressure allowed shall be permanently marked on all water heating units and holding tanks; and

B. A separate valve or switch shall be provided to shut the fuel supply off to water heating units;

4. Safety devices to prevent the excessive buildup of heat and/or pressure in the vessel must be provided on water heaters and other pressure vessels.

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A. Temperature and pressure (T&P) relief valves are required on or adjacent to hot water holding tanks but cannot be separated from the tank by a check valve or shutoff valve.

B. Temperature and pressure (T&P) relief valves are required on water heaters and must be installed so that the sensing element extends into the tank and monitors the temperatures in the top six inches (6") of the tank.

(I) Relief valves shall bear imprints, plates or tags to indicate the specifications of the valve.

(II) Btu rating of the temperature component of the T&P relief valve must be equal to or greater than the input Btu of the vessel it serves.

(III) Pressure rating of the pressure component of the T&P relief valve must be equal to or less than the pressure rating of the vessel it serves.

C. Relief valve discharge pipes shall be made of rigid pipe approved for water distribution with a temperature rating of two hundred ten degrees Fahrenheit (210°F) or other materials approved by the manufacturer to be used for this purpose and--

(I) Be the same diameter, or larger, as the relief valve outlet;

(II) Be installed so as to drain by gravity flow and shall have no more than one (1) elbow or be installed according to manufacturer's specifications;

(III) Valves shall not be connected to the relief valve discharge pipe; and

(IV) Shall not discharge so as to be a hazard or a potential cause of damage;

5. All backflow devices used must meet 10 CSR 60-11.010 Prevention of Backflow or local codes. Potable water supplies shall be protected from sources of potential contamination.

A. The following shall be protected by reduced pressure principle backflow prevention assembly: boiler units, fire sprinkler systems with chemical additives, lawn sprinklers with facilities for injection of pesticides, herbicides or other chemicals and pumped or repressurized cooling or heating systems.

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B. The following shall be protected by a double-check valve assembly: facility wide fire sprinklers not using chemical additives and lawn sprinklers without facilities for injection of pesticides, herbicides or other chemicals.

C. The following shall be protected by vacuum breakers: threaded faucets, flush valves and shower spray hoses. Commercial dishwashers and commercial laundry machines shall be protected by either a vacuum breaker or an air gap.

D. The following shall be protected by air gaps: relief valve discharge pipes from water heaters and water holding tanks, makeup waterlines for cooling towers, potable water inlets to all plumbing fixtures, water softeners, condensation waterlines and discharge lines from commercial laundry machines. Swimming pool feed lines shall be protected by either an air gap or double-check valve assembly.

E. The following shall be protected by air breaks: ice containers and ice machines.

F. Fire sprinklers plumbed into a potable water line over gas water heaters and/or furnaces shall not be required to install a backflow device unless required by local ordinance;

6. Liquid propane (LP) gas systems shall be tested for leaks on a yearly basis.

(H) Heating, Venting and Air Conditioning (HVAC) Equipment. Air conditioning, heating, ventilating ductwork and related equipment shall be installed using acceptable procedures in a safe manner and be in good operating condition.

1. Unvented fuel-fired heaters, fireplaces or other appliances and portable electrical space heaters shall be prohibited from use in all areas of the lodging establishment unless approved in writing by the manufacturer for commercial use.

2. Existing unvented fireplace installations may continue to be used, upon approval of the administrative authority, if the following conditions are met:

A. The appliance and installation meet the National Fire Protection Association 54 ANSI 223.1-2002, *2002 Edition National Fuel Gas Code* requirements for residential use;

B. The local gas company conducts an inspection to assure the appliance and installation meet the National Fire Protection Association 54 ANSI 223.1-2002, *2002 Edition National Fuel Gas Code* requirements for residential use;

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- C. A carbon monoxide detector is installed in accordance with (3)(D)1.I.(III)-(V); and
 - D. The unvented fireplace is not the primary source of heat.
3. Gas and electric heating equipment shall be equipped with thermostatic controls.
4. Gas water heaters, gas furnaces and other gas appliances shall be properly vented to the outside, and the flue pipe shall be constructed of galvanized pipe or material recommended by the manufacturer. All galvanized pipe shall be secured by screws at every joint in the pipe.
5. Joints in gas supply pipes shall be located outside the furnace cabinet housing.
6. Gas shutoff valves shall be located next to all gas appliances, gas furnaces and gas water heaters.
7. Rooms containing gas water heaters and/or gas furnaces shall have an automatic sprinkler head installed off the domestic water system with a hardwired smoke detector located directly outside the room or shall be protected throughout by an approved, supervised automatic sprinkler system or designed in a manner to be fire resistant.
- A. The sprinkler head should be rated for one hundred sixty-five degrees Fahrenheit (165°F) or appropriately rated for the specific location and installed according to manufacturer's specifications or approved by the administrative authority. Existing installations may continue to be used upon approval of the administrative authority.
- B. The sprinkler head should be installed in a manner so the water spray will encompass the gas water heater and/or furnace.
- C. Pipes tying into the domestic water line shall be one-half inch (1/2") or three-fourths inch (3/4") copper pipe or chlorinated polyvinyl chloride (CPVC) pipe. Existing installations may continue to be used upon approval of the administrative authority.
- D. CPVC pipe must meet National Fire Protection Association 13 *Standard for the Installation of Sprinkler Systems 2002 Edition* and National Fire Protection Association 13R *Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height 2002 Edition*.

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E. A smoke detector is not required to be located directly outside the room if the door to the gas water heater and/or furnace room opens directly to the outside.

F. A smoke detector is not required to be located directly outside the room if another smoke detector is already located within ten feet (10') of the door.

G. A fire resistant room shall consist of walls and ceilings designed to be fire resistant for a minimum of one (1) hour, with a one (1)-hour fire rated door and doorjamb. All openings into this room shall be designed with one (1)-hour fire rated materials.

8. If a gas furnace or gas water heater is located inside a garage, it shall be at least eighteen inches (18") above the finished floor and enclosed inside a fire resistant room.

9. Furnaces shall be equipped with an electrical fused switch to protect the unit from electrical overloading and to disconnect the electrical supply.

10. Furnace rooms and rooms containing gas water heaters or any other fuel-fired appliance shall be provided with vents or other approved means to supply adequate combustion air for the units.

A. Except as specified in (3)(H)10.D. below, there shall be two (2) combustion air vent openings in each room containing gas or fuel-fired appliances.

(I) One (1) shall be located at the lower level and the other at the upper level.

(II) One (1) combustion air vent opening shall be permitted if the vent opening extends directly to the outside of the structure. This opening shall be one (1) square inch per three thousand (3,000) Btu input of the total gas appliances located in the room.

B. The vent size openings for the combustion air shall be:

(I) Measured at one (1) square inch per one thousand (1,000) Btu input if the combustion air is drawn from inside the structure;

(II) Measured at one (1) square inch per four thousand (4,000) Btu input if the air is drawn from outside the structure.

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C. Other means of venting furnace rooms and rooms containing gas water heaters or any other fuel-fired appliance may be subject to approval from the administrative authority; and

D. Furnace rooms and/or rooms containing gas or fuel burning appliances having a volume of fifty (50) cubic feet per one thousand (1,000) Btu/hour shall not be required to have additional venting.

(I) The sum of the required volume shall be calculated for all the gas appliances located within the space.

(II) Rooms communicating directly with the space in which the appliances are installed through openings not furnished with doors, and through combustion air openings sized and located appropriately shall be considered a part of the required volume.

11. Gas appliances shall have a clearance around them of one inch (1") from the sides and back and six inches (6") from the front of the unit or be installed to manufacturer's specifications.

19 Mo. Code of State Regulations 20-3.060

19 CSR 20-3.060 Minimum Construction Standards for On-Site Sewage Disposal Systems

PURPOSE: This rule establishes minimum construction standards for on-site sewage disposal systems. In accordance with the authority granted in section 701.040, RSMo, this rule establishes the minimum standards and criteria for the design, location, installation and repair of individual on-site sewage disposal systems to promote the public health and general welfare and to protect the surface and ground waters of the state.

(1) General.

(A) Definitions. Definitions as set forth in Chapter 701, RSMo, On-Site Sewage Disposal Law shall apply to those terms when used in this rule unless the context clearly requires otherwise or as noted in this subsection. For the purposes of these standards, certain terms or words used here shall be interpreted as follows. The word shall is mandatory and the words should and may are permissive. All distances, unless otherwise specified, shall be measured horizontally:

1. Administrative authority--The governing body which may include, but is not limited to, county health departments, planning and zoning commissions, county building departments, county public works department, sewer districts, municipalities and the Missouri Department of Health which has, as authorized by statute, charter or other form of enabling authority, adopted these standards for individual

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on-site sewage disposal systems;

2. Aeration unit--Any sewage tank which utilizes the principle of oxidation in the decomposition of sewage by the introduction of air into the sewage;

3. Alluvium--Soil parent material which was transported and deposited in a running water setting;

4. Alternative--An individual sewage disposal system employing methods and devices as presented in section (6) of this rule;

5. Approved--Considered acceptable by the administrative authority;

6. Baffle--A device installed in a septic tank for proper operation of the tank and to provide maximum retention of solids. This includes vented sanitary tees and submerged pipes in addition to those devices normally called baffles;

7. Bedrock--That layer of geologic material which is consolidated;

8. Bedroom--Any room within a dwelling that might reasonably be used as a sleeping room. The number of bedrooms in a residence as given by an appraiser will be used in determining volumes in the sizing of on-site sewage disposal systems;

9. Black water--Liquid-carried waste from a dwelling or other establishment, which contains organic wastes, including excreta or other body wastes, blood or other body fluids, and garbage;

10. Building sewer--That part of the drainage system which extends from the end of the building drain and conveys its discharge to an on-site sewage disposal system;

11. Capacity--The liquid volume of a sewage tank using inside dimensions below the outlet;

12. Color--The moist color of the soil based on the Munsell soil color system;

13. Distribution pipes--Perforated rigid pipes that are used to distribute sewage tank effluent in a soil

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treatment system;

14. Dosing chamber (or pump pit or wet well)--A tank or separate compartment following the sewage tank which serves as a reservoir for the dosing device;

15. Dosing device--A pump, siphon or other device that discharges sewage tank effluent from the dosing chamber to the soil treatment system;

16. Dwelling--Any building or place used or intended to be used by human occupants as a residential unit(s);

17. Effluent--The liquid discharge of a septic tank or other sewage treatment device;

18. Gravelless system--An absorption system recognized by the administrative authority as an acceptable method of subsurface disposal of sewage without the required use of gravel. The following are examples:

A. Large diameter, eight inch (8") and ten inch (10") corrugated, perforated plastic pipe, wrapped in a sheath of spun-bonded filter wrap;

B. Chamber system; and

C. Drip irrigation;

19. Gray water--Liquid waste, specifically excluding toilet, hazardous, culinary and oily wastes, from a dwelling or other establishment which is produced by bathing, laundry or discharges from floor drains;

20. Grease trap--A device designed and installed so as to separate and retain oils and fats from normal wastes while permitting normal sewage or wastes to discharge into the drainage system by gravity;

21. Ground absorption sewage treatment and disposal system--A system that utilizes the soil for the subsurface disposal of partially treated or treated sewage effluent. The following are examples:

A. Chamber system--A system that uses an open bottom structure which forms an underground chamber over the soil's infiltrative surface. The wastewater is discharged into the chamber through a central weir, trough or splash plate and is allowed to flow over the infiltrative surface in any direction;

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- B. Conventional soil absorption system--A system that distributes effluent by gravity flow from the septic or other treatment tank and applies effluent to the soil through the use of a seepage trench or bed;
- C. Dosing soil absorption system--A system that distributes effluent by a pump or automatic siphon to elevate or distribute effluent to the soil through the use of a seepage trench or bed;
- D. Drip soil absorption system--An experimental system that distributes effluent through drip lines in a grid pattern (also known as trickle irrigation); and
- E. Pressure distribution system--A soil absorption system that distributes effluent by a pump and smaller diameter distribution piping with small diameter perforations to distribute effluent;
22. Hazardous waste--Any waste or combination of wastes, as determined by the Hazardous Waste Commission by rules, which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness, or pose a present or potential threat to the health of humans or the environment;
23. High ground water--Zones of soil saturation which include: perched water tables, shallow regional groundwater tables or aquifers, or zones that are seasonally, periodically or permanently saturated;
24. High-water level--The highest known flood water elevation of any lake, stream, pond or flowage or the regional flood elevation established by a state or federal agency;
25. Holding tank--A watertight tank for temporary storage of sewage until it can be transported to a point of approved treatment and disposal;
26. Horizon--A layer of soil, approximately parallel to the surface, that has distinct characteristics relative to adjacent layers;
27. Individual sewage disposal system--A sewage disposal system, or part of a system, serving a dwelling(s) or other establishment(s), which utilizes subsurface soil treatment and disposal;

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28. Intermittent sand filters--Intermittent sand filters are beds of granular materials twenty-four to thirty-six inches (24-36") thick underlain by graded gravel and collecting pipe. Waste water is applied intermittently to the surface of the bed through distribution pipes or troughs and the bed is under-drained to collect and discharge the final effluent. Uniform distribution is normally obtained by dosing so as to flood the entire surface of the bed. Filters may be designed to provide free access (open filters) or may be buried in the ground (buried filters or subsurface sand filters);

29. Matrix color--The dominant color of a soil material;

30. Mottling--Spots or splotches of color interspersed in the dominant (or matrix color) of a soil material. Mottles may be of a wide variety of colors;

31. Mound system--A system where the soil treatment area is built above the ground to overcome limits imposed by proximity to water table or bedrock or by rapidly or slowly permeable soils;

32. Non-ground absorption sewage disposal system--A facility for waste treatment designed not to discharge to the soil, land surface, or surface waters, including, but not limited to, incinerating toilets, mechanical toilets, composting toilets and recycling systems;

33. Other establishment--Any public or private structure other than a dwelling which generates sewage;

34. Pan--A soil horizon compacted, hard or very high in clay content. These horizons are usually very slowly permeable. Common pans in Missouri are claypans and fragipans;

35. Perched water table--A saturated zone above and separated from the water table by a horizon which is unsaturated;

36. Percolation rate--The time rate of drop of a water surface in a test hole as specified in subsection (2)(C) of this rule and expressed in minutes per inch;

37. Permeability--The ease with which liquids and gases move within the soil or rock;

38. Plastic limit--A soil moisture content below which the soil may be manipulated for purposes of installing a soil treatment system and above which manipulation will cause compaction, puddling and smearing, as determined by the administrative authority. This is not to be confused with plastic limit as used or defined in the Unified Soil Classification System;

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39. Privy--An outhouse or structure used for receiving human excrement in a container or vault beneath the structure;

40. Registered geologist--A person who meets the requirements of Chapter 256, RSMo;

41. Restrictive horizon--A soil horizon that is capable of perching groundwater or sewage effluent and that is brittle and strongly compacted or strongly cemented with iron, aluminum, silica, organic matter or other compounds. Restrictive horizons may occur as fragipans, iron pans or organic pans and are recognized by their resistance in excavation or in use of a soil auger;

42. Rock fragments--The percentage by volume of rock fragments in a soil that are greater than two millimeters (2 mm) in diameter or retained on a No. 10 sieve which may include, but is not restricted to, chert, sandstone, shale, limestone or dolomite;

43. Sanitarian--A person registered either as a sanitarian or environmental health professional by the National Environmental Health Association or the Missouri Board of Certification for Environmental Health Professionals or employed as a sanitarian or environmental health professional by the administrative authority;

44. Seepage bed--An excavated area larger than three feet (3') in width which contains a bedding of aggregate and has more than one (1) distribution line;

45. Seepage trench--An area excavated one to three feet (1-3') in width which contains a bedding of aggregate and a single distribution line;

46. Septage--Those solids and liquids removed during periodic maintenance of a septic or aeration unit tank or those solids and liquids removed from a holding tank;

47. Septic tank--Any watertight, covered receptacle designed and constructed to receive the discharge of sewage from a building sewer, separate solids from liquid, digest organic matter, store liquids through a period of detention and allow the clarified liquids to discharge to a soil treatment system;

48. Setback--A separation distance measured horizontally;

49. Severe geological limitations--Site-specific geologic conditions which are indicative of rapid recharge

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of an aquifer and likely groundwater contamination. Locations with significant groundwater contamination potential should be investigated by a registered geologist to determine if the site has severe geological limitations. Standardized criteria for determination of severe geological limitations are available in the form *Assessment of Individual On-Site Waste Disposal Geological Limitations* from the Department of Natural Resources, Division of Geology and Land Survey;

50. Sewage--Any water-carried domestic waste, exclusive of footings and roof drainage. Domestic waste includes, but is not limited to, liquid waste produced by bathing, laundry, culinary operations, liquid wastes from toilets and floor drains and specifically excludes animal waste and commercial process water. Also known as wastewater;

51. Sewage flow--Flow as determined by measurement of actual water use or, if actual measurements are unavailable, as estimated by the best available data provided by Table 2A in subsection (1)(E) of this rule;

52. Sewage tank--A watertight tank used in the treatment of sewage which includes, but is not limited to, septic tanks and aeration units;

53. Sewage tank effluent--That liquid which flows from a septic tank or aeration unit under normal operation;

54. Significant groundwater contamination potential--Any condition which would cause or indicate rapid recharge of an aquifer. This includes, but is not limited to, the following conditions or parameters: a water sample from an on-site well which exceeds drinking water standards with respect to fecal coliform; a hydrologic connection is established between the on-site waste disposal system and any well; a disposal field to be placed in Class V soils or soils with a percolation rate less than ten minutes per inch (10 min./in.); a disposal field within one hundred feet (100') of the topographic drainage of a sinkhole; or a sewage tank with fifty feet (50') of the topographic drainage of a sinkhole;

55. Sinkhole--A land surface depression that is hydraulically connected with a subterranean passage developed by a solution or collapse into the underlying bedrock, or both;

56. Site--The area bounded by the dimensions required for the proper location of the soil treatment system;

57. Slope--The ratio of vertical rise or fall to horizontal distance;

58. Soil--The naturally occurring, unconsolidated mineral or organic material of the land surface developed from rock or other parent material and consisting of sand, silt and clay-sized particles and variable amount of organic materials;

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59. Soil characteristics, limiting--Those soil characteristics which preclude the installation of a standard system, including, but not limited to, evidence of water table or bedrock closer than three feet (3') to the ground surface and percolation rates slower than one hundred twenty minutes per inch (120 min./in.);

60. Soil saturation--The condition that occurs when all the pores in a soil are filled with water;

61. Soil scientist--An individual who has a minimum of fifteen (15) semester credit hours of soils course work including a minimum of three (3) hours in the area of soil morphology and interpretations, and has a minimum of two (2) years of field experience;

62. Soil textural classification--Soil particle sizes or textures specified in this rule refer to the soil textural classification in the *Soil Survey Manual Handbook No. 18*, United States Department of Agriculture, 1993;

63. Soil treatment area--That area of trench or bed bottom which is in direct contact with the trench rock of the soil treatment system;

64. Soil treatment system--A system where sewage tank effluent is treated and disposed of below ground surface by filtration and percolation through the soil. It includes those systems commonly known as seepage bed, trench, drainfield, disposal field and includes mound and low pressure pipe systems;

65. Standard system--An individual sewage disposal system employing a building sewer, sewage tank and the soil treatment system commonly known as seepage bed or trenches, drainfield or leachfield;

66. Toilet waste--Fecal matter, urine, toilet paper and any water used for flushing;

67. Trench rock--Clean rock, washed creek gravel or similar insoluble, durable and decay-resistant material free from dust, sand, silt or clay. The size shall range from one inch to two and one-half inches (1"-2 1/2"). If limestone, dolomite or other crushed white rock is used, it shall be washed and be a minimum size of one and one-half inches (1 1/2");

68. Valve box--Any device which can stop sewage tank effluent from flowing to a portion of the soil treatment area. This includes, but is not limited to, caps or plugs on distribution or drop box outlets, divider boards, butterfly valves, gate valves or other mechanisms;

69. Very slowly permeable--Soils, bedrock and soil horizon or layer having a vertical permeability less

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than one inch (1") in twenty-four (24) hours;

70. Wastewater--same as sewage as defined in paragraph (1)(A)50. of this rule;

71. Wastewater stabilization pond--A sealed earthen basin which uses the natural unaided biological processes to stabilize wastewater (also known as a sewage lagoon);

72. Water table--The highest elevation in the soil or rock where all voids are filled with water, as evidenced by presence of water or soil mottling or other information. This includes perched water tables or perched zones of saturation; and

73. Watertight--Constructed so that no water can get in or out below the level of the outlet.

(B) Applicability. For this rule, on-site wastewater treatment and disposal system means all equipment and devices necessary for proper conduction, collection, storage, treatment and disposal of wastewater from a dwelling or other facility producing sewage of three thousand gallons (3000 gals.) or less per day. Included within the scope of this rule are building sewers, septic tanks, subsurface absorption systems, mound systems, intermittent sand filters, gravelless systems, aeration unit wastewater treatment systems and single family wastewater stabilization ponds. Commercial or industrial facilities and developers of subdivisions must first contact the Department of Natural Resources concerning compliance with the Missouri Clean Water Law and Regulations before applying for any approvals or permits under this rule.

(C) Responsibilities.

1. The design, construction, operation and maintenance of sewage treatment and disposal systems, whether septic tank systems, privies or alternative systems, shall be the responsibility of the designer, owner, developer, installer or user of the system.

2. Actions of representatives of the administrative authority engaged in the evaluation and determination of measures required to effect compliance with the provisions of this rule shall in no way be taken as a guarantee or warranty that sewage treatment and disposal systems approved and permitted will function in a satisfactory manner for any given period of time. Due to the development of clogging mats, which adversely impact the life expectancy of normally functioning ground absorption sewage treatment and disposal systems and variables influencing system function which are beyond the scope of this rule, no guarantee or warranty is implied or given that a sewage treatment and disposal system will function in a satisfactory manner for any specific period of time.

3. Prior to the issuance of a permit to install or effect major repair of an on-site sewage disposal system as regulated by Chapter 701, RSMo, plans and specifications shall be required for review. Approval by the

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administrative authority shall be required for--

A. Plans for absorption field showing the following:

(I) Field locations with slope(s) indicated or with contour lines based on field measurement. If field areas are essentially flat or of uniform grade, spot elevations will be required for alternate systems;

(II) Field layout, length, spacing, connection, pipe sizes and cleanout details, invert elevations of flow distribution devices and laterals, valves and appurtenances;

(III) Trench plan and profile drawings and flow distribution device details;

(IV) Location and design of associated surface and ground water drainage systems;

(V) Name, address and telephone number of the person(s) drafting the plans; and

(VI) Any other information required by the administrative authority; and

B. Alternative systems whether or not specifically described in this rule.

4. The entire sanitary sewage system shall be on property owned or controlled by the person owning or controlling the system. Necessary easements shall be obtained permitting the use and unlimited access for inspection and maintenance of all portions of the system to which the owner and operator do not hold undisputed title. Easements shall remain valid as long as the system is required and shall be recorded with the county recorder of deeds.

(D) Minimum Set-Back Distances. All on-site wastewater treatment and disposal systems shall be located in accordance with the distances shown in Table 1.

Table 1-Minimum Set-Back Distances

Minimum Distance From	Sewage Tank [FN1]	Disposal Area [FN2]	Lagoons
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Private water supply well [FN3]	(feet) 50	(feet) 100	(feet) 100
Public water supply well	300	300	300
Cistern	25	25	25
Spring	50	100	100
Classified stream, lake or impoundment [FN4]	50	50	50
Stream or open ditch [FN5]	25	25	25
Property lines	10	10 [FN6]	75
Building foundation	5	15	15
Basement	15	25	25
Swimming pool	15	15	15
Water line under pressure	10	10	10
Suction water line	50	100	100
Upslope interceptor drains	-	10	10
Downslope interceptor drains	-	25	25
Top of slope of embankments or cuts of two feet (2') or more vertical height	-	20	20
Edge of surficial sink holes	50	100	500
Other soil absorption system except repair area	-	20	20

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1. Includes sewage tanks, intermittent sand filters and dosing chambers.
2. Includes all systems (sand filter, wetland and the like) except wastewater stabilization ponds.
3. Unplugged abandoned wells or wells with less than eighty feet (< 80') of casing depth shall have one-hundred-fifty feet (150') minimum distance from all above.
4. A classified stream is any stream that maintains permanent flow or permanent pools during drought periods and supports aquatic life.
5. Sewage tanks and soil absorption systems should never be located in the drainage area of a sinkhole.
6. Recommend twenty-five feet (25') of downslope property line initially, but repair may be allowed to ten feet (10') of downslope property line.

(E) Sewage Flow Rates. Table 2A or 2B shall be used to determine the minimum design daily flow of sewage required in calculating the design volume of sanitary sewage systems to serve selected types of establishments. The minimum design volume of sewage from any establishment shall be one hundred gallons (100 gals.) per day. Design of sewage treatment and disposal systems for establishments not identified in this rule shall be determined using available flow data, water-using fixtures, occupancy or operation patterns and other measured data.

1. Volume determination. In determining the volume of sewage from single family dwellings, the minimum flow rate shall be one hundred twenty gallons (120 gals.) per day per bedroom. The minimum volume of sewage from each single family dwelling shall be two hundred forty gallons (240 gals.) per day. When the occupancy of a single family dwelling exceeds two (2) persons per bedroom, the volume of sewage shall be determined by the maximum occupancy at a rate of sixty gallons (60 gals.) per person per day.

2. Other establishments. For establishments or housing developments other than a single family residence, either Table 2A shall be used to estimate the sewage flow rate or actual measured flow rate for existing systems may be used. Values for estimated sewage flow for establishments having food service operations shall be increased by a factor of one and one-half (1.5) to compensate for the high organic strength. Grease traps shall be required at food service facilities, meat markets and other places of business where the accumulation of grease or oils can cause premature failure of a soil absorption system. The following design criteria shall be met:

A. The grease trap shall conform to Plumbing & Drainage Institute Standard PDI-G101 or equivalent;

B. The grease trap shall be plumbed to receive all wastes associated with food handling and no toilet wastes;

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C. The grease trap liquid capacity shall be sufficient to provide for at least five gallons (5 gals.) of storage per meal served per day, at least two-thirds (2/3) of the required septic tank liquid capacity, or a capacity as determined in accordance with the following:

$$LC = D \times GL \times ST \times HR/2 \times LF$$

where

LC = grease trap liquid capacity (gallons)

D = number of seats in dining area

GL = gallons of wastewater per meal

(1.5 single-service; 2.5 full-service)

ST = storage capacity factor = 2.5

HR = number of hours open

LF = loading factor (1.25 interstate highway

= 1.0 other highways and recreational areas

= 0.8 secondary roads);

D. Two (2) or more chambers must be provided, with total length-to-width ratio at least two to one (2:1). Chamber opening and outlet sanitary tee must extend down at least fifty percent (50%) of the liquid depth;

E. Access manholes, with a minimum diameter of twenty-four inches (24"), shall be provided over each chamber and sanitary tee. The access manholes shall extend at least to finished grade and be designed and maintained to prevent surface water infiltration. The manholes shall also have readily removable covers to facilitate inspection and grease removal; and

F. Where it has been demonstrated that specially designed grease interceptors will provide improved performance, the grease trap liquid capacity may be reduced by up to fifty percent (50%).

TABLE 2A-Quantities of Domestic Sewage Flows

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Type of Establishment [FN7]	Flow
	(gallons per day per unit unless
Residential Units	otherwise indicated)
Single Family Dwelling	120/bedroom
Multiple Family Dwelling (with laundry capabilities)	120/bedroom
Multiple Family Dwelling (without laundry	95/bedroom
capabilities cottages)	50/person
	(in excess of 2 persons/bedroom)
Mobile Home Parks	300/home [FN8]
Commercial Facilities	
Transportation terminals (airports, bus stops, railroad	5/passengers
stations and the like)	
Laundromats	580/machine
Beauty Shops (Style Shops)	125/chair
Bowling Lanes	50/lane
Business (other than those listed elsewhere in this table)	25/employee

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Factories (exclusive of industrial waste)	25/person/shift
add for showers	10/person/shift
Marinas	10/boat slip
with bathhouse	30/boat slip
Motels/Hotels	120/room
with cooking facilities	175/person
Offices (per shift)	25/person
Service Stations	250/water closet or urinal
24-hour Service Stations	325/water closet
Theaters: Movies	5/seat
Drive-in	15/vehicle space
Warehouses	30/employee
Public parks (toilets only)	5/user
Public parks with bath house	15-25/user
Camps	
Construction or Work Camps	60/person
	40/person (with chemical toilets)
Summer Camps	60/person

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Campgrounds-with Comfort Station (without water and sewer hookups) 100/campsites

Travel Trailer/Recreational Vehicle Park (with water and sewer hookups) 120/space

Assembly & Mercantile

Retail Stores 120/1000 sq. ft. of retail sales area

Stadium, Auditorium, Theater, Drive-in 5/seat or space

Swimming Pools, Spas, and Bathhouses 10/person

Churches (Not including a Kitchen, Food Service Facility, Day Care or Camp) 3/seat

Churches (With a Kitchen but not including a Food Service Facility, Day Care or Camp) 5/seat

Country Club 20/member

Food or Drink Establishment [FN9]

Bar (not serving food) 20/seat

Restaurants 40/seat or
40/15 sq. ft. of dining area,

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whichever is greater

24-hour Restaurant 75/seat

Food Stands

1) per 100 square feet of food stand floor space 50 gal.

2) add per food employee 25 gal.

Other food service facilities 5/meal

Meat Markets

1) per 100 square feet of market floor space 50 gal.

2) add per market employee 25 gal.

Institutional [FN9]

Hospitals 300/bed

Day Care Facilities 15/person

Residential Care Facilities 60/person

Rest Homes and Nursing Homes

with laundry 120/bed

without laundry 60/bed

Day Schools

with cafeteria, gym, and showers 15/student

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with cafeteria only	12/student
with neither cafeteria nor showers	10/student
Boarding Schools	60/person

Note: Gallons per person per unit includes normal infiltration for residential systems.

7. Establishments with flows greater than three thousand gallons per day (3,000 gpd) shall be regulated under Chapter 644, RSMo, administered by the Department of Natural Resources.

8. Must consider flow into the soil absorption system from mobile homes where taps are allowed to run to prevent freezing.

9. Establishments processing food may be required to provide grease interceptors in an accessible location prior to the sewage treatment system.

Table 2B-Sewage Works Population/Design Table

Unit	Persons/unit
Apartments or Condominiums	
(1 bedroom)	2.0
(2 bedroom)	3.0
(3 bedroom)	3.7
Camper trailers with sewer hookup	3.0
Camper trailers without sewer hookup	2.5
Mobile Homes	3.0-3.7

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Motels	3.0
Residences	3.7

3. Population to be served. Unless satisfactory justification can be given for using lower per-unit occupancies, the figures in Table 2B shall be used in determining the population for which to design the sewage works.

4. Reduction in sewage flow. Reductions in design sewage flow rates may be allowed by the administrative authority on a case-by-case basis depending upon water conservation plans. Sewage flow rates may be reduced up to forty percent (40%) for gray water systems where the toilet wastes are discharged to a holding tank and disposed of off-site or where waterless toilets are utilized.

(2) Site Evaluation.

(A) All proposed sites for on-site sewage treatment and disposal systems shall be evaluated for the following:

1. Either percolation tests or soil conditions, properties and permeability as determined by a soil morphology examination; a profile pit shall be required for all new installations in order to conduct soil morphology examination;

2. Slope;

3. The existence of lowlands, local surface depressions, rock outcrops and sinkholes;

4. All required setback distances as required in subsection (1)(D) of this rule;

5. Surface water flooding probability and depth to water table;

6. Location of easements and underground utilities;

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7. Amount of available area for the installation of the system and an area for replacement;
8. Location of homesite or dwelling as well as management of surface runoff water from those buildings;
9. Any other cultural feature, such as roads, streets and the like in the surrounding areas which influences surface and subterranean flow of water on or near the proposed site; and
10. Any significant groundwater contamination potential.

(B) Preliminary Soils Information. During a site evaluation reference may be made of county soil survey reports which are available from the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) for a majority of the counties in Missouri. NRCS soil survey reports should not be used as sole final determination for a specific site, but only as a guide to which soils are expected in a given area.

(C) Soil Permeability and Soil Percolation. Soil permeability and soil percolation are two (2) different soil features with no direct correlation.

1. Soil permeability is that quality that enables soil to transmit water or air. It can be measured quantitatively in terms of rate of flow of water through a unit cross section of saturated soil in unit time under specified temperature and hydraulic conditions.

2. Soil percolation rate is based on a standard method which includes a twenty-four (24)-hour presoak in a six to eight inch (6-8") diameter hole to the depth of the proposed absorption field. After the presoak, water is poured into the hole to a level of eight inches (8") above the bottom. The drop in water level is then measured at thirty (30)-minute intervals until a stabilized rate is obtained. Results are recorded as minutes per inch (min./in.) for the water level to drop.

(D) Procedures for Percolation Tests and Profile Holes. Two (2) types of site evaluations are acceptable. Each type depends upon the technical expertise of the individual conducting the evaluations. When percolation tests are slower than sixty minutes per inch (60 min./in.), the design must be drafted and signed by a registered engineer unless site suitability and system sizing has been determined by soil evaluation in accordance with section (7) of this rule. This would apply to all systems except for lagoons or other systems that do not use the soil for treatment. When percolation tests are slower than one hundred and twenty minutes per inch (120 min./in.), on-site sewage disposal systems shall not be permitted, except for lagoons or other systems designed in accordance with sections (6) and (7) of this rule. The administrative authority will determine which method(s) is to be used. The types of site evaluations are described as follows:

1. Percolation tests only. This type of site evaluation is where site suitability and sizing of the soil

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absorption system is made by percolation tests and there is no other evaluation of soil characteristics. This type of site evaluation can be used only for siting and sizing standard systems in areas which are not classified as having significant groundwater contamination potential. When using this type of evaluation, only percolation rates between ten minutes and sixty minutes per inch (10-60 min./in.) will be acceptable. Percolation tests shall be conducted by an engineer, sanitarian, registered geologist, soil scientist or a person who has been trained and certified by the Department of Health in accordance with section 701.040(2), RSMo. These tests shall be performed in accordance with the following procedure:

A. A minimum of four (4) percolation test holes are required with three (3) of the holes around the periphery within the proposed soil absorption site and one (1) in the middle of the proposed soil absorption site;

B. Each test hole shall be six to eight inches (6-8") in diameter, have vertical side walls and be bored or dug to a depth of the bottom of the proposed soil absorption system;

C. The bottom and sides of the hole shall be carefully scratched to remove any smearing and to provide a natural soil surface into which water may penetrate. All loose material shall be removed from the bottom of the test hole and two inches (2") of one-fourth to three-fourths inch (1/4-3/4") washed gravel shall be added to protect the bottom from scouring;

D. The hole shall be carefully filled with clear water to a minimum of twelve inches (12") over the soil bottom of the test hole and maintained for no less than four (4) hours. The hole shall then be allowed to swell for at least twenty-four (24) hours. In sandy soils, the saturation and swelling procedure shall not be required and the test may proceed if one (1) filling of the hole has seeped away in less than ten (10) minutes;

E. In sandy soils, the water depth shall be adjusted to eight inches (8") over the soil bottom of the test hole. From a fixed reference point, the drop in water level shall be measured in inches to the nearest one-eighth inch (1/8") at approximately ten (10)-minute intervals. A measurement can also be made by determining the time it takes for the water level to drop one inch (1") from an eight-inch (8") reference point. If eight inches (8") of water seeps away in less than ten (10) minutes, a shorter interval between measurements shall be used but in no case shall the water depth exceed eight inches (8"). The test shall continue until three (3) consecutive percolation rate measurements vary by a range of no more than ten percent (10%);

F. In other soils, the water depth shall be adjusted to eight inches (8") over the soil at the bottom of the test hole. From a fixed reference point, the drop in water level shall be measured in inches to the nearest one-eighth inch (1/8") at approximately thirty (30)-minute intervals, refilling between measurements to maintain an eight-inch (8") starting head. The test shall continue until three (3) consecutive percolation rate measurements vary by a range of no more than ten percent (10%). The percolation rate can also be made by observing the time it takes the water level to drop one inch (1") from an eight-inch (8") reference point if a constant water depth of at least eight inches (8") has been maintained for at least four (4) hours prior to the measurement;

G. Percolation rate shall be calculated as follows:

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(I) The time interval shall be divided by the drop in water level to obtain the percolation rate in minutes per inch;

(II) The slowest percolation rate of the four (4) tests shall be used to determine the final soil treatment system design. Where the slowest percolation rate varies by more than twenty minutes per inch (20 min./in.) from the other tests, a detailed soils morphology evaluation must be conducted to justify a design based upon the average percolation rate; and

(III) For reporting the percolation rate, worksheets showing all calculations and measurements shall be submitted; and

H. Depth to bedrock or other restrictive layer shall be determined in areas where it is known that bedrock may exist at depths less than ten feet (10'); and

2. Soil morphology. This evaluation shall be conducted by a soil scientist unless an engineer, registered geologist or sanitarian has had special training and field experience to determine the required soil characteristics. This type of evaluation is recommended for sites that are classified as having significant groundwater contamination potential, severe geological limitations or severe limitations relating to restrictive layers. Section (7) of this rule contains criteria for this type of site evaluation. Since this type of soil analysis pertains to the factors that relate directly to permeability, no percolation test is required, however the administrative authority may retain the option of requiring percolation tests for additional information in determining site suitability.

(3) Building Sewers. Building sewers used to conduct wastewater from a building to an on-site wastewater treatment and disposal system shall be constructed of material meeting the minimum requirements of American Society for Testing and Materials (ASTM) Standards and listed by that agency for such use. Suitable materials meeting ASTM standards include: Acrylonitrile, butadiene styrene (ABS), cast iron pipe, concrete pipe, copper or copper-alloy tubing, polyvinyl chloride (PVC) or vitrified clay pipe. Although listed by ASTM, asbestos cement pipe will not be accepted due to potential health hazards to installers. Building sewer specifications are as follows:

(A) Size. Building sewers shall not be less than four inches (4") in diameter;

(B) Slope. Building sewers shall be laid to the following minimum slope:

1. Four-inch (4") sewer--twelve inches (12") per one hundred feet (100'); and

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2. Six-inch (6") sewer--eight inches (8") per one hundred feet (100');

(C) Cleanouts. A cleanout shall be provided at least every one hundred feet (100') and at every change in direction or slope if the change exceeds forty-five degrees (45°). A cleanout should be provided between house and tank; and

(D) Connection to Sewage Tank. The pipe going into and out of the sewage tank shall be schedule 40 PVC or cast iron and shall extend a minimum of two feet (2') beyond the hole of excavation for the sewage tank.

(4) Sewage Tanks.

(A) General. All liquid waste and washwater with the following exceptions shall discharge into the sewage tank. Roof, garage, footing, surface water, drainage, cooling water discharges and hazardous wastes shall be excluded from the sewage tank. Backwash from water softeners and swimming pool filtration systems may be excluded from the sewage tank. In such event of excluding swimming pool filter backwash, the Department of Natural Resources shall be contacted for applicability of a discharge permit. All sewage tank effluent shall be discharged to a soil absorption system that is designed to retain the effluent upon the property from which it originated. All tanks regardless of material or method of construction shall--

1. Be watertight and designed and constructed to withstand all lateral earth pressures under saturated soil conditions with the tank empty;

2. Be designed and constructed to withstand a minimum of two feet (2') of saturated earth cover above the tank top; and

3. Not be subject to excessive corrosion or decay. Metal sewage tanks shall not be used unless specifically allowed by the administrative authority on a case-by-case basis. The tank shall be thoroughly coated inside and out with a bituminous or other suitable coating. Any damage to the bituminous coating shall be repaired by recoating. Additionally, plastic sanitary tees shall be used for the inlet and outlet for the sewage tank. The administrative authority shall use Table 3 regarding minimum gauge thickness for metal sewage tanks.

Table 3--Tank Capacity

Tank design and capacity	Minimum gauge thickness	Minimum diameter
Vertical cylindrical	(gauge)	(inches)

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500 thru 1000 gallons	Bottom and sidewalls	14	None
	cover	12	
	baffle	12	
1001 thru 1250 gallons	complete tank	10	None
1251 thru 1500 gallons	complete tank	7	None

Horizontal cylindrical

500 thru 1000 gallons	complete tank	13	54
1001 thru 1500 gallons	complete tank	12	64
1501 thru 2500 gallons	complete tank	10	76
2501 thru 6000 gallons	complete tank	7	76

(B) Septic Tanks. Septic tanks, regardless of material or method of construction, shall conform to the following criteria:

1. The liquid depth of any septic tank or its compartment shall be not less than thirty-six inches (36"). A liquid depth greater than six and one-half feet (6 1/2') shall not be considered in determining tank capacity;
2. No tank or compartment shall have an inside horizontal dimension less than twenty-four inches (24");
3. Inlet and outlet connections of the tank shall be protected by baffles or sanitary tees as defined in paragraph (4)(B)6. of this rule;

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4. The space in the tank between the liquid surface and the top of the inlet and outlet baffles shall not be less than twenty percent (20%) of the total required capacity, except that in horizontal cylindrical tanks, this space shall be not less than fifteen percent (15%) of the total required liquid capacity;

5. Inlet and outlet baffles shall be constructed of acid-resistant concrete, acid-resistant fiberglass or plastic;

6. Sanitary tees shall be affixed to the inlet or outlet pipes with a permanent waterproof adhesive. Baffles shall be integrally cast with the tank, affixed with a permanent waterproof adhesive or with stainless steel connectors top and bottom;

7. The inlet baffle shall extend at least six inches (6") but no more than twenty percent (20%) of the total liquid depth below the liquid surface and at least one inch (1") above the crown of the inlet sewer;

8. The outlet baffle and the baffles between compartments shall extend below the liquid surface a distance equal to forty percent (40%) of the liquid depth, except that the penetration of the indicated baffles or sanitary tees for horizontal cylindrical tanks shall be thirty-five percent (35%) of the total liquid depth. They also shall extend above the liquid surface as required in paragraph (4)(B)4. of this rule. In no case shall they extend less than six inches (6") above the liquid surface;

9. There shall be at least one inch (1") between the underside of the top of the tank and the highest point of the inlet and outlet devices;

10. The inlet shall be not less than three inches (3") above the outlet;

11. The inlet and outlet shall be located opposite each other along the axis of maximum dimension. The horizontal distance between the nearest points of the inlet and outlet devices shall be at least four feet (4');

12. Sanitary tees shall be at least four inches (4") in diameter. Inlet baffles shall be no less than six inches (6") or no more than twelve inches (12") measured from the end of the inlet pipe to the nearest point on the baffle. Outlet baffles shall be six inches (6") measured from beginning of the outlet pipe to the nearest point on the baffle;

13. Access to the septic tank shall be as follows:

A. Manholes. Access shall be provided over both the inlet and outlet devices and to each tank compartment by means of either a removable cover or a manhole. Where the top of the tank is located more than eighteen inches (18") below the finished grade, manholes and inspection holes shall extend to approximately eight inches (8") below the finished grade. The extension can be made using riser of approved material and fitted with tight covers of heavy

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metal or concrete. Proper attention must be given to the accident hazard involved when manholes are extended close to the ground surface. Manhole risers are not required when the top of the tank is within eighteen inches (18") of final grade. All manhole openings must be provided with a substantial, fitted, water-tight cover of concrete, cast iron or other approved material. All manhole covers which terminate below grade shall be covered with at least six inches (6") of earth. Manhole covers which terminate above grade shall have either an effective locking device or otherwise be adequately sealed in a manner to prevent accidental access; and

B. A six-inch (6") inspection port shall be provided over the inlet and outlet baffles of each tank and terminate at or above grade. An inspection port shall not be used as a pumpout access. A manhole cover at or above grade may also serve in place of inspection ports;

14. Compartmentation of single tanks shall be in accordance with the following:

A. Septic tanks larger than fifteen hundred gallons (1500 gals.) and fabricated as a single unit shall be divided into two (2) or more compartments;

B. When a septic tank is divided into two (2) compartments, not less than one-half (1/2), nor more than two-thirds (2/3), of the total volume shall be in the first compartment;

C. When a septic tank is divided into three (3) or more compartments, one-half (1/2) of the total volume shall be in the first compartment and the other half equally divided in the other compartments;

D. Connections between compartments shall be baffled so as to obtain effective retention of scum and sludge. The submergence of the inlet and outlet baffles of each compartment shall be as specified in paragraphs (4)(B)7. and 8. of this rule;

E. Adequate venting shall be provided between compartments by baffles or by an opening of at least fifty (50) square inches near the top of the compartment wall; and

F. Adequate access to each compartment shall be provided by one (1) or more manholes with a minimum opening twenty inches (20") square or in diameter and located within six feet (6') of all walls of the tank;

15. The use of multiple tanks shall conform with the following:

A. Where more than one (1) tank is used to obtain the required liquid volume, the tanks shall be connected in series;

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B. Each tank shall comply with all other provisions of this section;

C. No more than three (3) tanks in series can be used to obtain the required liquid volume; and

D. The first tank shall be no smaller than any subsequent tanks in series;

16. The liquid capacity of a septic tank serving a dwelling shall be based upon the number of bedrooms contemplated in the dwelling served and shall be at least as large as the capacities given in Table 4.

Table 4--Dwelling Septic Tank Capacity [FN10]

Number of Bedrooms	Minimum Liquid Capacity
	(gallons)
1-3	1000
4	1250
5	1500

10. These figures provide for use of garbage grinders, automatic clothes washers and other household appliances. Garbage grinders are not recommended due to the introduction of fats and other high organic loads.

A. For six (6) or more bedrooms, the septic tank shall be sized on the basis similar to an establishment. See paragraph (4)(B)17. of this rule.

B. No tank shall be designed to retain less than two (2) days', forty-eight (48) hours' flow; and

17. Individual residences with more than five (5) bedrooms, multiple-family residences, individual septic tank systems serving two (2) or more residences or any place of business or public assembly where the

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design sewage flow is greater than one thousand gallons per day (1000 gpd), the liquid capacity of the septic tank shall be designed in accordance with the following:

$$V = 1.5Q + 500$$

where V = the liquid capacity of the septic tank and

Q = the design daily sewage flow.

The minimum liquid capacity of a septic tank serving two (2) or more residences shall be fifteen hundred gallons (1500 gals.).

(C) Location. Location of the sewage tank shall include the following:

1. The sewage tank shall be placed so that it is accessible for the removal of liquids and accumulated solids;
2. The sewage tank shall be placed on firm and settled soil capable of bearing the weight of the tank and its contents; and
3. The sewage tanks shall be set back as specified in subsection (1)(D) of this rule.

(D) Solids Removal. The owner of any septic tank or his/her agent shall regularly inspect and arrange for the removal and sanitary disposal of septage from the tank whenever the top of the sludge layer is less than twelve inches (12") below the bottom of the outlet baffle or whenever the bottom of the scum layer is less than three inches (3") above the bottom of the outlet baffle. Yearly inspections of septic tanks are recommended and tanks shall be pumped whenever the bottom of the scum layer is within three inches (3") of the bottom of the outlet device or the sludge level is within eight inches (8") of the bottom of the outlet device.

(E) Aeration Units. An aeration unit wastewater treatment plant utilizes the principle of oxidation in the decomposition of sewage by the introduction of air into the sewage. An aeration unit may be used as the primary treatment unit instead of a septic tank except where special local conditions may limit their use. All aeration unit type treatment systems shall comply with the general requirements for sewage tanks set forth in subsection (4)(A) of this rule and with the following:

1. Limitations. Special conditions where aeration units should not be used may include, but not be limited to, the following:

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A. Where intermittent use (interruptions allowing more than five (5) days without continuous flow) will adversely affect the functioning of the plant; and

B. Where local ordinances restrict their use;

2. General. The aeration unit shall be located where it is readily accessible for inspection and maintenance. Set-back distances for aeration units shall be in accordance with subsection (1)(D) of this rule;

3. Design. All aeration units shall comply with National Sanitation Foundation Standard No. 40 or as required by the administrative authority. In addition, all aeration unit treatment plants shall comply with the requirements stipulated in this section. The aeration unit shall have a minimum treatment capacity of one hundred twenty gallons per bedroom per day (120 gals./pbd) or five hundred gallons (500 gals.), whichever is greater;

4. Effluent disposal. Effluent from an aeration unit shall be discharged into a soil absorption system or other final treatment system in accordance with section (6) of this rule. No reductions in the area of soil absorption systems or other final treatment systems shall be permitted because of the use of an aeration unit instead of a septic tank; and

5. Operation and maintenance. Where aeration units are used in institutional or administrative arrangements to control their use, operation and maintenance are recommended. Aeration units should be inspected at least one (1) time each year and pumped when mixed liquor solids concentrations result in excessive clarifier loading.

(5) Absorption Systems. The common design of absorption systems is the use of absorption trenches, each separate from the other and each containing a distribution pipe. This type system should be used whenever practical. Other types of absorption systems may be used as alternatives where the site conditions meet the specific design requirements of the alternative systems. Installation shall not be made while the soil is wet or moist. This is to prevent smearing and destroying the structure of the soil. All absorption systems should have curtain drains, terraces or use of other flow diversion methods to minimize surface or ground water from loading the absorption field.

(A) Absorption Trenches. The absorption trench gives additional treatment to the sewage from the treatment tank. Regardless of its appearance of clarity or transparency, the outflow or effluent from a sewage tank is a dangerous source of contamination. The satisfactory operation of the sewage disposal system is largely dependent upon the proper site selection, design and construction of the absorption trench.

1. Absorption trenches should not be constructed in soils having a percolation rate slower than sixty minutes per inch (60 min./in.) and in no case shall absorption trenches be constructed in soils with percolation rates slower than one hundred twenty minutes per inch (120 min./in.) or where rapid

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percolation may result in contamination of water-bearing formations or surface waters.

2. The absorption trench shall be located on the property to maximize the vertical separation distance from the bottom of the absorption trench to the seasonal high groundwater level, as determined by the presence of mottling, bedrock or other limiting layer. The vertical separation between the bottom of the absorption trench and limiting layer or seasonal high water table shall be no less than one foot (1') for standard systems. Greater vertical separation may be required where water-bearing formations are in danger of contamination.

3. Absorption trenches shall not be constructed in unstabilized fill or ground which has become severely compacted due to construction equipment.

4. The minimum area in any absorption trench system shall be in accordance with Table 5. Absorption trenches in these highly permeable soils shall have a minimum vertical separation of four feet (4') between the absorption trench bottom and seasonal high groundwater table or bedrock. Cherty clays may have percolation rates between zero (0) and sixty (60) minutes per inch. Cherty clay soils located in areas of severe geological limitations shall have less than fifty percent (50%) rock fragments and a vertical separation distance of four feet (4') or more between the absorption trench bottom and bedrock. Unlined absorption trenches shall not be installed in cherty clays when the field evaluation indicated the presence of large voids. Regardless of the percolation rate, absorption trenches installed in areas of severe geological limitations with cherty clays should be designed for a maximum loading rate of forty-five hundredths gallons per square foot (0.45 gals/sq. ft.) or a minimum of two hundred sixty-five square feet per bedroom (265 sq. ft./bedroom).

Table 5 Minimum Absorption Area

Percolation Rate	Absorption Loading Area	Loading Rate
(min./in.)	(sq. Ft./bedroom)	(gal./sq. ft.) [FN11]
≤10 [FN12]	150	1.0
11-30	200	0.8
31-45	265	0.45
46-60 [FN13]	300	0.4
61-120 Æ [FN13]	600	0.2

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Æ Must be designed and approved by a Missouri registered engineer.

11. Gallons of sewage tank effluent per day per square foot of trench bottom.

12. Soils with percolation rates of one to ten minutes per inch (1 10 min./in.) or less shall either be evaluated for severe geological limitations by a registered geologist or a soil morphology examination shall be required.

13. Note: When percolation rate is greater than forty-five minutes per inch (45 min./in.), backfill above infiltration barrier shall be sand, loamy sand or sandy loam when available. Two to four inches (2 4") of loamy soil shall be used to cap the sandy backfill. This is to keep rainwater from entering the system.

5. Each absorption trench system shall have a minimum of two (2) trenches with no one (1) trench longer than one hundred feet (100') unless approved by the administrative authority on a case-by-case basis. The absorption trenches shall be located not less than three (3) times the trench width on centers with a minimum spacing of five feet (5') on centers.

6. Absorption trenches shall be at least eighteen inches (18") wide and no more than thirty-six inches (36") wide. Thirty-six inch (36") wide trenches should not be utilized in soils with percolation rates slower than forty-five minutes per inch (45 min./in.). The bottom of standard absorption trenches shall be at least eighteen inches (18") and no more than thirty inches (30") below the finished grade except as approved by the administrative authority.

7. The pipe used between the sewage tank and the absorption system shall be a minimum of four-inch (4") inside diameter equivalent to the pipe used for the building sewer as set forth in section (3) of this rule. The pipe shall have a minimum fall of not less than one-eighth inch (1/8") per foot. All joints shall be of watertight construction.

8. Gravity-fed absorption field distribution lines should be at least four inches (4") in diameter. Perforated distribution line shall have holes at least one-half inch (1/2") and no more than three-fourths inch (3/4") in diameter.

A. Pipe used for distribution lines shall meet the appropriate ASTM standard or those of an equivalent testing laboratory. Fittings used in the absorption field shall be compatible with the materials used in the distribution lines.

B. When four-inch (4") or six-inch (6") diameter corrugated plastic tubing is used for distribution lines, it shall be certified as complying with applicable ASTM standards. The corrugated tubing shall

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have either two (2) or three (3) rows of holes, each hole between one-half inch (1/2") and three-fourths inch (3/4") in diameter and spaced longitudinally approximately four inches (4") on centers. **Coiled tubing shall not be used.**

9. The absorption trenches shall be constructed as level as possible, but in no case shall the fall in a single trench bottom exceed one-fourth inch (1/4") in ten feet (10'). The ends of distribution lines should be capped or plugged, or when they are at equal elevations, they shall be connected.

10. Rock used in soil absorption systems shall be clean gravel or crushed stone, and graded or sized between one and one-half and three inches (1 1/2 3") with no more than ten percent (10%) material to pass through a one-half inch (1/2") screen. The rock shall be placed a minimum of twelve inches (12") deep with at least six inches (6") below the pipe and two inches (2") over the pipe and distributed uniformly across the trench bottom and over the pipe. Limestone and dolomite shall be avoided when possible. Before placing soil backfill over the trenches, the gravel shall be covered with one (1) of the following:

A. Unfaced, rolled, three and one-half inch (3 1/2") thick fiberglass insulation;

B. Untreated building paper;

C. Synthetic drainage fabric; or

D. Other material approved by the administrative authority laid as to separate the gravel from the backfill.

11. Complex slope patterns and slopes dissected by gullies shall not be considered for installation of absorption trenches. Uniform slopes under fifteen percent (15%) shall be considered suitable slope for installation of absorption trenches. When slopes are less than two percent (2%), provisions shall be made to insure adequate surface drainage. When slopes are greater than four percent (4%), the absorption trenches shall follow the contour of the ground. Uniform slopes between fifteen percent (15%) and thirty percent (30%) should not be used for installation of absorption trenches unless the soils are three feet (3') or more below the trench bottom. Slopes within this range may require installation of interceptor drains upslope from the soil absorption system to remove all excess water that might be moving laterally through the soil during wet periods. Usable areas larger than minimum are ordinarily required in this slope range. Slopes greater than thirty percent (30%) shall not be utilized for installation of absorption trenches unless the following requirements can be met and approval is obtained from the administrative authority:

A. The slope can be terraced or otherwise graded or the absorption trenches can be located in naturally occurring soil so as to maintain a minimum ten foot (10') horizontal distance from the absorption trench and the top edge of the fill embankment;

B. The soil is permeable and no restrictive layers or water tables occur at a depth within two feet (2')

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of the trench bottom;

C. Surface water runoff is diverted around the absorption trench field so that there will be no scouring or erosion of the soil over the field or to allow surface runoff onto the field;

D. If necessary, groundwater flow from heavy rainfall is intercepted and diverted to prevent that water from running into or saturating the soil absorption system; and

E. There is sufficient ground area available to install the absorption trench system with these modifications.

12. Effluent distribution devices, including distribution boxes, flow dividers and flow diversion devices, shall be of sound construction, watertight, not subject to excessive corrosion and of adequate design as approved by the administrative authority. Effluent distribution devices shall be separated from the sewage tank by a minimum of two feet (2') of undisturbed or compacted soil and shall be placed level on a solid foundation of soil, gravel or concrete to prevent differential settlement of the device. Distribution boxes provided with flow equalizers are recommended.

A. Each distribution line shall connect individually to the distribution box and shall be watertight.

B. The pipe connecting the distribution box to the distribution line shall be of a watertight construction laid on undisturbed earth.

C. No more than four (4) distribution lines should be connected to a distribution box receiving gravity flow unless the ground surface elevation of the lowest trench is above the flow line elevation of the distribution box.

13. Stepdowns or drop boxes may be used where topography prohibits the placement of absorption trenches on level grade. Serial distribution systems should be limited to a separation of at least three feet (3') between the bottom of the absorption trenches and the limiting condition such as slow permeability or zone of seasonal saturation as evidenced by mottling. Whenever the design sewage flow rate requires more than seven hundred and fifty lineal feet (750 lin. ft.) of distribution line in a stepdown or drop-box type system, the absorption field shall be divided into two (2) or more equal portions. Stepdowns shall be constructed of two feet (2') of undisturbed soil and constructed to a height level with the top of the upper distribution line. The inlet to a trench should be placed either in the center or as far as practical from the outlet (overflow) from the same trench. Drop boxes shall be constructed so that the inlet supply pipe is one inch (1") above the invert of the outlet supply pipe which is connected to the next lower drop box. The top of the trench outlet laterals, which allow effluent to move to the distribution lines, shall be two inches (2") below the invert of the outlet supply line. It is recommended that drop boxes be designed to close off the trench outlets to provide for periods of resting when the absorption trench becomes saturated.

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14. Dosing is recommended for all systems except serial distribution systems and shall be provided when the design sewage flow requires more than five hundred lineal feet (500 lin. ft.) of distribution line. When the design sewage flow requires more than one thousand lineal feet (1000 lin. ft.) of distribution line, the absorption field shall be divided into two (2) equal portions and each half dosed alternatively, not more than four (4) times per day. Dosing may be accomplished by the use of a pump. Each side of the system shall be dosed not more than four (4) times per day. The volume of each dose shall be the greater of the daily sewage volume divided by the daily dosing frequency, or an amount equal to approximately three-fourths (3/4) of the internal volume of the distribution lines being dosed (approximately one-half gallon per lineal foot (1/2 gal./lin. ft.) of four-inch (4") pipe). Whenever dosed distribution box systems are utilized, the separation distance between the absorption trench bottom and limiting condition should be at least two feet (2').

15. Gravelless subsurface absorption systems may be used as an alternative to conventional four-inch (4") pipe placed in gravel filled trenches, however they cannot be used in areas where conventional systems would not be allowed due to poor permeability, high groundwater or insufficient depth to bedrock. Design approval for these systems may be required from the administrative authority prior to installation and all manufacturing specifications and installation procedures shall be closely adhered to. Gravelless trench systems using fabric wrapped tubing shall not be used, however, where wastes contain high amounts of grease and oil, such as in restaurants.

A. The eight (8)-, ten (10)-, and twelve (12)-inch (inner diameter) corrugated polyethylene tubing used in gravelless systems shall meet the requirements of ASTM F667, Standard Specification for Large Diameter Corrugated Polyethylene Tubing. For purpose of calculation, the eight-inch (8") pipe may be considered equal to eighteen inches (18") in width of a standard absorption trench. The ten-inch (10") pipe may be considered equal to twenty-five inches (25") in width of a standard absorption trench.

B. Two (2) rows of perforations shall be provided located one hundred twenty degrees (120°) apart along the bottom half of the tubing, each sixty degrees (60°) from the bottom centerline. The tubing shall be marked with a visible top location indicator one hundred twenty degrees (120°) away from each row of holes. Perforations shall be cleanly cut and uniformly spaced along the length of the tubing and should be staggered so that there is only one (1) hole in each corrugation. The tubing shall be marked with a visible top location indicator. All gravelless drainfield pipe shall be encased at the point of manufacture with a filter wrap of spun-bonded nylon, spun-bonded polypropylene or other substantially equivalent material approved by the administrative authority.

C. Rigid corrugated tubing shall be covered with filter wrap at the factory and each joint shall be immediately encased in a protective wrap that will prevent ultraviolet light penetration which shall continue to encase the large diameter pipe and wrap until just prior to installation in the trench. Filter wrap encasing the tubing shall not be exposed to sunlight (ultraviolet radiation) for extended periods. Rocks and large soil clumps shall be removed from backfill material prior to being used. Clayey soils (soil group IV) shall not be used for backfill. The near end of the large diameter pipe shall have an offset adapter (small end opening at top) suitable for receiving the pipe from the septic tank or distribution device and making a mechanical joint in the trench.

D. The trench for the gravelless system shall be dug with a level bottom. On sloping ground, the trench should follow the contour of the ground to maintain a level trench bottom and to ensure a minimum backfill of six inches (6"). It is recommended that the minimum trench width for the

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gravelless system be eighteen inches (18") in friable soils to ensure proper backfill around the bottom half of the pipe. In cohesive soils, the minimum width of excavation should be twenty-four inches (24"). In clay soils, it is recommended that the trench be backfilled with sandy material, sandy loam, loam, clay loam, silt loam or silty clay loam. The gravelless system may be installed at a trench bottom depth of eighteen inches (18") minimum to thirty inches (30") maximum, but a more shallow trench bottom depth of eighteen to twenty-four inches (18-24") is recommended. To promote equal effluent and suspended solids distribution, the slope of the drain pipe should be from zero to one-half inch per one hundred feet (0-1/2 in./100 ft.).

E. A gravelless chamber may be installed based on bottom absorption area utilizing a reduction of up to twenty-five percent (25%) in the size of a standard gravel absorption area based upon a soil morphology evaluation indicating the feasibility of a reduction. However, as described in Table 6, the maximum loading rate provided for any particular soil group must not be exceeded when sizing for the thirty-four inch (34") chamber. For this purpose, the fifteen inch (15") chamber may be considered equal to twenty-four inches (24") in width of a standard absorption trench. The twenty-two inch (22") chamber may be considered equal to twenty-eight inches (28") in width of a standard absorption trench. The thirty-four inch (34") chamber may be considered equal to forty-two inches (42") in width of a standard absorption trench.

F. Installation of the chamber system shall be in accordance with this rule except:

(I) The installation shall be made in accordance with the manufacturer's specifications;

(II) The side walls of trenches placed in Group IVa soils shall be raked to open pores which were damaged or sealed during excavation; and

(III) Chambers utilizing maximum sidewall absorption features shall be installed per the manufacturer's recommendations to maximize the use of upper soil horizons; and

G. A reduction of up to twenty-five percent (25%) in the size of the absorption field may be allowed based upon a soil morphology evaluation indicating the feasibility of a reduction. However, as described in Table 6, the maximum loading rate provided for any particular soil group must not be exceeded.

Table--6 Loading Rate for Chamber Systems [FN14]

Soil Group

Range for Chambers

(gpd/sq. ft)

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I	1.0-1.2
II	0.7-0.8
III	0.5-0.6
IVa	0.3-0.4
IVb	Unsuitable
V [FN15]	0.4-0.6

14. Note: All application rates are for area of trench bottoms only.

15. Note: No reduction is allowed for chamber systems in Group V soils.

16. Dosing/alternating systems are encouraged, especially in slowly permeable soil conditions.

17. The administrative authority may permit the use of a bed system on sites where the minimum soil permeability is a percolation rate of forty-five minutes per inch (45 min./in.) and essentially meeting the other requirements of this section, and only on lots which are limited by topography, space or other site planning considerations. In such cases the number of square feet of bottom area needed shall be increased by fifty percent (50%) over what would be required for a trench system. Distribution lines shall be at least eighteen inches (18") from the side of the bed and shall have lines on three-foot (3') centers and care must be taken to divert surface water away from the bed. When the design volume of sewage exceeds six hundred gallons (600 gals.) per day, adequate space shall be provided to accommodate a trench system for the absorption field. There shall be no less than a two-foot (2') separation between the bed bottom and the limiting layer or seasonal high water table.

(B) Possible modifications to standard absorption systems which may be utilized to overcome selected soil and site limitations and must be approved by the administrative authority include the following:

1. Shallow placement of absorption trenches shall be utilized where insufficient depth to seasonally high or perched water table or where insufficient soil thickness prevents the placement of conventional distribution lines in accordance with this section. Shallow trenches shall be designed and constructed to provide a minimum of two feet (2') of natural soil separation between the trench bottom and the uppermost elevation of the seasonally high or perched water table and rock. Shallow trenches may be constructed by

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placing the top of the gravel at original ground level and covering the absorption field with loamy soil, (sandy loam, loam, clay loam, silt loam or silty clay loam) to a depth of eight to twelve inches (8-12") at the center. The cover over the absorption field shall extend at least five feet (5') beyond the edge of any trench and have a turf grass cover established immediately after construction. If an area is to be filled and the trenches constructed in the fill with the bottom of the trenches in at least six inches (6") of natural soil, the following procedures must be followed:

A. The fill material should be of a sandy texture with a maximum clay content of twenty percent (20%). The fill material should not be hauled or worked wet. The area to be filled must be protected from traffic and small brush and trees removed prior to placement;

B. The soil surface must be loosened with a cultivator or garden plow. This work must be done when the soil is dry;

C. The fill is moved onto the site without driving on the loosened soil. The fill material is then tilled into the natural soil to create a gradual boundary between the two (2). The remaining fill is then added in layers until the desired height is obtained with each layer being tilled into the preceding layer; and

D. The site is then shaped to shed water and fill all low spots before the absorption system is installed. After installation of the absorption system, the site must have a turf grass cover established as soon as possible;

2. Alternating dual field absorption systems may be utilized where soils are limited by high clogging potentials, percolation rates slower than sixty minutes per inch (60 min./in.) or high shrink/swell potential soils and where the potential for malfunction and need for immediate repair is required. Alternating dual field absorption systems shall be designed with two (2) complete absorption fields, each sized a minimum of seventy-five percent (75%) of the total area required for a single field and separated by an effluent flow diversion valve. The diversion valve shall be constructed to resist five hundred pounds (500 lbs.) crushing strength, structurally sound and shall be resistant to corrosion. A valve placed below ground level shall be constructed so that it may be operated from the ground surface; and

3. Sand-lined trenches may be used in areas where the soil has greater than fifty percent (50%) rock fragments and there are severe geological limitations. For a maximum loading rate of forty-five hundredths gallons per day per square foot (.45 gpd/sq. ft.) or a minimum of two hundred sixty-five square feet per bedroom (265 sq. ft./bedroom), the sand is not required to meet the requirements for intermittent sand filters. The material must be natural or manufactured sand and have no more than fifteen percent (15%) clay content. Manufactured sand shall be chat, fines manufactured from igneous rocks or chert gravel or manufactured from crushed glass. **Crushed limestone is not acceptable.** For higher loading rates, the sand must meet the requirements for an intermittent sand filter.

A. In standard four-inch (4") pipe and gravel trenches, the depth of liner material must be twelve inches (12") below the gravel and at least six inches (6") on the sides of the gravel up to the top of the gravel. To place sand on the sides of the trenches, the trench walls must be excavated on a slope instead of vertically. The side slopes should be two horizontal to one vertical (2:1) and in no case steeper than one horizontal to one vertical (1:1).

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B. In gravelless pipe systems the minimum thickness of liner material is six inches (6") around the pipe.

C. The effluent to sand-lined systems in areas of potential groundwater contamination should be equally distributed as much as practically possible. Serial and drop-box systems shall not be used. As a minimum, a distribution box shall be used to evenly distribute the effluent to the trenches. Dosing is recommended in order to more positively assure even distribution.

D. The sand-lined trenches may be used, with the approval of the administrative authority, where the percentage of rock fragments is less than seventy percent (70%) for at least four feet (4') below the trench bottom. For sand-lined trenches to function properly, the permeability of the natural material should be similar to the permeability of the liner material. Sand-lined trenches must not be used over fragipans or other restrictive layers which have potential to perch water tables and could cause saturation of the liner material.

(6) Alternative Systems.

(A) General. The intent of this section is to provide minimum standards for the design, location, installation, use and maintenance of alternative sewage disposal systems in areas of limiting soil characteristics, where a standard system cannot be installed or a standard system is not the most suitable treatment. Where these systems are employed, they shall comply with all local codes and ordinances and should be subject to timely inspections to assure adherence to specifications. These systems, except for wastewater stabilization ponds, shall be designed and stamped by a licensed engineer. All absorption systems should have curtain drains, terraces or use of other flow diversion methods to minimize surface or ground water from loading the absorption field.

(B) Adoption and Use. Where this rule is administered by an administrative authority, those administrative authorities may adopt this section in whole or in part as part of a local code or ordinance. Further, nothing in this rule or section shall require any administrative authority to allow the installation of any system in this section.

(C) Low Pressure Pipe (LPP) System. A low pressure, two- to four-foot (2-4') pressure head, pipe system may be utilized where soil and site conditions prohibit the installation of a conventional or modified septic tank system due to the presence of shallow soil conditions, seasonally high water table conditions and slow soil permeability. The administrative authority may permit the use of a LPP system where there are cherty clay soils, severe geological limitations or both. The separation distance in these areas of concern for groundwater between the trench bottoms and bedrock shall be at least four feet (4') or more. The administrative authority may require that the hydraulic design of LPP systems be designed by an engineer. The administrative authority may also require the LPP trenches to be sand-lined if the soils have severely diminished treatment capability due to excessive rock content. The amount of rock fragments shall be less than fifty percent (50%) and in no case more than seventy percent (70%), unless the trenches are lined with sand.

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1. The LPP shall consist of the following basic components:

A. A network of one- to two-inch (1-2") diameter perforated PVC, one hundred sixty pounds per square inch (160 lbs./sq. in.) pipe or equivalent placed in natural soil at shallow depths, generally no more than twelve inches (12"), in narrow trenches not less than eight inches (8") in width and spaced not less than five feet (5') on center. Trenches shall include at least five inches (5") of pea gravel, if available; or if necessary, no less than three-quarter inch (3/4") crushed stone below the pipe and two inches (2") above the pipe; and four inches (4") of soil cover. The holes in the perforated pipe should be spaced from two feet (2') to no more than eight feet (8'). The minimum hole size is five thirty-seconds inch (5/32");

B. A properly designed, two (2)-compartment septic tank or other approved pre-treatment system and a pumping or dosing tank. The pumping or dosing tank shall be a minimum of five hundred gallons (500 gals.) or have the capacity to store one (1) day's flow above the pump on level, whichever is greater. The tank shall be provided with a filter or screen capable of preventing the passage of suspended solids to the soil absorption system;

C. A submersible sewage effluent pump (not a sump pump) with appropriate on/off controls for controlled dosing and a high water alarm or other approved pressure dosing and distribution system; and

D. A watertight supply manifold pipe for conveying effluent from the pump to the low pressure network.

2. The soil and site criteria for low pressure pipe systems shall meet the following minimum requirements:

A. LPP absorption fields shall not be installed on slopes in excess of ten percent (10%). LPP absorption fields may be installed on slopes greater than ten percent (10%), but require special design procedures to assure proper distribution of effluent over the absorption field;

B. There shall be at least twenty-four inches (24") of separation between the naturally occurring soil surface and bedrock, water-impeding formation, seasonally high water table or evidence of chroma 2 mottles. This twenty-four-inch (24") depth shall consist of permeable soils with percolation rates less than or equal to sixty minutes per inch (60 min./in.) or be classified as SUITABLE or PROVISIONALLY SUITABLE in accordance with section (7) of this rule. The bottom of percolation test holes must be dug or bored to the bottom of the proposed trenches. The bottom of the proposed trenches must be located a minimum of one foot (1') above rock, water-impeding formation, seasonally high water table or where there is evidence of chroma 2 mottles. In areas where there are severe geological limitations and the soils have a high chert content, the bottom of the proposed trenches shall be at least four feet (4') above bedrock unless an evaluation by a registered geologist determines that the separation distance may be reduced;

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C. Components of the LPP shall not be located in depressions or areas subject to frequent flooding. Surface water, perched ground water and other subsurface lateral water movement shall be intercepted or diverted away from all components of the LPP. Final shape of the LPP distribution field shall be such that rainwater or runoff is shed;

D. Location of the septic tank, pumping or dosing chamber and LPP absorption field is subject to the same horizontal setbacks specified in subsection (1)(D) of this rule. Horizontal setback distances in Table 1 shall be measured in the LPP absorption field from a margin of two and one-half feet (2 1/2') beyond the lateral and manifold pipes;

E. An area that is at least equal in size to the LPP distribution field area plus a two and one-half foot (2 1/2') margin beyond the lateral and manifold pipes and which meets all other site and soil criteria shall be set aside for a replacement field; and

F. There shall be no soil disturbance to an approved site for an LPP system except the minimum required for installation.

3. The following application rates shall be used in determining the maximum application rate for low pressure pipe systems:

A. In calculating the number of square feet for the absorption field (not square footage of trench bottom), the design sewage flow shall be divided by the application rate from Table 7. The lateral lines shall have a minimum spacing of five feet (5') on centers within the areas calculated for the absorption field area; and

Table 7--Loading Rates Loading Rates

Percolation Rate	Absorption Area	Loading Rate [FN16]
(min. in.)	(sq. ft./bedroom)	(gal./sq. ft.)
≤10 [FN17]	200	0.6
11-30	300	0.4
31-45	400	0.3
46-60	600	0.2

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16. Gallons of sewage tank effluent per day per square foot of total area.

17. In areas where there are severe geological limitations and the soils consist of very gravelly soils of thirty-five or greater percent ($\geq 35\%$) gravels by volume, the loading rate of two-tenths gallons per day per square foot (0.2 gpd/sq. ft.) should be used even when the percolation rate would indicate a higher loading.

B. The systems shall be designed so that the discharge from any one (1) lateral line does not vary more than ten percent (10%) from the other laterals. All laterals shall have an envelope of trench rock surrounding the pipe. The trench rock shall be placed to a minimum depth of four inches (4") below the pipe and two inches (2") above the pipe.

4. Design of the LPP shall comply with accepted practices and be specifically approved by the administrative authority. The system shall be designed and bear the seal of a Missouri registered engineer.

(D) Wastewater Stabilization Ponds (Lagoon). A waste stabilization pond can provide satisfactory sewage disposal in rural areas where soils are not suited for absorption systems. Single residence wastewater stabilization ponds are not generally suitable in subdivisions with lots less than three (3) acres in size. No more than one (1) single family residence will be allowed on one (1) stabilization pond.

1. The following minimum separation distances may be modified as necessary to accommodate site requirements or local codes:

A. The pond shall be located a minimum of seventy-five feet (75') from property lines as measured from the adjoining pond shoreline. However, this distance must be increased where necessary to be sure that all effluent is disposed upon the property from which it originated;

B. The pond shall be located a minimum of two hundred feet (200') from the nearest existing residence and a minimum of one hundred feet (100') from the residence that it serves;

C. The pond shall be located at least one hundred feet (100') from a potable water supply or pump suction line; and

D. The pond shall be located at least fifty feet (50') from a stream, water course, lake or impoundment.

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2. Ponds may be utilized when there are no significant limitations related to groundwater from their use and the soils have been demonstrated to be very slowly permeable such as percolation rates slower than one hundred twenty minutes per inch (120 min./in.). There shall be either a minimum separation distance between the pond bottom and creviced bedrock of three feet (3') or installation of a clay liner with a minimum thickness of one foot (1') or a synthetic liner, either of which must be acceptable to the administrative authority. Percolation losses from the pond shall not exceed one-eighth inch (1/8") per day to prevent groundwater contamination or nuisance conditions. Site modifications may be accomplished to provide these soil requirements. In areas of severe geological limitations, restrictive layers such as fragipans shall be a minimum of twelve inches (12") thick and shall not be breached during construction.

3. Steeply sloping areas should be avoided.

4. Selection of the pond site should consider a clear sweep of the surrounding area by prevailing winds. Heavy timber should be removed for a distance of fifty feet (50') from the water's edge to enhance wind action and prevent shading.

5. The administrative authority may require that a properly sized and constructed septic tank or aeration unit precede the pond. If irrigation of the effluent is required to maintain the wastewater on the property from which it originated, a septic tank or aeration unit should precede the pond. The use of a septic tank or aeration unit should not be used as a basis for reduction of the set-back distances as set forth in subparagraphs (6)(D)1.A.-D. of this rule.

6. The pond shall be designed on the basis of four hundred forty square feet (440 sq. ft.) of water surface area per bedroom at the three-foot (3') operating level. This square footage may be reduced by a maximum of twenty percent (20%) if a septic tank, aeration unit or other pretreatment device precedes the pond. The minimum water surface area at the three-foot (3') level shall be nine hundred square feet (900 sq. ft.).

7. A single cell is generally acceptable for single residence pond systems. If multiple cells are used for further polishing or storing of the effluent, the secondary cell should be one-half (1/2) the size of the primary cell.

8. The minimum embankment top width shall be four feet (4'). The embankment slopes shall not be steeper than three to one (3:1) on the inner and outer slopes. Inner embankment slopes shall not be flatter than four to one (4:1). Outer embankment slopes shall be sufficient to prevent the entrance of surface water into the pond. Freeboard shall be at least eighteen inches (18") and preferably twenty-four inches (24"). Additional freeboard may be provided.

9. To minimize erosion and facilitate weed control, embankments shall be seeded with a locally hardy grass from the outside toe to one foot (1') above the water line. Alfalfa or similar long-rooted crops which might interfere with the structure of the embankment shall not be used. Rip rap may be necessary under unusual conditions to provide protection of embankments from erosion.

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10. The influent line shall be of a sound, durable material of watertight construction of SDR 35 or greater. The line shall have a minimum diameter of four inches (4") and be laid on a firm foundation at a minimum grade of one-eighth inch (1/8") per foot from the point of entry into the pond. The influent line shall discharge as far as practical from the possible outlet side of the pond. A cleanout or manhole should be provided in the influent line near the pond embankment. From this point the line shall either be laid to the inner toe of the embankment and then on the bottom of the pond to the terminus point or the line shall be supported and secured every five feet (5'). A concrete splash pad three feet (3') square should be placed under the terminus of the pipe. The elevation of the cleanout or manhole bottom should be a minimum of six inches (6") above the high water level in the pond.

11. The pond shall be shaped so there are no narrow or elongated portions. Round, square or rectangular cells are considered most desirable. Rectangular cells shall have a length not exceeding three (3) times the width. No islands, peninsulas or coves shall be permitted. Embankments should be rounded at corners to minimize accumulation of floating materials.

12. The floor of the pond shall be stripped of vegetation and leveled to the proper elevation. Organic material removed from the pond area shall not be used in embankment construction. The wetted area of the pond must be sealed to prevent excessive exfiltration. Seals consisting of soils must be adequately compacted by the construction equipment.

13. Embankments shall be constructed of impervious materials and compacted sufficiently to form a stable structure with very little settlement.

14. Any effluent should be withdrawn from six inches (6") below the water surface. This can be accomplished by placing a tee on the inlet end of the pipe or by placing the outlet pipe eight to ten inches (8-10") lower on the inlet end than the outlet end of the pipe.

15. The pond area shall be enclosed with a fence conforming to the following conditions:

A. The fence shall be at least four feet (4') in height;

B. The fence shall be welded, woven or chain link material with no smaller than fourteen gauge (14 ga.) wire. Cattle or hog panels can be substituted with a tee post being used for a line post;

C. Fence posts shall be pressure-treated wood, galvanized and/or painted steel. Fence posts shall be driven, tamped or set in concrete. Line posts should be at least eighteen inches (18") deep and shall be spaced no more than ten feet (10') apart. Corner posts should be at least twenty-four inches (24") deep and shall be properly braced;

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D. The fence shall be of sound construction with no gaps or openings along the bottom;

E. The fence shall be no closer than the center of the berm to the water's edge at the three-foot (3') deep operating level. Fence set-backs should not exceed thirty feet (30') from the water's edge;

F. A properly hinged four foot (4') high gate or comparable materials shall be installed and provided with an effective latching device. The gate should be thirty-six to forty-eight inches (36-48") in width to accommodate maintenance and mowing equipment; and

G. The fence must be completed prior to occupancy of the dwelling.

16. Effluent from a pond must be disposed of on the property from which it originated. This may be accomplished by locating the outlet as far as practical from the property line and out of any natural drainage ditches or swales. The minimum distance from the outlet to a property line shall be one hundred feet (100'). Another method is to construct a terraced swale with a minimum length of one hundred fifty feet (150'). If these methods are unsuccessful, or whenever there is less than twelve inches (12") of permeable soil over a restrictive layer, controlled surface irrigation must be used. To utilize controlled surface irrigation, the pond must be capable of operating up to five feet (5') deep with one foot (1') of freeboard or have a second cell for storage. The administrative authority shall approve the method of effluent disposal.

17. It may be necessary to introduce water into the pond to facilitate start-up of the biological processes, however, there shall be no permanent connection of any roof drain, footing drain or any source of rainwater to the wastewater stabilization pond.

18. Odor problems caused by spring turnover of water, temporary overloading, ice cover, atmospheric conditions or anaerobic conditions may be controlled by broadcasting sodium or ammonium nitrate over the surface of the pond. In general, the amount of sodium or ammonium nitrate should not exceed two pounds (2 lbs.) per day until the odor dissipates.

(E) Elevated Sand Mounds. Elevated sand mounds may be considered whenever site conditions preclude the use of absorption trenches. The construction of a mound shall be initiated only after a site evaluation has been made and landscaping, dwelling placement, effect on surface drainage and general topography have been considered. Due to the nature of this alternative system, actual selection of mound location, size of mound and construction techniques must be carefully considered and the criteria established in this rule implicitly followed. A set-back distance of fifty feet (50') from the downslope property line is recommended.

1. Elevated sand mounds shall not be utilized on soils where the high groundwater level as evidenced by mottling, bedrock or other strata having a percolation rate slower than one hundred twenty minutes per

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inch (120 min./in.) occurs within twenty-four inches (24") of natural grade. Up to four feet (4') of soil thickness over bedrock may be required in areas where there is a significant potential for groundwater contamination. Mounds shall be constructed only upon undisturbed naturally occurring soils.

2. Elevated sand mounds are subject to the setback distances required in subsection (1)(D) of this rule.

3. The fill material from the natural soil plowed surface to the top of the rock-filled bed shall be sand, loamy sand or sandy loam. Loading rates on the sand fill shall not exceed the values in Table 8.

Table 8--Recommended Loading Rates for Soil Textures Suited to Use as Fill in a Mound System

Texture	Loading Rate
	(gal./sq. ft./day)
Medium to coarse sand	1.2
Fine sand	1.0
Loamy sand	0.8
Sandy loam	0.6

Note: Rock fragments larger than one-sixteenth inch (1/16") shall not exceed fifteen percent (15%) by volume of the material used for sandy fill.

4. There shall be a minimum of one foot (1') of fill material and two feet (2') of naturally occurring soils between the bottom of the trench rock and the highest elevation of the limiting conditions as defined in paragraph (6)(E)1. of this rule.

5. Whenever possible, mounds should be located on flat areas or crests of slopes. Mounds should not be located on natural slopes of more than six percent (6%) if the percolation rate is slower than sixty minutes per inch (60 min./in.) to a depth of at least twenty-four inches (24") below the sand layer. Mounds may be

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located on slopes up to a maximum of twelve percent (12%) if the soil percolation rate is faster than sixty minutes per inch (60 min./in.) to a depth of twenty-four inches (24") below the sand layer.

6. In no case shall the width of the trench rock in a single bed exceed ten feet (10').

7. The required bottom area of the trenches or bed and the effective basal area of the mound shall be based on one hundred twenty gallons per bedroom per day (120 gals./pbd). The basal area of the mound shall have the minimum area as shown in Table 9.

Table 9--Loading Rate

Percolation Rate	Loading Rate of Basal Area
(min./in.)	(gpd/sq. ft.)
1-30	1.2
31-45	0.75
46-60	0.5
61-120	0.25

8. The area of sand fill shall extend beyond the basal area and the sides shaped to a three to one (3:1) or four to one (4:1) slope. The sand fill shall be covered with six inches (6") of fine textured soil and a final cap of six inches (6") of good topsoil applied. Also the mound shall be seeded with a hardy grass to establish a turf grass cover as soon as possible. No shrubs shall be planted on the top of the mound. Shrubs may be placed at the foot and side slopes of the mound.

9. The land area fifty feet (50') down slope of the elevated sand mound is the effluent dispersal area and the soil in this area may not be removed or disturbed.

10. Dosing shall be required for all elevated sand mounds. The mound shall be dosed not more than two (2) times per day. The size of the dosing pump shall be selected to maintain a minimum pressure of one

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pound per square inch (1 psi), two and three-tenths feet (2.3') of head, at the end of each distribution line.

A. Perforation holes and hole spacing shall be determined to insure equal distribution of the effluent throughout the bed or trenches.

B. The perforated pipe laterals shall be connected to a two-inch (2") diameter manifold pipe with the ends capped. The laterals shall be spaced no farther than forty inches (40") on center and no farther than twenty inches (20") from the edge of the trench rock. The perforated pipe laterals shall be installed level with the perforations downward. There shall be a minimum of nine inches (9") of trench rock below the laterals and two inches (2") above the laterals. The material used to cover the trench rock shall be untreated building paper, six inches (6") of compacted straw and three and one-half inch (3 1/2") unbacked fiberglass insulation or a geotextile.

C. The manifold pipe shall be connected to the supply pipe from the pump. The manifold shall be sloped toward the supply pipe from the pump. Antbackflow valves are prohibited in the pump discharge line. The pump discharge line shall be graded to permit gravity flow to the absorption area or back to the dosing tank. Proper air relief and anti-siphon devices shall be installed in the piping to prevent siphoning of effluent from the dosing tank or from the mound.

11. Prior to preparing the area selected for the mound, aboveground vegetation must be closely cut and removed from the ground surface. Prior to plowing, the dosing pump discharge line shall be installed from the pump chamber to the point of connection with the distribution manifold. The area shall then be plowed to a depth of seven to eight inches (7-8") parallel to the land contour with the plow throwing the soil upslope to provide a proper interface between the fill and natural soils. A rubber-tired tractor may be used for plowing but in no case shall a rubber-tired tractor be used after the surface preparation is completed. Tree stumps should be cut flush with the surface and the roots should not be pulled. The soil shall be plowed only when the moisture content of a fragment eight inches (8") below the surface is below the plastic limit.

12. Mound construction shall proceed immediately after surface preparation is completed.

A. A minimum of twelve inches (12") of sand fill shall be placed where the trench rock is to be located. A crawler tractor with a blade shall be used to move the sand into place. At least six inches (6") of sand shall be kept beneath equipment to minimize compaction of the plowed layer. The sand layer upon which the trench rock is to be placed shall be level.

B. After hand leveling of the trench rock, the distribution system shall be placed and the pipes covered with two inches (2") of rock. After installation of the distribution system, the entire mound is to be covered with topsoil native to the area. The entire mound shall be crowned by providing twelve inches (12") of topsoil on the side slopes with a minimum of eighteen inches (18") over the center of the mound. The entire mound shall then have a turf grass cover established to assure stability of the installation.

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C. The area surrounding the elevated sand mound shall be graded to provide diversion of surface runoff waters.

(F) Holding Tanks. The use of holding tanks is generally discouraged and their interim use should be limited to situations where construction of satisfactory sewage treatment and disposal systems will occur within one (1) year. Use of a holding tank must be specifically approved by the administrative authority on a case-by-case basis which may require stipulations in a signed agreement regarding the use and the length of time for use of the holding tank.

1. A holding tank shall be constructed of the materials and by the same procedures as those specified for watertight septic tanks.

2. A cleanout pipe of at least six inches (6") diameter shall extend to the ground surface and be provided with seals to prevent odor and exclude insects and vermin. A manhole of at least twenty inches (20") least dimension shall extend through the cover to a point within twelve inches (12") but no closer than six inches (6") below finished grade. The manhole cover shall be covered with at least six inches (6") of earth.

3. The tank shall be protected against flotation under high water table conditions. This shall be achieved by weight of the tank, earth anchors or shallow bury depths.

4. For a residence, the size shall be one thousand gallons (1000 gals.) or four hundred gallons (400 gals.) times the number of bedrooms, whichever is greater. For permanent structures, other than residences, the capacity shall be based on measured flow rates or estimated flow rates. The tank capacity shall be at least five (5) times the daily flow rate.

5. Holding tanks shall be located as follows:

A. In an area readily accessible to the pump truck under all weather conditions;

B. As specified for septic tanks in Table 1 set forth in subsection (1)(D) of this rule; and

C. Where accidental spillage during pumpage will not create a nuisance.

6. A contract for disposal and treatment of the sewage wastes shall be maintained by the owner with a pumper, municipality, agency or firm which possesses a current and valid permit issued by the Department of Natural Resources for such activity.

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7. Holding tanks shall be monitored to minimize the chance of accidental sewage overflows. Techniques such as visual observation, warning lights or bells, or regularly scheduled pumping shall be used. For commercial establishments, a positive warning system shall be installed which allows twenty-five percent (25%) reserve capacity after actuation.

8. Holding tanks used in conjunction with permanent black water/gray water systems must conform to the requirements of this section except that the minimum size tank is one thousand gallons (1000 gals.). In these situations, the holding tank is to receive toilet wastes only.

(G) Sand Filters. Septic tanks or aeration units and sand filters may be used along with soil absorption systems in soils with percolation rates between sixty and one hundred twenty minutes per inch (60-120 min./in.). These systems must be specifically approved by the administrative authority.

1. The septic tank and aeration units must be in accordance with section (4) of this rule. Setback distances as shown in Table 1 and as specified in subsection (1)(D) of this rule shall apply except that the minimum distance to the downslope property line should be fifty feet (50').

2. The following shall apply to gravity flow sand filter systems:

A. All piping in a sand filter shall be four inch (4") polyvinyl chloride (PVC). Perforated pipe should be used for distribution and collection lines;

B. All sand filters shall be dosed at two (2) times per day. Dosing shall provide uniform distribution of wastewater throughout the filter cross-section and allow time for reaeration of the pore spaces to occur. Dosing may be accomplished by either pumps or siphons;

C. Effluent from filter underdrains must be collected and disposed of properly. Effluent shall not discharge off the owner's property;

D. Buried sand filters shall be in conformance with Table 10 of this rule. One (1) collector line shall be provided for every six feet (6') of bed width, with a minimum of two (2) collector lines per bed. The collector lines shall have a minimum grade of one percent (1%).

(I) Distribution lines shall be level and spaced a maximum of three feet (3') apart. Each distribution line must be vented (downstream end) or connected to a common vent. Vents should extend at least twelve inches (12") above the ground surface with the outlet screened or capped (perforated).

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(II) Septic tank effluent shall be applied to the filter through a distribution box. Buried filters shall be dosed with a pump or siphon. The dosing volume shall be sufficient to fill the pore spaces in the gravel to a depth of four inches (4"). For single bed filters receiving septic tank effluent, the hydraulic loading rate shall not exceed one gallon per day per square foot (1 gpd/sq. ft.) with a maximum organic loading of one and three-fourths pounds (1 3/4 lbs.) of biological oxygen demand (BOD) per day per one thousand square feet (1000 sq. ft.) of surface area. Total surface area shall not be less than two hundred square feet (200 sq. ft.); and

E. Open sand filters are similar to buried filters with the exception that no soil backfill or gravel is used on the top of the sand and the filter must be enclosed within concrete walls or other substantially equivalent material. Open sand filters shall be in conformance with Table 10.

(I) Distribution of wastewater shall be applied by pipes directly over the sand surface at the center of the bed or at the four corners. Splash plates beneath points of discharge must be used to prevent erosion of the sand. Curbs around the splash plates or large stones placed around the periphery of the plate will help prevent scouring. All exposed pipes shall slope to drain.

(II) Filter walls shall be concrete, masonry, compacted clay, high density polyethylene plastic with a minimum thickness of thirty (30) mil, or other material acceptable to the administrative authority; and extend six inches (6") above the sand and six inches (6") above the adjacent ground level.

(III) Dosing shall flood the bed to a depth of two inches (2") with a hydraulic loading of two to five gallons per day per square foot (2-5 gpd/sq. ft.) (septic tank effluent). Maximum organic loading is five and thirteen-hundredths pounds (5.13 lbs.) of BOD per day per one thousand square feet (1000 sq. ft.) of surface area.

(IV) The filter may be covered to provide protection against severe weather, prevent growth of weeds and to keep children and animals out of the filter. Such cover may include six inches (6") of clean one to two inch (1-2") gravel, if so designed by an engineer as part of the system. In such event, a vent for the system would not be required if so determined by the engineer.

Table 10 - Design Guidelines for Intermittent Sand Filters

Parameter	Buried Filters	Open Filters
Pretreatment	Septic Tank	Septic Tank

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Setback Distance		
Residences	50 ft.	200 ft.
Water Supplies	100 ft.	100 ft.
Backfill Depths		
	12-inch minimum	
Distribution		
Gravel	6" (3/4"-2-1/2")	None
Pipe	4" PVC Perforated	PVC or equivalent
Venting	Down stream end	
Dosing Frequency	≥2 per day	≥2 per day
Hydraulic Loading	1.0 gpd/sq. ft.	2-5 gpd/sq. ft.
Barrier Material	3-1/2 fiberglass; untreated building paper (4060 lb.); synthetic fabric; 8" straw	None
Sand		
Effective size	0.3-1.22 mm	0.3-1.22 mm
Uniformity coefficient	<3.5	<3.5
Fines (<0.13 mm)	≤1% (by wt.)	<1% (by wt.)
Current through May 31, 2014		

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Depth	24-36"	24-36"
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Collector Lines		
Minimum Number	2/bed, 1 line per 6' width	2/bed; 1 line per 6' width
Slope	1% minimum	1% minimum
Gravel	4" overpipe; 3/4-2 1/2")	4" overpipe (3/4-2 1/2")
Pea Gravel	3" (1/83/8")	3" (1/83/8")
Pipe	4" PVC Perforated	4" PVC Perforated
<hr/>		

3. The following shall apply to pressure dosed sand filter systems:

A. Conventional pressure dosed sand filters use an intermittent filter with two feet (2') or more of medium sand designed to filter and biologically treat sewage tank effluent from a pressure distribution system at an application rate not to exceed one and twenty-five hundredths gallons per square foot (1.25 gals./sq. ft.) sand surface area per day, applied at a dose not to exceed one-half gallon (1/2 gal.) per orifice per dose. These sand filters may be buried or open.

B. Recirculating pressure dosed sand filters use a recirculating filter with two feet (2') or more of medium filter media designed to filter and biologically treat sewage tank effluent from a pressure distribution system at an application rate not to exceed five gallons per square foot (5 gals./sq. ft.) filter surface per day, applied at a dose not to exceed two gallons (2 gals.) per orifice per dose. These sand filters shall be uncovered and open to the surface.

C. Minimum filter area for these filters shall be as follows:

(I) Conventional pressure dosed sand filters for single family residences shall be a minimum of three hundred and sixty square feet (360 sq. ft.) in surface area with a design sewage flow not to exceed six hundred gallons (600 gals.). If sand filter design flows exceed an average of four hundred and fifty gallons per day (450 gpd), the minimum sand surface will be based on one and

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twenty-five hundredths gallons per day per square foot (1.25 gpd/sq. ft.); and

(II) Pressure dosed sand filters for commercial facilities shall be sized on the basis of projected daily sewage flow. If the waste strength is proposed to be greater than residential strength waste, pretreatment shall be required which will reduce the biological oxygen demand to levels not to exceed three hundred (300), total suspended solids to levels not to exceed one hundred-fifty (150), and oil and grease to levels not to exceed twenty-five (25). The minimum sand surface will be based on two to five gallons per day per square foot (2-5 gpd/sq. ft.).

D. Design criteria shall include the following:

(I) Sewage tanks shall be in accordance with section (4) of this rule. Set-back distances as shown in Table 1 of subsection (1)(D) and as specified in subsection (1)(E) of this rule shall apply, unless a variance has been allowed by the administrative authority. Tanks shall be watertight and tested in the field. The test shall be performed by filling the tank two inches (2") above the riser inlet. At the end of the first twenty-four (24)-hour period, the tank water level should be refilled. After another twenty-four (24)-hour period, no more than one inch (1") of water should have dropped from the original reading. All sewage and pump tanks will be supplied with vandal-proof access risers to grade over the pump units. Risers should have a waterproof epoxy seal between the tank and riser;

(II) Pumping systems for a pressure dosed sand filter system should provide pumping apparatus that is capable of filtering gross solids larger than one-eighth inch (1/8") and draw from the clear zone near the outlet side of the sewage tank. This zone is described as the layer of effluent between the sludge and scum layers of the sewage tank. Pumps should be able to deliver adequate head pressure to control orifice plugging. Pumps should be made of a corrosive resistant material such as Type 316 stainless steel, suitable plastic, or 85-5-5-5 bronze. Screens should have at least ten square feet (10 sq. ft.) of surface area, with one-eighth inch (1/8") openings;

(III) Operation controls should be on a timer dose that distributes the average daily flow over an eighteen (18)-hour period. Recirculating filters will be set to recirculate five (5) times the average daily flow over a twenty-four (24)-hour period. Systems should be designed with a high water alarm and light signal. Control panels should be located on an exterior location. Control operations should be located in an area available for maintenance;

(IV) Intermittent filter media shall be a mixture of sand or durable inert particles with one hundred percent (100%) passing the three-eighths inch (3/8") sieve; ninety to one hundred percent (90-100%) passing the No. 4 sieve; sixty-two to one hundred percent (62-100%) passing the No. 10 sieve; forty-five to eighty-two percent (45-82%) passing the No. 16 sieve; twenty-five to fifty-five percent (25-55%) passing the No. 30 sieve; ten percent (10%) or less passing the No. 60 sieve; four percent (4%) or less passing the No. 100 sieve; or sand meeting the ASTM-C 33 concrete sand specification minus four percent (4%) or less passing the No. 100 sieve. All drainage rock should be a river washed, hardened and weathered rock. The treatment media will be two inches (2") deep and of a coarse media with an effective size of one and one-

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half to three millimeters (1 1/2-3 mm) and a uniformity coefficient of less than two (2). Limestone or dolomite is not acceptable for drainage rock;

(V) Recirculating filter media shall be a mixture of sand or durable inert particles with one hundred percent (100%) passing the three-eighths inch (3/8") sieve; seventy-nine to one hundred percent (79-100%) passing the No. 4 sieve; eight to ninety-two percent (8-92%) passing the No. 8 sieve; zero to fifteen percent (0-15%) passing the No. 30 sieve; zero to one percent (0-1%) passing the No. 50 sieve. All drainage rock should be a river washed, hardened and weathered rock. The treatment media will be two inches (2") deep and of a coarse media with an effective size of one and one-half to three millimeters (1-1/2 3 mm) and a uniformity coefficient of less than two (2). Limestone or dolomite is not acceptable for drainage rock; and

(VI) Container designs may be concrete containers consisting of watertight walls and floors to prevent groundwater from infiltrating or effluent from exfiltrating from the filter. All penetrations through the walls shall be watertight. Containers may also consist of a thirty (30) mil polyvinyl chloride liner covering the sand filter bottom and side wall areas. Polyvinyl chloride liners should be supplied with repair kits and boots for passage through the liner wall. The bottom area of the liner should be bedded in two inches (2") of leveling sand. The liner should be constructed to form a waterproof membrane between the trench bottom and trench walls. The polyvinyl liner should incorporate all seams to be a chemically or heat bonded waterproof seam.

E. The filter design criteria shall include the following:

(I) The interior base of the filter container shall be level or constructed at a grade of one percent (1%) or less to the underdrain pipe elevation;

(II) The underdrain piping shall consist of a pipe with one-fourth inch (1/4") grooves cut every four inches (4") along the pipe length to a depth of one-half (1/2) of the pipe diameter. The bottom of the filter container shall be covered with a minimum of six inches (6") of drain media. The underdrain pipe shall be enveloped in an amount and depth of drainage rock to prevent migration of the underdrain media into the pipe perforations;

(III) A minimum of twenty-four inches (24") of approved filter media shall be installed over the underdrain media. The media shall be damp at the time of installation to insure compaction of the media. The top surface of the media shall be level;

(IV) There shall be a minimum of three inches (3") of clean drain media below the distribution laterals, and sufficient media above the laterals equal to or covering the orifice shields and/or pipe;

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(V) Distribution laterals shall be evenly spaced on minimum, thirty-inch (30") centers. Orifices shall be placed such that there is one (1) orifice or more on average per six square feet (6 sq. ft.) of sand surface. Orifice holes shall be one-eighth inch (1/8") in diameter. The diameter of the piping manifold and lateral shall be no less than one-half inch (1/2"). The ends of the distribution laterals should be constructed with a means to perform flushing of the piping, collectively or individually, through the operation of a flushing valve. The flushed effluent may be discharged to the sand filter;

(VI) The top of the intermittent media in which the pressure distribution system is installed shall be covered with a breathable nylon or polypropylene spun filter fabric rated at eighty-five hundredths ounce per square yard (0.85 oz./sq. yd.) to eliminate soil intrusion into the filter media. Recirculating filters shall be open-topped;

(VII) The top of the intermittent sand filter area shall be backfilled with a soil cover, free of rocks, vegetation, wood waste, etc. The soil cover shall have a textural class of loamy sand. The soil cover shall have a minimum depth of six inches (6") and a maximum depth of twelve inches (12"). Intermittent sand filters designs may delete soil cover and incorporate three to six inches (3-6") of a quality cypress or cedar mulch over the entire filter area;

(VIII) Where the effluent from a sand filter is to be discharged via a pump, the pump and related apparatus shall be housed in a vandal resistant vault designed to withstand the stresses placed upon it and not allow the migration of drain media, sand or underdrain media to its interior. The vault shall have a durable, affixed floor. The vault shall provide watertight access to the finished grade with a diameter equal to that of a gravity discharge sand filter. The depth of the underdrain and the operational level of the pump cycle and alarm shall not allow effluent to come within two inches (2") of the bottom of the sand filter media. The pump off level shall be no lower than the invert of the perforations of the underdrain piping. The internal sand filter pump shall be electrically linked to the sand filter dosing apparatus in such a manner as to prevent effluent from entering the sand filter in event the internal sand filter pump fails; and

(IX) Other sand filters which vary in design from those described in this rule may be authorized by the administrative authority if they can be demonstrated to produce a comparable effluent quality.

F. Effluent from these sand filters may discharge to the ground surface, provided the effluent is maintained on the owner's property and the following separation distances are maintained:

(I) The discharge shall be a minimum of one hundred feet (100') from private water supply wells; one hundred-fifty feet (150') from unplugged abandoned wells or wells with less than eighty feet (80') of casing; and three hundred feet (300') from public water supply wells;

(II) The discharge shall be a minimum of one hundred feet (100') from springs; five hundred feet (500') from the edge of surficial sink holes; fifty feet (50') from a classified stream; and twenty-

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five feet (25') from a stream or open ditch; and

(III) The discharge shall be a minimum of seventy-five feet (75') from property lines.

G. If effluent can not meet the minimum separation distances as described in subparagraph (6)(G)2.F., then the effluent must be disposed of into a soil absorption system. The required footage of the soil absorption system may be reduced by up to one-third (1/3) of that required for a conventional soil absorption system. Shallow bury designs should be utilized whenever possible to achieve the best absorption rates.

(H) Drip Soil Absorption. Drip soil absorption also known as trickle irrigation may be approved by the administrative authority in accordance with section (6) of this rule. Due to the various pretreatment methods and appurtenances and lack of extensive experience, drip soil absorption systems must be viewed as experimental, and back-up design for another system shall be approved in case of failure of the drip soil absorption system.

1. Drip lines shall be placed two feet (2') apart in a parallel arrangement. Emitters shall be placed in the drip lines every two feet (2') so there will be a two-foot by two-foot (2' x 2') grid pattern. Other configurations and spacings of the drip line and emitters may be used; however, each emitter will be considered to cover four square feet (4 sq. ft.) of absorption area.

2. The application rate shall not exceed the values as shown in Table 7 for low pressure pipe systems in subparagraph (6)(C)3.A. of this rule.

3. Drip soil absorption systems may be allowed at sites where the soil is classified as being in group IVb. A minimum separation distance of twelve inches (12") shall be maintained between the drip lines and emitters and a high ground water table or other limiting condition. The maximum application rate for IVb soils shall be from five-hundredths to one-tenth gallons per day per square foot (0.05 0.10 gpd/sq. ft.) of absorption field

(I) Wetlands. Constructed wetlands provide secondary levels of treatment, which means that some form of pretreatment (septic tank, aeration tank, lagoon, etc.) must be used prior to the wetland, as wetlands cannot withstand large influxes of suspended solids. The pretreatment used must be capable of removing a large portion of these solids. Effluent from wetlands must be contained on the owner's property with the same set-back distances as required for lagoons in Table 1, located in subsection (1)(D) of this rule.

1. Free water surface wetlands are shallow beds or channels with a depth less than twenty-four inches (24") and filled with emergent aquatic plants. This type of wetland shall not be allowed.

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2. Submerged flow wetlands are similar to free water surface wetlands except that the channels are filled with shallow depths of rock, gravel or sand. The depth of the porous media is usually less than eighteen inches (18"). The porous media supports the root systems of the emergent aquatic vegetation. The water level is to be maintained below the top of the porous media so that there is no open water surface.

3. The surface area of wetlands shall be determined by using the following equation:

$$A_s = \frac{Q(\ln C_o - \ln C_e)}{(k_T \times f \times d)}$$

where:

$$A_s = \text{wetland surface area, sq. ft.}$$

$$Q = \text{daily flow rate to wetland, cu.ft./day}([\text{gallons/day}] \div 7.5);$$

$$C_o = \text{influent BOD5 concentration, mg/L;}$$

$$C_e = \text{effluent BOD5 concentration, mg/L;}$$

$$k_T = \text{temperature dependent rate constant, per day;}$$

$$d = \text{water depth in wetland, ft; and}$$

$$f = \text{void fraction of rock media, decimal.}$$

4. After a surface area has been determined, a cross-sectional area shall be calculated against hydraulic loading by using the following equation:

$$A_h = \frac{Q}{(K_h \times S)}$$

where:

$$A_h = \text{cross-sectional area (hydraulic loading), sq. ft.;$$

$$K_h = \text{hydraulic conductivity of rock media, ft./day; [FN18] and}$$

$$S = \text{slope of wetland bottom, decimal}$$

** Values for slope should range between twenty-five hundredths and one percent (0.25-1%).

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18. A value of eight hundred feet per day (800 ft./day) may be used for the hydraulic conductivity for rock of one inch (1") diameter.

5. After the hydraulic loading has been determined, an organic loading shall be calculated using the following equation:

$$A_o = \text{OGL}/0.05$$

where:

A_o = cross-sectional area (organic loading), sq. ft.; and

OGL = organic loading, lbs BOD5/day.

6. The larger of the two (2) calculations, the hydraulic loading or the organic loading, shall be used to determine the wetland dimensions. Wetlands should not be long and narrow.

7. The width of the wetland shall be calculated by dividing the larger cross-sectional area by the water depth. The calculated width should not be less than one-third (1/3) of the length (a length: width ratio of three to one (3:1)). Should it be necessary to construct a wetland with a ratio greater than three to one (3:1), step-loading along the length of the wetland shall be considered.

8. The configuration of a wetland for an individual home can be a one (1) cell or two (2) cells in series, depending upon the soil properties at the site. Larger systems may consist of multiple cells in parallel or series in order to provide more management options.

A. Single cells may be used where there will be no percolation of water through the bottom of the wetland. Water movement properties of the soil at the wetland construction site must be determined either by use of properly performed percolation tests or a thorough soil profile analysis performed by a qualified person meeting the criteria of 19 CSR 20-3.080.

B. For soils with percolation rates of sixty minutes per inch (60 min./in.) or less and where geological limitations are not severe, a two (2)-cell wetland may be used. The first cell shall be lined, allowing no percolation. The second cell may be unlined and filled with sand (not rock) to promote some percolation from the bottom of the wetland. The second cell shall not be larger than the first cell.

9. Crushed limestone or other rock with sharp edges shall not be used for a porous media as this type of

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rock will compact with time. Rock with rounded edges, such as creek gravel, shall be used. Rock must be thoroughly washed to remove fines which may cause plugging. Rock substrate size should be one inch (1") diameter, while rock to be used around inlet and outlet pipes may be two to four inches (2-4") diameter to reduce potential clogging. A three to four inch (3-4") layer of washed pea gravel may be used on top of the one inch (1") substrate for decorative purposes.

10. All piping shall be SDR 35 sewer pipe, Schedule 40 polyvinyl chloride (PVC) DWV pipe, or material of equivalent or stronger construction. Piping shall be a four inch (4") diameter.

11. Influent shall be distributed and effluent collected by header pipes running the width of the wetland. Perforated sewer pipe can be used for the headers. For unperforated pipe, a one and one-half inch (1 1/2") hole shall be drilled every twelve inches (12") along the header. Headers shall be placed at the bottom of the wetland on a bed of rock and covered with two to four inch (2-4") rock. A cleanout shall be placed before the influent header.

A. If effluent from the septic tank flows to the wetland by gravity and there are parallel cells in the wetland, a distribution box shall be placed ahead of the wetland so that flow can be controlled to individual cells.

B. If effluent is pumped, the pumping rate shall not exceed twenty-five gallons per minute (25 gpm) and no more than one-third (1/3) of the daily design flow shall be pumped at one (1) time.

12. Water level in a wetland shall be controllable. The range of control shall be from two inches (2") above the surface of the rock to complete draining of the wetland. Maximum water level in the wetland shall be a minimum of twelve inches (12") below the outlet of the septic tank so that water does not back up into the septic tank.

A. To conveniently check the water level relative to the gravel surface, a four inch (4") diameter perforated pipe may be placed in the bottom of the wetland, through the channel embankment, and then elbowed up to the elevation of the top of the channel.

B. Water level control may be obtained by use of swivel standpipes or collapsible tubing.

13. Surface water shall be kept out of the wetland. This may be accomplished by diverting runoff away from the wetland or constructing an earthen berm around the wetland. Berms shall be a minimum of six inches (6") above the surface of the porous media.

14. Emergent plants shall be selected by the ability of the plants to: root and grow in the wastewater-rock environment, treat wastewater to acceptable levels, produce biomass in amounts that can be controlled and aesthetics. Reference may be made to Tables 11 and 12 in selecting desired plants.

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(J) Privy. A privy will be allowed only under limited conditions and will not be recognized as a method of sewage disposal for a continuously occupied dwelling, business or other structure. A privy will only be considered for remote area not served by a piped water source. Example of these areas may be rural cemetery, a rural church with a small congregation and where hand-washing facilities are available, or a river access point provided by the Department of Conservation. Plans and construction of a privy will need to meet the approval of the administrative authority.

1. The privy shall be use to receive only human excreta and toilet paper. The privy shall not be used as a depository for other wastes.

2. A pit shall be provided for the privy. The sides of the pit shall be curbed to prevent cave-in. If the pit has an earth bottom, the bottom shall be at least three feet (3') above saturated soil conditions. If this separation distance cannot be achieved in the location of the privy, then the pit shall be liquid tight.

Table 11 - Plant Growth Data after one growing season

Plant Species	Wet Weight	Dry Weight	Top Dry	Root Dry	Top/Root	Root Depth
	(lbs./sq. ft.)	(lbs./sq. ft.)				(inches)
Softstem Bulrush (<i>Scirpus validus</i>)	9.74	4.20	3.20	1.00	3.20	7.0
Horsetail (<i>Equisetum hyemale</i>)	1.90	0.55	0.20	0.35	0.57	11.0
Water Iris (<i>Iris pseudacorus</i>)	3.28	0.66	0.31	0.35	0.90	8.0
Pickerel Rush (<i>Pontederia cordata</i>)	6.24	1.30	0.50	0.80	0.63	15.0
Arrowhead (<i>Sagittaria latifolia</i>)	2.25	0.35	0.17	0.18	0.94	10.0
Cattails (<i>Typha latifolia</i>)	7.89	3.00	1.90	1.10	1.73	8.0
Soft Rush (<i>Juncus effusus</i>)	3.00	1.05	0.65	0.40	1.62	18.0
Flowering Rush (<i>Butomus umbellatus</i>)	0.30	0.07	0.01	0.06	0.18	12.0

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Table 12 - Characteristics of Emergent Aquatic Plants

Plant Species	Bloom Date	Type of Bloom	Bloom Color	Plant Height (inches)	Growth Pattern	Initial Spacing (feet)
Softstem Bulrush (<i>Scirpus validus</i>)	June-July	Oblong Spikelets	Gray	40-60	Spreading	3
Horsetail (<i>Equisetum hyemale</i>)	July-Aug.	Oblong Spikelets	Brown	30-40	Spreading	3
Water Iris (<i>Iris pseudacorus</i>)	May-Aug.	Flower	White-Lt. Blue	10-18	Bunches	2-3
Pickereel Rush (<i>Pontederia cordata</i>)	July-Sept.	Flower	Purple	10-18	Bunches	2
Arrowhead (<i>Sagittaria latifolia</i>)	June-July	Hanging Bulbs	Green-White	6-10	Spreading	2-3
Cattails (<i>Typha latifolia</i>)	May-June	Oblong Spike	Brown	48-72	Spreading	3
Soft Rush (<i>Juncus effusus</i>)	June-July	Flower	Brown	18-30	Bunches	2

3. The pit shall be periodically pumped out by someone who services septic tank systems. At no time shall the pit contents be allowed to accumulate to within one foot (1') of the pit top. The pit contents shall then be transported and disposed into a community sewer system that is in compliance with Chapter 644, RSMo.

4. Both the pit and the privy shall be vented, inspect-proof openings shall be placed in the walls, below the seat. A vent shall extend from the underside of the seat board through the roof or up to a horizontal vent open to the sides of the toilet. This vent must be flush with the underside of the seat board and shall not extend down into the pit. All vent openings to the outside shall be properly screened to keep out insects. The top of the privy shall have a screened opening on each side. It is preferable the opening be all the way around the top of the privy in order to allow air to pass through and to carry away any odors which may seep into the upper part of the structure. If a crescent-shaped opening is cut into the door or

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wall of the privy, it shall also be screened.

5. The inside of the privy shall be of durable, smooth, nonabsorbent material. If wood is used, the inside of the structure shall be coated with a polyurethane-type coating so as to minimize the penetration of liquids and odors into the wood.

6. A tight-fitting door, preferably with a self-closing feature, such as a door spring, shall be used.

7. A privy shall be set back from surface waters, buildings, property lines and water supply wells the same distance as required for soil treatment areas. This information may be found in subsection (1)(D), Table 1 of this rule.

8. The privy shall be of sufficient capacity for the facility it serves, but shall have at least fifty cubic feet (50 cu. ft.) of capacity.

9. Abandoned pits shall have the contents removed, transported and disposed into a community sewer system that is in compliance with Chapter 644, RSMo. This activity shall be performed by someone who services septic tank systems. The pit shall then be filled with clean earth and slightly mounded to allow for settling.

(K) Other Systems. Where unusual conditions exist, special systems of treatment and disposal, other than those specifically mentioned in this rule, may be employed provided--

1. Reasonable assurance of performance of the system is presented to the administrative authority;

2. The engineering design of the system is first approved by the administrative authority;

3. Adequate substantiating data indicate that the effluent will not contaminate any drinking water supply, groundwater used for drinking water or any surface water;

4. Treatment and disposal of the wastes will not deteriorate the public health and general welfare;

5. Discharge of effluent, if any, shall be within set-back distances as described in Table 1, located in subsection (1)(D) of this rule; and

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6. These systems comply with all applicable requirements of this rule, with all local codes and ordinances, and all applicable requirements of sections 701.025-701.055 and Chapter 644, RSMo.

(L) Variances. Variances may be considered and granted by the administrative authority concerning repair to on-site sewage disposal systems existing prior to January 1, 1996 with site limitations or for property platted prior to January 1, 1996 with site limitations. Where variances have been allowed from the standards, the administrative authority may require that a higher level of pre-treatment than that of a septic tank be provided. At the discretion of the administrative authority and with relative assurance for protection of the public health and preservation of the quality of surface and ground waters, variances may be allowed for the following:

1. Setbacks as specified in Table 1, located in subsection (1)(D) of this rule.

2. Minimum distance between the infiltrative surface and restrictive feature or bedrock.

3. Minimum areas for infiltrative surfaces as shown in Table 5 (see (5)(A)4.), Table 6 (see (5)(A)16.C.), Table 7 (see (6)(C)3.A.), Table 8 (see (6)(E)3.), Table 9 (see (6)(E)7.) and Tables 13 and 14 (see (7)(M)) of this rule.

4. A written application for a variance shall be provided to the administrative authority and shall provide the following:

A. An explicit description explaining why the requirements of this rule cannot be complied with, including a description of specific sections of this rule for which a variance is being requested;

B. A design of the proposed system. The design shall show that as much soil absorption as is practically possible will be installed;

C. The existing and maximum occupancy pattern and the existing water usage records, if any;

D. Potential impact, if any, on neighboring property owners and the names and mailing addresses of these property owners; and

E. Adequate substantiating data to indicate that the effluent will not contaminate any drinking water supply, groundwater used for drinking water or any surface water.

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5. These systems shall comply with all applicable requirements of these standards except where variances have been granted.

6. No variance will be granted for any system that would result in noncompliance with Chapter 644, RSMo Missouri Clean Water law and subsequent rules. On-site sewage disposal systems with a discharge, other than a system serving a single family residence lot, must be referred to the Department of Natural Resources and comply with Chapter 644, RSMo, Missouri Clean Water Law and subsequent rules.

7. If effluent can not meet the minimum separation distances as described in Table 1 of subsection (1)(D), then the effluent must be disposed of into a soil absorption system. Set-back distances for lagoons will be considered applicable to alternative systems. The required footage of the soil absorption system following alternative systems may be reduced by up to one-third (1/3) of that required for a conventional soil absorption system. Shallow bury designs should be utilized whenever possible to achieve the best absorption rates.

8. All adjacent and/or affected property owners shall be notified in writing by the administrative authority whenever consideration for granting a variance is likely to result in effluent crossing property lines. The party requesting the variance shall be responsible for supplying the names and addresses of all adjacent and/or affected property owners to the administrative authority. Adjacent and/or affected property owners shall be allowed thirty (30) days from the date of the written notification to contact the administrative authority to express comments concerning the consideration of granting a variance.

9. In cases of complaint abatement, where effluent cannot be maintained on the owner's property, within the required setback distances and presents a nuisance or threat to public health or surface or ground water quality, the administrative authority may require a holding tank be placed at the optimum location within the sewage system, in order to abate the complaint. The owner shall be responsible for assuring the holding tank is pumped as needed, with the contents being disposed of in a Department of Natural Resources permitted facility.

(7) Detailed Soils Evaluation.

(A) General. The intent of this section is to provide minimum standards for site evaluations based upon evaluation of the soil characteristics, namely texture, color, structure, drainage and depth. Criteria are also given for sizing standard systems and some alternative systems.

(B) Adoption and Use. Where this rule is administered by an administrative authority, those administrative authorities may adopt this section, in whole or in part, as part of a local code or ordinance. Nothing in this rule or section shall require any administrative authority to allow an installation based upon the criteria contained in this section. The administrative authority may require percolation tests in addition to evaluation of soil characteristics. Whenever percolation tests and these criteria are used, the size of the proposed system or suitability of a site should be based upon which criteria produce the most conservative system. This type evaluation should be conducted by a professional soil scientist, engineer, sanitarian or registered geologist with special training in determining soil morphological characteristics in the field.

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(C) Site Evaluation. An investigation of a proposed soil absorption site shall consider the following factors:

1. Topography and landscape position;
2. Soil characteristics (morphology) which includes texture, structure, porosity, consistence, color and other physical, mineral and biological properties of various horizons, and the thickness and arrangement of the horizons in the soil profile;
3. Soil drainage, which includes both external (surface) and internal (soil);
4. Soil depth;
5. Restrictive horizons; and
6. Available space.

(D) Site evaluations shall be made in accordance with subsections (7)(E)-(M) of this rule. Based on this evaluation, each of the factors listed in subsection (7)(C) of this rule shall be classified as suitable, provisionally suitable or unsuitable.

(E) Topography and Landscape Position. Uniform slopes under fifteen percent (15%) shall be considered suitable with respect to topography. When slopes are less than two percent (2%), provisions shall be made to insure adequate surface drainage. When slopes are greater than four percent (4%), the absorption lines shall follow the contour of the ground.

1. Uniform slopes between fifteen percent (15%) and thirty percent (30%) shall be considered provisionally suitable with respect to topography, if the soils are thirty-six inches (36") or more thick. Slopes within this range may require installation of interceptor drains upslope from the soil absorption system to remove all excess water that might be moving laterally through the soil during wet period. Usable areas larger than minimum are ordinarily required in this slope range.
2. Slopes greater than thirty percent (30%) shall be considered unsuitable except when a thorough study of the soil characteristics indicates that a soil absorption system will function satisfactorily and sufficient ground area is available to properly install such a system. Slopes greater than thirty percent (30%) may be

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classified as provisionally suitable when all of the following conditions are met:

A. The slope can be terraced or otherwise graded or the absorption lines located in naturally occurring soil to maintain a minimum ten-foot (10') horizontal distance from the absorption trench and the top edge of the fill embankment;

B. The soil characteristics can be classified as suitable or provisionally suitable to a depth of at least one foot (1') below the bottom of the absorption trench;

C. Surface water runoff is diverted around the absorption field so that there will be no scouring or erosion of the soil over the field;

D. If necessary, groundwater flow is intercepted and diverted to prevent the water from running into or saturating the soil absorption system; and

E. There is sufficient ground area available to install the septic tank system with these modifications.

3. Complex slope patterns and slopes dissected by gullies and ravines shall be considered unsuitable to topography.

4. Areas subject to frequent flooding shall be considered unsuitable to landscape positions.

5. Depressions shall be considered unsuitable with respect to landscape positions except when the site complies essentially with the requirements of this section and is specifically approved by the administrative authority.

6. If directed by the administrative authority, the surface area on or around a ground absorption system sewage treatment and disposal system shall be landscaped to provide adequate drainage. The interception of perched or lateral groundwater movement shall be provided where necessary to prevent soil saturation on or around the ground absorption sewage treatment and disposal system.

(F) Soil Characteristics (Morphology). Soil borings or pits shall be taken at the site to be used for soil absorption systems. These borings shall be taken to a depth of forty-eight inches (48") or as required to determine the soil characteristics. Soil borings or pits and core samples shall be evaluated and a determination made on the suitability of the soil to treat and absorb septic tank effluent. The important soil characteristics which shall be reviewed by the administrative authority are as follows:

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1. The relative amounts of the different sizes of mineral particles in a soil are referred to as soil texture. All mineral soils are composed of sand, two to five hundredths millimeters (2-.05 mm) in size; silt, which includes intermediate-sized particles that cannot be seen with the naked eye but feel like flour when pressed between the fingers, five hundredths to two thousandths millimeter (0.05-0.002 mm) in size; or clay, which is extremely small in size and is the mineral particle that gives cohesion to a soil, less than two thousandths millimeters (0.002 mm) in size or a combination of these. The texture of the different horizons of soils may be classified into five (5) general groups and shall be used for determining the application rates shown in Tables 6 and 7 of this rule.

A. Soil Group I. Sandy texture soils contain more than seventy percent (70%) sand-sized particles in the soil mass. These soils do not have enough clay to be cohesive. Sandy soils have favorable sewage application rates, but may have a low filtering capacity leading to malfunction due to contamination of groundwater. The sandy group includes the sand and loamy sand soil textural classes and shall generally be considered suitable in texture.

(I) Sand. Sand has a gritty feel, does not stain the fingers and does not form a ribbon or ball when wet or moist.

(II) Loamy sand. Loamy sand has a gritty feel, stains the fingers (silt and clay), forms a weak ball and cannot be handled without breaking.

B. Soil group II. Coarse loamy texture soils contain more than thirty percent (30%) sand-sized particles and fewer than twenty percent (20%) clay-sized particles in the soil mass. They exhibit slight or no stickiness. The coarse loamy group includes sandy loam and loam soil textural classes and shall generally be considered suitable in texture.

(I) Sandy loam. Sandy loam feels gritty and forms a ball that can be picked up with the fingers and handled with care without breaking.

(II) Loam. Loam may feel slightly gritty but does not show a fingerprint and forms only short ribbons ranging from twenty-five hundredths to fifty hundredths inch (.25-.50") in length. Loam will form a ball that can be handled without breaking.

C. Soil group III. These fine loamy texture soils contain fewer than forty percent (40%) clay-sized particles and not more than thirty percent (30%) sand-sized particles in a soil mass. Also this group is limited to less than thirty-five percent (35%) clay when the clay minerals exhibit high shrink/swell characteristic and exhibit slight to moderate stickiness. The fine loamy group includes sandy clay loam, silt loam, clay loam and silty clay loam textural classes and shall generally be considered provisionally suitable in texture.

(I) Silt loam. Silt loam feels floury when moist and will show a fingerprint but will not ribbon and forms only a weak ball.

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(II) Silt. Silt has a floury feel when moist and sticky when wet but will not ribbon and forms a ball that will tolerate some handling.

(III) Sandy clay loam. Sandy clay loam feels gritty but contains enough clay to form a firm ball and may ribbon to form seventy-five hundredths to one-inch (.75-1") pieces.

(IV) Silty clay loam. Silty clay loam is sticky when moist and will ribbon from one to two inches (1-2"). Rubbing silty clay loam with the thumbnail produces a moderate sheen. Silty clay loam produces a distinct fingerprint.

(V) Clay loam. Clay loam is sticky when moist. Clay loam forms a thin ribbon of one to two inches (1-2") in length and produces a slight sheen when rubbed with the thumbnail. Clay loam produces a non-distinct fingerprint.

D. Soil group IV. These clayey texture soils contain forty percent (40%) or more clay-sized particles and include sandy clay, silty clay and clay. This group may also include clay loam and silty clay loam when the clay fraction is greater than thirty-five percent (35%) and of a high shrink/swell nature. There are two (2) major types of clays nonexpandable and expandable. The nonexpandable clays, when wet, are slightly sticky to sticky; when moist, are friable to firm; and when dry, they are slightly hard to hard. The nonexpandable clays (Group IVa) shall generally be considered provisionally suitable in texture. The expandable clays, when wet, are very sticky and very plastic and when moist, these clays are very firm to extremely firm and when dry, are very hard to extremely hard. The expandable clays (Group IVb) shall be considered unsuitable in texture.

(I) Sandy clay. Sandy clay is plastic, gritty and sticky when moist and forms a firm ball and produces a thin ribbon to over two inches (2") in length.

(II) Silty clay. Silty clay is both plastic and sticky when moist and lacks any gritty feeling. Silty clay forms a firm ball and readily ribbons to over two inches (2") in length.

(III) Clay. Clay is both sticky and plastic when moist, produces a thin ribbon over two inches (2") in length, produces a high sheen when rubbed with the thumbnail and forms a strong ball resistant to breaking.

E. Soil group V. This soil group may be of any texture, however, the most predominant are cherty and very cherty clays, silt loams and silty clay loams. The amount of rock fragments in these soils is of a concern in areas of residual soils overlying highly permeable bedrock where groundwater could become contaminated. In general, soils with less than fifty percent (50%)

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rock fragments will be considered suitable. In general, soils with greater than fifty percent (50%) rock fragments over highly permeable bedrock will be considered unsuitable. Soils with greater than fifty percent (50%) rock fragments will be considered provisionally suitable if geological limitations are not severe.

F. The soil texture shall be estimated by field testing; and

2. Soil consistency. Soil consistency is comprised of the attributes of soil material, typically clay, that are expressed by the degree and kind of cohesion and adhesion or by the resistance to deformation or rupture.

A. Soil consistency when wet shall be considered as follows:

(I) Stickiness. Stickiness is the quality of adhesion to other objects. For field evaluation of stickiness, wet soil material is pressed between thumb and finger and its adherence noted. Degrees of stickiness are described as follows:

(a) Slightly sticky. After pressure, soil material adheres to both thumb and finger but comes off one or the other cleanly. It is not appreciably stretched when the digits are separated;

(b) Sticky. After pressure, soil material adheres to both thumb and finger and tends to stretch somewhat and pull apart rather than pulling free from either digit; and

(c) Very sticky. After pressure, soil material adheres to both thumb and finger and is decidedly stretched when they are separated; and

(II) Plasticity. Plasticity is the ability to change shape continuously under the influence of an applied stress and to retain the impressed shape on removal of the stress. For field determination of plasticity, the soil material shall be rolled between the thumb and finger to observe whether or not a wire or thin rod of soil can be formed. Degree of resistance to deformation at or slightly above field capacity is as follows:

(a) Slightly plastic. Wire formable but soil mass easily deformable;

(b) Plastic. Wire formable and moderate pressure required for deformation of the soil mass; and

(c) Very plastic. Wire formable and much pressure required for deformation of the soil mass.

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B. Soil consistency when moist. Consistence when moist is determined at a moisture content approximately midway between air dry and field capacity. At this moisture content, most soil materials exhibit a form of consistency--characterized by tendency to break into smaller masses rather than into powder; some deformation prior to rupture; absence of brittleness; and ability of the material after disturbance to cohere again when pressed together. To evaluate this consistency, a mass that appears slightly moist shall be selected and attempt made to crush in the hand.

(I) Friable. Soil material crushes easily under gentle to moderate pressure between thumb and finger, and coheres when pressed together.

(II) Firm. Soil material crushes under moderate pressure between thumb and finger but resistance is distinctly noticeable.

(III) Very firm. Soil material crushes under strong pressure; barely crushable between thumb and finger.

(IV) Extremely firm. Soil material crushes only under very strong pressure; cannot be crushed between thumb and finger and must be broken apart bit by bit.

C. Soil consistency when dry. The consistency of soil materials when dry is characterized by rigidity, brittleness, maximum resistance to pressure, more or less tendency to crush to a powder or to fragments with rather sharp edges, and inability of crushed material to cohere again when pressed together. For evaluation, the air-dry mass shall be selected and broken in the hand.

(I) Slightly hard. Weakly resistant to pressure, easily broken between thumb and finger.

(II) Hard. Moderately resistant to pressure; can be broken in the hands without difficulty but is barely breakable between thumb and finger.

(III) Very hard. Very resistant to pressure; can be broken in the hands only with difficulty; not breakable between thumb and finger.

(IV) Extremely hard. Extremely resistant to pressure; cannot be broken in the hands.

3. Soil structure. In many soils, the sand, silt and clay particles tend to cling or stick to one another to form

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a ped or a clump of soil. This is known as soil structure. Soil structure may have a significant effect on the movement of effluent through a soil. Structure is usually not important in soil groups I and II, and these types of soils shall generally be considered suitable as to structure. The three (3) kinds of soil structure that are most significant in movement of sewage effluent through groups III and IV soils are block-like, platy and the absence of soil structure or massive conditions. These kinds of soil structure are described as follows:

A. Block-like soil structure. In groups III and IV soils, if the soil exhibits many peds of angular and subangular peds, then the soils have block-like structure. The sewage effluent may move between the cracks of these types of peds. Block-like structure in groups III and IV soils is frequently destroyed by mechanical excavating equipment manipulating the soil when it is too wet. Trenches for absorption lines being placed in groups III and IV soils with block-like structure should only be dug when the soils are moist or dry. Blocklike soil structure in groups III and IV soils shall be considered provisionally suitable;

B. Platy soil structure. If groups III and IV soils fall out into plate-like sheets, then the soil would have platy structure. Water or effluent movement through these soils would be extremely slow, and the structure shall be considered unsuitable; and

C. Absence of soil structure. Some groups II, III and IV soils are massive and exhibit no structural aggregates. In these kinds of soils, water or effluent movement would be negligible. This structure shall be considered unsuitable.

(G) Soil Drainage. Soils with seasonally high water tables are of major concern in evaluating sites for sewage effluent disposal. These are the soil areas that give good sewage absorption rates during dry seasons of the year but force sewage effluent to the surface during the wetter seasons.

1. The depth of the seasonal high water table can commonly be recognized by those examining soil profiles. The criterion for recognition of high water tables is that of soil color. Subsurface horizons that are in colors of reds, yellows and browns generally indicate good soil aeration and drainage throughout the year. Subsurface horizons that are in colors of gray, olive or bluish colors indicate poor aeration and poor soil drainage. These dull or grayish colors may occur as a solid mass of soil or may be in mottles of localized spots. The volume of grayish color is indicative of the length of time that free water stands in that soil profile. There are soils that have light-colored mottles which are relic from the light-colored rock from which the soils have weathered. These soils would not have high water tables, so one must distinguish between a true soil composed of sand, silts and clays, or the rock material that may still exist in the soil profile. Similarly, there are also some soils with surface or subsurface eluvial horizons with light colors which can be unrelated to drainage conditions.

2. Any soil profile that has the grayish colors of chroma 2 or less (Munsell color chart) indicative of high water tables, or is either subject to periodic high water, within twenty-four inches (24") of the surface, or is less than twelve inches (12") between the proposed trench bottom and the high water table, shall be considered unsuitable as to drainage. Soils where the seasonally high water table is less than forty-eight inches (48") and more than twenty-four inches (24") below the naturally occurring surface shall be considered provisionally suitable for soil drainage, provided there remains at least twelve inches (12") of soil between the proposed trench bottom and the seasonally high water table. Soils where the seasonally high water table is greater than forty-eight inches (48") below the naturally occurring surface shall be

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considered suitable for soil drainage. Drainage systems installed for groundwater lowering shall be maintained so that a minimum separation of one foot (1') occurs between the absorption trench bottom and the seasonally high water table. For extensive drainage systems, such as groundwater lowering in subdivisions, easements shall be recorded and shall have adequate width for reasonable egress and ingress for maintenance.

(H) Soil Thickness. The thickness of soils to rock which are classified as suitable or provisionally suitable in texture and structure shall be at least forty-eight inches (48") when conventional soil absorption systems at conventional depths are to be utilized. Soil thickness greater than forty-eight inches (48") shall be considered as suitable as to soil thickness. Soil thickness less than forty-eight inches (48") and greater than thirty-six inches (36") shall be considered provisionally suitable. Where special design and installation modifications can be made to provide at least two feet (2') of naturally occurring soil below the bottom of the absorption trench, these soils may be reclassified as provisionally suitable in thickness.

(I) Restrictive Horizons. Restrictive horizons in soils are recognized by their apparent resistance in excavation or in the use of a soil auger. Restrictive horizons may occur as fragipans or claypans. The fragipan is a layer that owes its hardness mainly to extreme density or compactness as opposed to high clay content or cementation. The layer is typically dense and brittle. Although fragments are friable when removed, when in place the material is so dense that water moves through it very slowly. Unlike fragipans, the claypan is a compact, slowly permeable layer in the subsoil having a much higher clay content than the overlying material. A sharply defined boundary exists between the claypan and the overlying material. Claypans are typically hard when dry and plastic and sticky when wet.

1. Restrictive horizons that are greater than six inches (6") thick severely restrict the movement of water and sewage effluent and do not adequately respond to groundwater lowering drainage systems. Where these horizons are less than six inches (6") thick, they do not severely restrict the movement of water and sewage effluent, but rather indicate the presence of a seasonally high water table and may be modified after special investigation.

2. Soils in which restrictive horizons are six inches (6") or more in thickness and at depths greater than forty-eight inches (48") below the ground surface shall be considered suitable as to depth to restrictive horizons. Restrictive horizons six inches (6") or more in thickness and at depths between forty-eight inches and twenty-four inches (48-24") shall be considered provisionally suitable as to depth to restrictive horizons. Restrictive horizons six inches (6") or more in thickness encountered at depths less than twenty-four inches (24") below the ground surface shall be considered unsuitable as to depth to restrictive horizons.

(J) Other Applicable Factors. The site evaluation should include consideration of any other applicable factors involving environmental principles including:

1. The potential environmental hazard of possible failures of soil absorption systems involving large quantities of sewage, which would dictate larger separation distances than the minimums specified in subsection (1)(D) of this rule; and

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2. The potential environmental and health hazard of possible massive failures of soil absorption systems proposed to serve large numbers of residences, as in residential subdivisions or mobile home parks.

(K) Determination of Overall Site Suitability. All of the criteria in subsections (7)(E)-(J) of this rule shall be determined to be suitable, provisionally suitable or unsuitable as indicated. If all criteria are classified the same, that classification shall prevail. Where there is a variation in classification of the several criteria, the following shall be used in making the overall site classification. The lowest of the uncorrectable characteristics will determine the overall site classification. The administrative authority shall make this determination--

1. If the topography is classified as unsuitable, it may be reclassified provisionally suitable under the conditions outlined in subsection (7)(E) of this rule;

2. If the soil texture is classified as unsuitable, the overall classification will be unsuitable regardless of the other criteria unless the provisions of subsection (6)(K) of this rule are met;

3. If the soil structure is classified as unsuitable, the overall classification will be unsuitable regardless of the other criteria unless the provisions of subsection (6)(K) of this rule are met;

4. When soil thickness is classified as unsuitable, it may be reclassified as provisionally suitable under the conditions outlined in subsection (7)(H) of this rule;

5. When the restrictive horizon is classified unsuitable, it may be reclassified as provisionally suitable under the conditions outlined in subsection (6)(K) of this rule; and

6. When drainage (groundwater level) is unsuitable, it may be reclassified as provisionally suitable under the conditions outlined in subsection (7)(G) of this rule.

(L) Site Classification. Sites classified as suitable may be utilized for a ground absorption sewage treatment and disposal system consistent with this rule. A suitable classification generally indicates soil and site conditions favorable for the operation of a ground absorption sewage treatment and disposal system or have slight limitations that are readily overcome by proper design and installation.

1. Sites classified as provisionally suitable may be utilized for a ground absorption sewage treatment and disposal system consistent with this rule but with moderate limitations. Sites classified provisionally suitable require some modifications and careful planning, design and installation for a ground absorption sewage treatment and disposal system to function satisfactorily.

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2. Sites originally classified as unsuitable may be used for soil absorption disposal systems, provided engineering, hydrogeologic and soil studies indicate to the administrative authority that a suitable septic tank system or a suitable alternate system can reasonably be expected to function satisfactorily. These sites may be reclassified as provisionally suitable upon submission to the administrative authority and meeting the department's requirements in subsection (6)(K) of this rule.

(M) Design Criteria. Tables 13 and 14 shall be used when determining application rates for the appropriate sewage disposal system design.

1. Table 13 shall be used when determining the application rate for septic tank systems of conventional design when using the site evaluation criteria in this rule.

2. The construction of any conventional or LPP system must meet the other applicable requirements as set forth in section (6) of this rule. Soils for LPP systems must be classified as suitable or provisionally suitable to a depth of two feet (2') from the original ground surface. Table 14 shall be used when determining the application rate when using the site evaluation criteria in this rule.

Table 13 - Application Rates by Soil Groups for Conventional Systems

Soil Group	Soil Texture	Soil Structure/Color	Application Rate
			(gpd./sq.ft.)
I	Sand, Loamy sand	Any striation/Brown (No gray)	(conventional) 1.2 - 0.8
II	Sandy loam, Loam	Granular, fine and medium subangular blocky	0.9 - 0.7
	Sandy loam, Loam	Prismatic; coarse, subangular, and angular blocky	0.7 - 0.5
III	Silt loam, Clay loam, Sandy clay loam, Silty clay loam	Granular, fine, and medium subangular blocky	0.6 - 0.4

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	Silt loam, Clay loam, Sandy clay loam, Silty clay loam	Prismatic, coarse subangular and angular blocky	0.4 - 0.3
IVa	Sandy clay, Silty clay, Clay (low to moderate shrink/swell)	Granular, fine, and medium subangular blocky	0.4 - 0.2
	Sandy clay, Clay, Silty clay (low-moderate shrink/swell)	Prismatic; coarse subangular or angular blocky	0.3 - 0.1
IVb	Sandy clay, Clay, Silty clay loam, Silty clay (high shrink/swell potential)	Subangular, Angular blocky, or Prismatic	Not suitable
V	Skeletal (less than 50% coarse fragments), Silt loam, Silty clay loam, Clay, Silty clay	Anything but platy or massive	0.4 - 0.2

Table 14 - Application Rates by Soil Group

Soil Group	Soil Texture	Classes	Application Rate Low Pressure Pipe) (gpd/sq. ft.)
I	Sand, Loamy Sand	No structure (Brown colors)	0.5-0.4
II	Sandy loam, Loam	Granular, fine and medium subangular blocky	0.4-0.35
	Sandy loam, Loam	Prismatic; coarse subangular and angular blocky	0.3-0.2

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III	Silt loam, Clay loam Sandy clay loam, Silty clay loam	Granular; fine and medium subangular blocky	0.3-0.2
	Silt loam, Clay loam, Sandy clay loam, Silty clay loam	Prismatic; coarse subangular and angular blocky	0.20-0.15
IVa	Sandy clay, Silty clay, Clay (low to moderate shrink/swell)	Granular; fine and medium subangular blocky	0.2-0.1
	Sandy clay, Clay, Silty clay	Prismatic; coarse subangular or angular blocky	0.1-0.05
IVb	Clay, Sandy clay, Silty clay loam, Clay loam, Silty clay (high shrink/swell potential)	Subangular, Angular blocky, or Prismatic	Not suitable
V	Skeletal (less than 50%), Silt loam, Silty clay loam, Clay, Silty clay	Anything but platy or massive	0.3-0.15

19 Mo. Code of State Regulations 20-3.070

19 CSR 20-3.070 Requirements for On-Site Wastewater Treatment System Inspectors/Evaluators

PURPOSE: This rule establishes criteria for inclusion on the lists of those individuals licensed to inspect or evaluate on-site wastewater treatment systems for the purposes of real estate transactions.

(1) Applicability. The requirements and procedures included in this rule apply to individuals qualified to perform inspections and/or evaluations of existing on-site wastewater treatment systems upon a request from a lending institution, a prospective purchaser, the owner of the property, a real estate agent, or a real estate broker.

(2) Definitions.

(A) “Administrative authority” shall mean the department or local public health agencies, planning and zoning commissions, county building departments, county public works departments, sewer districts, and/or municipalities that have authority to govern on-site wastewater treatment systems.

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(B) "Department" shall mean the Missouri Department of Health and Senior Services.

(C) "Lending institution" shall mean a bank, savings and loan association, credit union, consumer credit lender, mortgage banker, or any other association or institution, which makes real estate loans.

(D) "Licensed individual" shall mean any person, including staff of local administrative authorities, licensed by the department, to inspect or evaluate an existing on-site wastewater treatment system for the purposes of a real estate transaction.

(E) "On-site wastewater treatment system (OWTS)" shall mean any system handling, or treatment facility receiving, domestic sewage which discharges three thousand (3,000) gallons per day or less into a subsurface soil absorption system or a single-family residence lagoon.

(F) "Property owner" shall mean the person with the legal right to possession of real estate.

(G) "Requesting party" shall mean a lending institution, a prospective purchaser, the property owner, a real estate agent, or a real estate broker who requests an inspection or evaluation of an OWTS serving a property that is the subject of a real estate transaction.

(3) An individual must be licensed with the department to inspect or evaluate an existing OWTS upon the request from a lending institution, which is providing either a government loan or conventional loan, or from another requesting party in connection with a real estate transaction. If the inspection or evaluation determines that the OWTS does not meet department standards, any new construction, major modification, or major repair must be conducted according to the standards set forth in sections 701.025 through 701.059, RSMo, and any rules promulgated thereunder or applicable local OWTS ordinance.

(4) As deemed necessary by the department, an inspection or evaluation of an OWTS will include a microbiological test and other examination(s) of the private water supply intended for potable use serving the same property as the OWTS. In addition, the inspection or evaluation will include an inspection of any visible portion of the water supply construction, from the source to the storage vessel, and may include review of the well drilling reports.

(5) If it is necessary to enter any adjoining property in the course of an inspection or evaluation to properly make a determination regarding the OWTS inspection/evaluation, a licensed individual shall notify the owner of the adjoining property and obtain permission before entry is made.

(6) An individual must be licensed with the department to perform inspections and evaluations of existing OWTS for the purposes of a real estate transaction. To be licensed with the department, an individual shall:

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(A) Complete a basic installer training course conducted by or approved by the department with a score of seventy percent (70%) or higher;

(B) Complete a licensed inspector training course conducted by or approved by the department with a score of seventy percent (70%) or higher; and

(C) Complete the department's licensing process described in section (7) of this rule.

(7) Department's Licensing Process.

(A) The license shall be issued to only one (1) individual person and not to a company, firm, association, or other group. The license is not transferable.

(B) To obtain a license from the department, an individual must submit a completed application packet to the department for approval. Completed application packets shall be mailed to the Missouri Department of Health and Senior Services, Attention: Fee Receipts, PO Box 570, Jefferson City, MO 65102-0570.

(C) The application packet shall include the following:

1. The completed application form, Mo Form #1 (6-08), Application for Licensure, is incorporated by reference in this rule and is available on the Internet at www.dhss.mo.gov/Onsite or by contacting the department at PO Box 570, Jefferson City, MO 65102-0570, (573) 751-6095. This rule does not incorporate any subsequent amendments or additions;

2. Documentation of the successful completion of both the basic installers training course and licensed inspector training course; and

3. A check or money order made payable to the Missouri Department of Health and Senior Services for the nonrefundable-processing fee of ninety dollars (\$90). The processing fee may be waived for the staff of a local administrative authority that has enacted local ordinances, which include requirements for inspections of existing OWTS that are at least equal to department standards.

(8) Department's Renewal Licensing Process. An individual's license with the department shall expire thirty-six (36) months from the month of issuance unless the license has been revoked or surrendered.

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(A) To renew their license with the department, an individual must submit a renewal application packet to the department for approval. Completed application packets shall be mailed to the Missouri Department of Health and Senior Services, Attention: Fee Receipts, PO Box 570, Jefferson City, MO 65102-0570.

(B) The renewal application packet shall include:

1. The completed application form, Mo Form #2 (6-08), Application for Licensure Renewal, is incorporated by reference in this rule and is available on the Internet at www.dhss.mo.gov/Onsite or by contacting the department at PO Box 570, Jefferson City, MO 65102-0570, (573) 751-6095. This rule does not incorporate any subsequent amendments or additions;

2. A check or money order made payable to the Missouri Department of Health and Senior Services for the nonrefundable-processing fee of ninety dollars (\$90). The processing fee may be waived for the staff of a local administrative authority that has enacted local ordinances, which include requirements for inspections of existing OWTS that are at least equal to department standards; and

3. Documentation of the applicant's successful completion, within the previous thirty-six (36) months of the following minimum continuing education:

A. For individuals who are renewing their license for the first time, at least twenty (20) hours of department-approved continuing education units of which at least eight (8) continuing education units shall meet select department criteria; or

B. For individuals who are renewing their license for the second or subsequent time, at least twelve (12) hours of department-approved continuing education units of which at least eight (8) continuing education units shall meet select department criteria.

(C) Individuals submitting a renewal application more than fifteen (15) calendar days after the previous license expires shall pay a late charge of ten dollars (\$10) in addition to the ninety-dollar (\$90) processing fee.

(D) License renewal applications will not be accepted if received by the department more than forty-five (45) calendar days after the previous license expires. Individuals submitting license renewal applications more than forty-five (45) calendar days after the expiration of their license will be required to complete the initial licensing process, including any department training requirements for an initial license.

(9) A fifteen-dollar (\$15) processing fee will be assessed for duplicate and/or replacement license identification cards.

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(10) Standards of Practice for Licensed Individuals.

(A) A licensed individual shall:

1. Possess a current license with the department before conducting any inspection or evaluation of an OWTS;
2. Inspect or evaluate only those OWTS for which requests have been made for the purposes of real estate transactions. Investigations of complaints or alleged violations of Chapter 701, RSMo, may only be made by the department or a local administrative authority;
3. As part of an OWTS inspection or evaluation, collect a water sample from a private water supply for microbiological testing and inspect any visible portion of the water supply construction, from the source to the storage vessel;
4. Record their license number on all bids, proposals, contracts, invoices, inspection reports, evaluation reports, and other correspondence with the requesting party or the department;
5. Apply department standards for all inspections and evaluations of OWTS using the correct procedures and forms to complete the inspection or the evaluation. Combining inspection and evaluation procedures or forms is not acceptable;
6. Document inspections and evaluations accurately in writing on department-approved forms;
7. Clearly state any defect(s), if the OWTS is found to be malfunctioning or otherwise not meeting department standards;
8. Retain one (1) copy of the completed documentation of the inspection or evaluation for at least three (3) years and submit a copy to the department, the local administrative authority, if applicable, the requesting party, and the property owner;
9. Submit completed inspection/evaluation reports to the department within thirty (30) calendar days of completion, including water sample results if applicable; and
10. Notify the property owner that he/she is not obligated to contract for repair or re-inspection services

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with the initial licensed individual if the OWTS has been found to be malfunctioning or otherwise not meeting department standards. However, this paragraph does not preclude the licensed individual from offering these services to the owner.

(11) The department may audit the work of a licensed individual at any time to determine whether the standards of practice, as defined by this rule, are being met. Failure to adhere to department standards may be cause for placement on probation, suspension, or revocation of the license, or for mandatory successful completion of a training course and/or testing as described in section (6) of this rule. The audit may be an unannounced visit to the property inspected or evaluated, or a visit during an inspection or evaluation with or without prior appointment with the licensed individual.

(12) A licensed individual may have his/her license placed on probation, suspended, or revoked if the individual:

(A) Fails an audit or refuses to participate in an audit;

(B) Fails to submit reports, submits false reports, or allows another individual to use his/her license;

(C) Is convicted of a violation of any provisions of sections 701.025 through 701.059, RSMo, or any rules promulgated under these statutes;

(D) Has pled guilty or has been found guilty of an infraction, misdemeanor, or felony involving misrepresentation, fraud, or other crime relating to activities of inspecting, evaluating, installing, repairing, or otherwise associated with an OWTS;

(E) Directs or allows an unlicensed individual to conduct any part of an inspection or evaluation of an OWTS;
or

(F) Fails to comply with the standards of practice established in this rule.

(13) The suspension or revocation of an individual's license shall be served in writing by certified mail or personal service to the affected individual or his/her representative. The decision of the department may be appealed to the Administrative Hearing Commission as provided in Chapters 536 and 621, RSMo.

(14) Any individual whose license has been revoked may not reapply for a license for at least one (1) year from date of revocation, must complete the department's training requirements for licensure described in section (6) of this rule, and complete the department's licensing process as described in section (7) of this rule.

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(15) An individual may be permanently barred from reapplying for a license if the individual:

(A) Has pled guilty or has been found guilty of an infraction, misdemeanor, or felony involving misrepresentation, fraud, or other crime relating to activities associated with an OWTS; or

(B) Has his/her license revoked a second time within five (5) years.

(16) No person without a valid license may conduct any part of an inspection or evaluation of an OWTS, whether on his/her own or under supervision of a person with a valid license. Persons conducting inspections or evaluations without the required license, or representing themselves as licensed, are considered in violation of section 701.053, RSMo, which is a class A misdemeanor.

19 Mo. Code of State Regulations 20-3.080

19 CSR 20-3.080 Requirements for Percolation Testers, On-Site Soils Evaluators and Registered On-Site Wastewater Treatment System Installers

PURPOSE: This rule establishes the criteria for inclusion on the lists of those individuals qualified to perform percolation tests and/or soils morphology evaluations in determining soil properties for on-site wastewater treatment systems and for inclusion on the registered on-site wastewater system installers list in accordance with sections 701.025 through 701.059, RSMo.

(1) Applicability. The requirements and procedures included in this rule apply to individuals qualified to perform percolation tests and/or soil morphology evaluations and installers who are seeking inclusion on the department's on-site wastewater treatment systems professionals registry.

(2) Definitions.

(A) "Administrative authority" shall mean the department or local public health agencies, planning and zoning commissions, county building departments, county public works departments, sewer districts, and/or municipalities that have authority to govern individual on-site wastewater treatment systems.

(B) "Advanced on-site wastewater treatment system (OWTS) installer" shall mean an individual registered by the department to install advanced OWTS as listed by the department.

(C) "Basic on-site wastewater treatment system (OWTS) installer" shall mean an individual registered by the

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department to install basic OWTS as listed by the department.

(D) “Department” shall mean the Missouri Department of Health and Senior Services.

(E) “Installer” shall mean any individual, other than a homeowner, who installs a system for their own personal use, who alters, extends, repairs, or constructs an OWTS, including but not limited to, excavating or earthmoving work connected with the construction of an OWTS on behalf of, or under contract with, the property owner.

(F) “Licensed professional engineer” shall mean any person authorized pursuant to the provisions of Chapter 327, RSMo, to practice as a professional engineer in Missouri, as the practice of engineering is defined in section 327.181, RSMo.

(G) “On-site soil evaluator” shall mean individuals including soil scientists, licensed professional engineers, and registered geologists meeting the requirements of this rule.

(H) “On-site wastewater treatment system (OWTS)” shall mean any system handling, or treatment facility receiving, domestic sewage which discharges three thousand (3,000) gallons per day or less into a subsurface soil absorption system or a single-family residence lagoon.

(I) “Registered geologist” shall mean any person authorized pursuant to the provisions of Chapter 256, RSMo, to practice as a registered geologist in Missouri, as defined in section 256.453(10), RSMo.

(J) “Soil morphology evaluation” shall mean the method of testing or evaluating absorption qualities of the soil by physical examination of the soil’s color, mottling, texture, structure, topography, and hill-slope position.

(K) “Soil scientist” shall mean a person that has successfully completed at least fifteen (15) semester credit hours of soils science course work, including at least three (3) hours of course work in soil morphology and interpretations.

(3) An individual must be registered with the department to conduct any part of a percolation test or soil morphology evaluation in which results are intended for use in the design or installation of an OWTS according to the standards set forth in sections 701.025 through 701.059, RSMo, and 19 CSR 20-3.060.

(A) Percolation Tests. To register with the department to conduct percolation tests, an individual shall:

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1. Successfully complete a training course conducted by or approved by the department, which shall include, at a minimum, course work, field work, a written examination, and a practical examination; or
2. Meet the definition of an on-site soil evaluator, licensed professional engineer, or registered geologist; and
3. Complete the department's registration process described in section (5) of this rule.

(B) Soil Morphology Evaluations. To register with the department to perform soils morphology evaluations, an individual shall:

1. Meet the definition of a soil scientist with at least fifteen (15) semester credit hours of soils science course work, including at least three (3) hours of course work in soil morphology and interpretations; or
2. Meet the definition of a licensed professional engineer or registered geologist with at least ten (10) semester credit hours of soils science course work, including at least three (3) hours of course work in soil morphology and interpretations; and
3. Complete a written and field test conducted by or approved by the department with a score of seventy percent (70%) or higher on all sections of each examination; and
4. Complete the department's registration process described in section (5) of this rule.

(4) An individual must be registered with the department, with the exception of a homeowner meeting the requirements of section 701.055, RSMo, to install an OWTS. Only installers registered as advanced OWTS installers shall install systems listed by the department as advanced OWTS.

(A) Basic OWTS Installer. To register with the department as a basic OWTS installer, an individual shall:

1. Complete a basic installer training course conducted by or approved by the department with a score of seventy percent (70%) or higher; and
2. Complete the department's registration process described in section (5) of this rule.

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(B) Advanced OWTS Installer. To register with the department as an advanced OWTS installer, an individual shall:

1. Possess a basic OWTS installer's registration in good standing;
2. Complete an advanced OWTS installer training course conducted by or approved by the department with a score of seventy percent (70%) or higher; and
3. Complete the department's registration process described in section (5) of this rule.

(5) Department's Registration Process.

(A) To register with the department, an individual must submit a completed application packet to the department for approval. Completed application packets shall be mailed to the Missouri Department of Health and Senior Services, Attention: Fee Receipts, PO Box 570, Jefferson City, MO 65102-0570.

(B) The application packet shall include the following:

1. The completed application form, Mo Form #1 (6-08), Application for Registration, which is incorporated by reference in this rule and is available on the Internet at www.dhss.mo.gov/Onsite or by contacting the department at PO Box 570, Jefferson City, MO 65102-0570, (573) 751-6095. This rule does not incorporate any subsequent amendments or additions;
2. For on-site soil evaluators, mail an original transcript from the college or university attended directly from the registrar to the Missouri Department of Health and Senior Services, Attention: Bureau of Environmental Regulation and Licensure, PO Box 570, Jefferson City, MO 65102-0570. If requested, provide course descriptions from the college or university attended to verify the nature of the course work;
3. For percolation testers and on-site soil evaluators, provide proof of licensure as a professional engineer or certificate of registration by the Board of Geologist Registration indicating the registrant is in good standing, if applicable; and
4. A check or money order made payable to the Missouri Department of Health and Senior Services for the nonrefundable-processing fee of ninety dollars (\$90).

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(6) Department's Temporary and Probationary Registration Process.

(A) Upon completion of the department's registration process described in section (5) of this rule, the department may issue a one (1)-time temporary basic OWTS installer registration, valid for no more than one hundred eighty (180) calendar days for work in a specific county or counties. The temporary basic OWTS registration will be converted to a basic OWTS installer registration upon completion of a training course conducted by or approved by the department. Failure to complete the training or the department's registration process will result in termination of the individual's temporary basic OWTS installer registration.

(B) The department may issue a probationary basic OWTS installer registration for work in a specific county or counties. This registration will be valid for a specific period of time, as determined by the department, and will be dependent on the registered individual meeting and maintaining specific requirements as established by the department and completing the department's registration process as described in section (5) of this rule.

(7) Department's Renewal Registration Process. An individual's registration with the department shall expire thirty-six (36) months from its effective date unless the registration has been revoked or surrendered.

(A) To renew his or her registration with the department, an individual must submit a renewal application packet to the department for approval. Completed application packets shall be mailed to the Missouri Department of Health and Senior Services, Attention: Fee Receipts, PO Box 570, Jefferson City, MO 65102-0570.

(B) The renewal application packet shall include:

1. The completed application form, Mo Form #2A (6-08), Application for Registration Renewal, which is incorporated by reference in this rule and is available on the Internet at www.dhss.mo.gov/Onsite or by contacting the department at PO Box 570, Jefferson City, MO 65102-0570, (573) 751-6095. This rule does not incorporate any subsequent amendments or additions;

2. A check or money order made payable to the Missouri Department of Health and Senior Services for the nonrefundable-processing fee of ninety dollars (\$90); and

3. Documentation of the applicant's successful completion, within the previous thirty-six (36) months, of the following minimum continuing education:

A. For on-site soil evaluators, percolation testers, and basic and advanced OWTS installers who are renewing their registration for the first time, at least twenty (20) hours of department-approved continuing education units of which at least eight (8) continuing education units shall meet select department criteria;

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B. For on-site soil evaluators and advanced OWTS installers who are renewing their registration for the second or subsequent time, at least twelve (12) hours of department-approved continuing education units of which at least eight (8) continuing education units shall meet select department criteria related to their OWTS profession; or

C. For basic OWTS installers and percolation testers who are renewing their registration for the second or subsequent time, at least eight (8) hours of department-approved continuing education units.

(C) Individuals submitting a renewal application more than fifteen (15) calendar days after the previous registration expires shall pay a late charge of ten dollars (\$10) in addition to the ninety dollar (\$90) registration-processing fee.

(D) Registration renewal applications will not be accepted if received by the department more than forty-five (45) calendar days after the previous registration expires. Individuals submitting registration renewal applications more than forty-five (45) calendar days after expiration of their registration will be required to complete the initial registration process, including any department training requirements for an initial registration.

(8) A fifteen-dollar (\$15) processing fee will be assessed for duplicate and/or replacement registration identification cards.

(9) Standards of Practice for Percolation Testers, On-Site Soil Evaluators, and OWTS Installers.

(A) A percolation tester or on-site soil evaluator shall:

1. Possess a current registration with the department before performing any activities related to a percolation test or soil morphology evaluation;

2. Record their registration number on all bids, proposals, contracts, invoices, percolation test reports, soil morphology evaluation reports, and other correspondence with the property owner or administrative authority;

3. Provide true and accurate information on any application, percolation test report, soil morphology evaluation report, and any other OWTS documentation;

4. Maintain a current address and phone number with the department and submit any address or phone

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number changes to the department in writing within thirty (30) calendar days of the change taking place;

5. Conduct percolation tests in accordance with section (2) of 19 CSR 20-3.060; and

6. Conduct site/soil morphology evaluations in accordance with the standards detailed in sections (2) and (7) of 19 CSR 20-3.060. Specifically, the on-site soil evaluator shall:

A. Evaluate the nine (9) items listed in paragraphs (2)(A)2. through 10. of 19 CSR 20-3.060;

B. Evaluate and classify six (6) site factors listed in subsection (7)(C) of 19 CSR 20-3.060, as suitable, provisionally suitable, or unsuitable according to subsections (7)(E) through (L) of 19 CSR 20-3.060;

C. Include a diagram showing location and extent of the area(s) evaluated;

D. Make recommendations regarding the use and effectiveness of water lowering systems when there is evidence of a high water table; and

E. Based on subsection (7)(M) and Tables 13 and 14 of 19 CSR 20-3.060, for horizons that are not classified as unsuitable, assign a conventional soil loading rate for each horizon and assign an alternative soil loading rate for each horizon to a depth of at least twelve inches (12") below the likely depth of an alternative system.

(B) A registered basic OWTS installer or a registered advanced OWTS installer shall:

1. Possess a current basic OWTS installer registration or advanced OWTS installer registration with the department before beginning construction of any OWTS;

2. Record their registration number on all bids, proposals, contracts, invoices, permit application construction drawings, and other correspondence with the property owner or administrative authority;

3. Provide true and accurate information on any application and any other OWTS documentation;

4. Notify the administrative authority if their involvement as the registered installer with the permit

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application and OWTS changes;

5. Begin the construction of an OWTS only after obtaining approval from the administrative authority, unless approval is not required;

6. Construct the OWTS meeting the construction standards and permit criteria required by sections 701.025 through 701.059, RSMo, and any rule adopted there-under or the more stringent requirements of the administrative authority, if applicable;

7. Construct the OWTS that has been authorized by the administrative authority for the specific location identified in the application;

8. Be present at the construction site during construction and supervise all construction activities;

9. Provide required notice and an opportunity for inspection prior to completion of the OWTS installation as required by the administrative authority;

10. Submit complete and accurate "certification without on-site inspection form," when requested;

11. Not create or increase a health or safety hazard, nuisance condition, or surface water or groundwater contamination when constructing, repairing, modifying, or troubleshooting an OWTS; and

12. Maintain a current address and phone number with the department and submit any address or phone number changes to the department in writing within thirty (30) calendar days of the change taking place.

(10) The department may audit the work of a percolation tester, on-site soil evaluator, registered basic OWTS installer, or registered advanced OWTS installer at any time to determine whether the standards of practice, as defined by this rule, are being met. Failure to adhere to department standards may be cause for placement on probation, suspension, or revocation of the registration, or for mandatory successful completion of a training course and/or testing as described in sections (3) and (4) of this rule. The audit may be an unannounced visit to the property on which the percolation test, soil morphology examination, or OWTS installation was conducted, which may include an independent soil percolation test or soil morphology examination, or a visit within the period of a soil percolation test, soil morphology examination, or OWTS installation with or without prior appointment with the registered individual.

(11) A percolation tester, on-site soil evaluator, registered basic OWTS installer, or registered advanced OWTS installer may have their registration placed on probation, suspended, or revoked if the individual:

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(A) Fails to maintain any professional license necessary for registration as a percolation tester or on-site soil evaluator;

(B) Fails an audit or refuses to participate in an audit;

(C) Fails to submit reports, submits false reports, or allows another individual to use his/her registration;

(D) Is convicted of a violation of any provisions of sections 701.025 through 701.059, RSMo, or any rules promulgated under these statutes;

(E) Has pled guilty or has been found guilty of an infraction, misdemeanor, or felony involving misrepresentation, fraud, or other crime relating to activities of percolation testing, soil morphology evaluations, installing, repairing, inspecting, or otherwise associated with an OWTS;

(F) Directs or allows an unregistered individual to conduct a percolation test or soil morphology examination;

(G) Directs or allows an unregistered individual to install an OWTS without direct supervision; or

(H) Fails to comply with the standards of practice established by this rule.

(12) The suspension or revocation of a percolation tester's, on-site soil evaluator's, or OWTS installer's registration shall be served in writing by certified mail or personal service to the affected individual or his/her representative. The decision of the department may be appealed to the Administrative Hearing Commission as provided in Chapters 536 and 621, RSMo.

(13) Any individual whose registration has been revoked may not reapply for registration for at least one (1) year from date of revocation, and must complete the department's training requirements for registration described in sections (3) and (4) of this rule and complete the department's registration process as described in section (5) of this rule.

(14) An individual may be permanently barred from reapplying for registration if the individual:

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(A) Has pled guilty or has been found guilty of an infraction, misdemeanor, or felony involving misrepresentation, fraud, or other crime relating to activities associated with an OWTS; or

(B) Has his/her registration revoked a second time within five (5) years.

(15) No person without a valid registration may conduct any part of a percolation test or soil morphology evaluation for an OWTS, whether on their own or under supervision of a person with a valid registration. Persons conducting percolation tests or soil morphology evaluations without the required registration, or representing themselves as registered, are considered in violation of section 701.053, RSMo, which is a class A misdemeanor.

(16) No person as defined in section 701.025, RSMo, may authorize, permit, or knowingly allow a percolation test or soil morphology evaluation for an OWTS by an unregistered individual or the installation of an OWTS by an unregistered individual other than the homeowner.

19 Mo. Code of State Regulations 20-8.010

19 CSR 20-8.010 Accreditation of Lead Training Program

(Rescinded February 29, 2000)

19 Mo. Code of State Regulations 20-8.020

19 CSR 20-8.020 Licensing of Lead Inspectors, Lead Abatement Workers and Lead Abatement Supervisors/Contractors

(Rescinded February 29, 2000)

19 Mo. Code of State Regulations 20-8.030

19 CSR 20-8.030 Lead Poisoning Assessment, Testing, Follow-Up, and Reporting

PURPOSE: This rule sets forth the criteria for determining high-risk areas for lead poisoning in Missouri; describes who is to perform blood lead testing, testing requirements in high-risk and non-high-risk areas; type of and when to use each type of blood test; follow-up steps for elevated blood lead levels; requirements for child care facility directors in high-risk areas; and reporting requirements for lead poisoning case follow-up activities.

(1) Definitions.

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(A) Adult is any person eighteen years of age or older (≥ 18).

(B) ATSDR refers to the federal agency called the Agency for Toxic Substances and Disease Registry.

(C) Blood lead testing refers to the process of obtaining a blood sample, either by capillary or venous sample, and the analysis for lead content of the sample.

(D) Case Management refers to the collaborative process that assesses, plans, implements, coordinates, monitors and evaluates options and services to meet the health needs of an individual with lead poisoning to effectively reduce their lead level by using communication and available resources to promote quality, cost effective outcomes.

(E) CDC refers to the federal agency named the Centers for Disease Control and Prevention.

(F) Chelation is a physician-supervised medication treatment specifically meant to gradually remove lead from the body.

(G) Child (children), refers to a(all) child(ren) less than eighteen years of age (< 18).

(H) Childhood Blood Lead Testing and Follow-Up Guidelines refers to the time intervals at which confirmatory venous blood lead testing should be performed, the time intervals at which retesting of children should take place and the follow-up actions that should be undertaken based on the results of blood lead test results.

(I) Clearance testing refers to post-abatement clearance procedures that must be performed following abatement work at an elevated blood lead level (EBL) child's residence and are found in the Lead Abatement Work Practice Standards 19 CSR 30-70.630.

(J) Confirmatory blood lead test is a test for blood lead levels performed by venous blood sample.

(K) Department refers to the Missouri Department of Health and Senior Services (DHSS).

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(L) Director refers to the Director of the Missouri Department of Health and Senior Services.

(M) Elevated blood lead (EBL) refers to a venous blood lead test result as defined by the Centers for Disease Control and Prevention. It is the minimum level at which specific medical and public health actions shall be followed to reduce the blood lead level to protect the health of the individual and prevent further harmful effects. The term is used interchangeably with the terms “lead poisoning” and “level of concern.”

(N) EBL environmental risk assessment refers to an on-site investigation of the residence or other sites where a child having elevated blood lead levels as set forth in the current “MDHSS Lead Manual” spends more than ten (10) hours a week, in order to determine the existence, nature, severity and location of lead hazards that are most likely the source of the elevated blood level in the child, and the report by the person conducting the risk assessment explaining the results of the investigation and options for reducing lead hazards. A trained person holding a valid Lead Risk Assessor License from the Missouri Bureau of Lead Licensing must perform an EBL environmental risk assessment.

(O) Follow-up blood lead testing refers to a blood lead test performed by venous sample either as confirmation of an elevated blood lead test result or those to be performed at intervals following a confirmed elevated blood lead test result. The intervals are described in the Childhood Blood Lead Testing and Follow-Up Guidelines and found in the current “MDHSS Lead Manual.”

(P) Geographic area refers to any area that is easily identified by established or recognized boundaries and designated by the department for purposes of establishing high-risk or non-high-risk areas for lead poisoning.

(Q) Lead poisoning refers to any level of lead in the blood, but is most frequently used as the level at which specific health effects may occur, initiating specific health care and prevention steps. See Elevated Blood Lead.

(R) Lead poisoning case management refers to the collaborative process that assesses, plans, implements, coordinates, monitors and evaluates options and services to meet the health needs of an individual with lead poisoning to effectively reduce their lead level by using communication and available resources to promote quality, cost effective outcomes.

(S) Level of concern refers to the lead level in the blood at which specific health effects may occur and therefore specific health care and prevention steps should be initiated. The term is interchangeable with the terms “elevated blood lead (EBL)” and “lead poisoning.”

(T) Minimum sample size refers to a quantity determined by a statistical formula, that incorporates acceptable sample error, desired confidence level and the size of the population universe of the population or area in question. The resulting sample size number, if confidence level and sampling error factor are selected appropriately, will provide very close results to reality in a population of samples, to allow confidence in a random sample selection representative of the real population. The formula used is:

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$$n = (pq) / [(E/Z)^2 + (pq)/N]$$

Definitions	Value
n = sample size	the calculated value
p = attribute %	0.12 (% children tested)
q = 1 - p	0.88
E = sampling error	0.03 (3%)
Z = numeric value of STD confidence level	1.96 (95%)
N = size of universe	Area specific population

(U) Missouri Department of Health and Senior Services (MDHSS) current “Lead Manual” is incorporated by reference in this rule, and refers to a department document that outlines procedures and guidelines for testing of the population and follow-up steps when a child has been identified with an elevated blood lead level.

(V) Patient lead information questionnaire refers to a series of questions that have been selected by the department in collaboration with the Department of Social Services, Division of Medical Services to determine whether there is a high risk for lead poisoning and are based on knowledge of the commonly known hazards that expose persons to lead poisoning.

(W) Reliable data refers to the data for a geographic area that meets the standards necessary for determining accurate testing percentages which are: at least a minimum sample size tested annually for three (3) consecutive years and at least ninety-five percent (95%) of EBL and ninety percent (90%) of non-EBL with residential identification.

(X) Treatment refers to medical or health intervention procedures required in order to follow an identified elevated case of lead poisoning for the purposes of lowering and maintaining the blood lead level at or lower than the level of concern for an individual. The procedures and techniques may include but may not be limited to: case management, follow-up blood testing, medical management including chelation therapy, visits to the home by the nurse, education for improved health behavior (hygiene, improved cleaning techniques and improved nutrition), and social service intervention.

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(2) Criteria Designating Geographic Areas as High-Risk for Lead Poisoning.

(A) High-Risk Criteria. High-risk determination in geographic areas determined by the department shall be based on the following criteria using the most current data, minimum sample size testing numbers meeting standards for residential identifiers, percent of pre-1950 housing and recent lead poisoning prevalence data for each area:

1. An area that meets the guidelines for designation of high-risk as set forth in Appendix A, included herein; or
2. An area that incorporates a currently operating lead mine, mill or smelter factory and/or a historically operated lead mill or smelter factory until it can be demonstrated that the prevalence rate of lead poisoning of children in the area or parts of the area meet the non-high-risk standards outline in subsection (2)(A) of this rule.

(B) Publishing of Areas. The department shall publish annually by April 1 (beginning April 1, 2004 or within ninety (90) days of the effective date of this rule, whichever is earlier) a listing of designated high-risk geographic areas, based on the childhood blood lead testing data from the most recent calendar year and other newly published official data as mentioned in paragraph (2)(C)1. of this rule. Each annual listing will be made available on the DHSS website.

(C) Reconfiguring Geographic Areas.

1. At the time of the annual lead data analysis described in subsection (2)(A) of this rule, the department will make efforts to reconfigure geographic areas into smaller areas, where at all possible, based on available census data, official population estimates, meeting acceptable margins of residential identification error for all lead tested children, new technology or software making it possible to accurately identify smaller areas, or an acceptable data-substantiated proposal made by a local health agency, as described in paragraph (2)(C)2. of this rule.
2. A local health agency may propose reconfiguration of the size or distribution of its high-risk areas, by submitting the proposal to the department by January 1 of each year. Supporting evidence must accompany the proposal. If the department adopts the proposal, it will be published in the annual listing.

(D) Maintenance or Change of High-Risk Status. High-risk status may be maintained or changed based on test results of a minimum sample size number of children in the geographic area during each of the previous three (3) consecutive years; and test results that have residential identifiers for ninety-five percent (95%) of the EBL children and no fewer than ninety percent (90%) of the non-EBL children during the same three (3) years and meet the high-risk criteria of subsection (2)(A) of this rule.

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(E) Redesignation of Area Risk Status. The department may redesignate a previously designated high-risk geographic area, either totally or in part, as non-high-risk for lead poisoning, or conversely, a previously designated non-high-risk geographic area may be redesignated, either totally or in part, as high-risk for lead poisoning based on the criteria in subsection (2)(A) of this rule or other new substantiated evidence.

1. Smaller geographic areas must be defined by easily recognized boundaries that are approved by the department such as, but not limited to, census tracts, city blocks, or a defined distance from a known lead hazard.

2. A local health agency may propose a redesignation of area risk status, by submitting the proposal to the department by January 1 of each year. Supporting evidence must accompany the proposal. If the department adopts the proposal, it will be published in the annual listing.

(3) Assessment and Testing for Lead Poisoning.

(A) Areas Designated High-Risk. In areas designated high-risk for lead poisoning by the department, every child age six (6) months through seventy-two (72) months of age who are residing in such an area, shall be blood tested once annually for lead poisoning and according to other provisions pursuant to 701.340-701.344, RSMo except as in subsection (4)(B) of this rule.

(B) Areas Designated Non-High-Risk. In areas designated non-high-risk for lead poisoning by the department, every child six (6) months through seventy-two (72) months of age spending more than ten (10) hours a week in areas identified high-risk for lead poisoning by the department, shall be blood lead tested annually. All other children six (6) months through seventy-two (72) months of age shall be assessed annually by the patient lead information questionnaire found in the current "MDHSS Lead Manual" and blood lead tested according to subsection (3)(D) of this rule or other provisions pursuant to 701.340-701.344, RSMo except as in subsection (4)(B) of this rule.

(C) Federal Program Guidelines. If children less than seventy-two (<72) months of age reside in an area designated non-high-risk for lead poisoning and are members of a program covered by federal guidelines that include lead risk assessment by questionnaire or by blood lead testing requirements, they shall be assessed by questionnaire or blood lead tested at the ages stipulated by the federal program guidelines except as in subsection (4)(B) of this rule.

(D) Positive Response Testing. A positive response to any question on the childhood patient lead information questionnaire shall require the performance of a blood lead test within a period described in the current "MHDSS Lead Manual," except as in subsection (4)(B) of this rule.

(4) Written Evidence of Testing or Refusal.

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(A) Testing. Written evidence of a blood lead test on a child that is less than seventy-two (<72) months of age shall be provided to the parent or guardian by the licensed professional prescribing the test. The evidence shall include the name of the child, the child's date of birth, the type of test sample that was taken, the date the sample was taken, and the signature and address of the licensed professional prescribing the test.

(B) Refusal of Blood Lead Testing. If a child less than seventy-two (<72) months of age is identified as being at risk for lead poisoning for any reason and the parent or guardian refuses the performance of a blood lead test, they shall do so in a written statement. Only the parent or guardian of the child may refuse the blood lead test. The written refusal statement shall become a part of the child's medical record and shall include the child's name, reason for refusal, date of refusal, full residential address including the zip code of the parent or guardian refusing the test, the relationship of the parent or guardian to the child, and that the parent or guardian was informed of the long-term health risks of refusing blood lead testing.

(5) Blood Lead Testing.

(A) Blood Test Types. Blood lead testing shall be performed by obtaining a capillary or venous sample.

(B) Methodologies. Both capillary and venous sampling shall follow blood collection methodologies as described in the current "MDHSS Lead Manual."

(C) Confirmation Test. Capillary blood sampling results identified at or above the level of concern, shall be confirmed using a venous blood sample test. All confirmatory blood lead testing, including all retesting intervals, shall be completed using venous blood according to the testing intervals listed in the Childhood Blood Lead Testing and Follow-Up Guidelines found in the current "MDHSS Lead Manual."

(D) Equipment. All samples shall be obtained using lead-free blood collection devices. Only those laboratories certified to perform blood lead analysis by the Federal Clinical Laboratory Improvement Act (CLIA) shall analyze blood samples. Health care providers submitting blood lead samples shall follow the criteria, procedures, and devices for submitting blood lead samples established by the Certified Laboratory to which they are submitting.

(6) Fee for Blood Lead Test Analysis. The State Public Health Laboratory shall charge a fee of sixteen dollars and fifty cents (\$16.50) for each blood lead test performed by the laboratory. Such fee may be waived by the director of the Department of Health and Senior Services during an epidemiological investigation of vital importance to the public health.

(7) Follow-Up of Elevated Blood Lead Levels.

(A) Responsibility. Responsibility for implementing measures for the control and management of childhood

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EBL cases are referenced in 19 CSR 20-20.040.

(B) Guidelines. Guidelines for follow-up testing, treatment, case management and environmental management of EBL cases are found in the current "MDHSS Lead Manual."

(8) Reporting of Childhood Blood Lead Testing and EBL Follow-Up.

(A) Blood Lead Testing. Requirements for reporting by the medical providers, the laboratories performing the blood lead analysis and local public health agencies are found in 19 CSR 20-20.020, 19 CSR 20-20.070, and 19 CSR 20-20.080.

(B) Confidentiality. Requirements regarding the maintenance of confidentiality and release of information are found in sections 701.328(1) and (2), RSMo.

(C) Case Management. Reporting requirements of EBL case management activities for children less than the age of seventy-two (<72) months shall be as follows:

1. Responsibility.

A. A physician, a physician assistant, nurse, hospital, clinic or other private or public institution providing EBL case management for a child shall provide information regarding each case to the department or to the local public health agency.

B. The local public health agency shall forward case management information to the department using the department forms and reporting frequency guidelines as set forth in the current "MDHSS Lead Manual." Record retention policies should follow current industry guidelines.

2. Information. When a child EBL case becomes eligible for the initiation of case management activities according to the Childhood Blood Lead Testing and Follow-Up Guidelines in the current "MDHSS Lead Manual," information regarding all case management events shall be reported as described in subparagraph (7)(C)1.A. of this rule. The case management information to be reported shall include: name of agency performing case management, patient name, date of birth, residential address including zip code, date when first diagnosed, laboratory test results, whether and when chelation therapy was initiated, interventions undertaken, dates and results of follow-up testing, date of and reason for closure of case management.

(D) Environmental Management. The state licensed Lead Risk Assessor responsible for conducting the EBL environmental risk assessment and the development of a management plan for reducing the hazards identified

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shall prepare reports pursuant to 19 CSR 30-70.620 using forms set forth in the current “MDHSS Lead Manual” and simultaneously provide to the department, a copy of the report sent to the property owner. A report of the date of completion of the plan, including clearance testing results, shall be sent to the department within thirty (30) days of completion of the work. If EBL is determined to be due to an environmental release of lead from a mine, mill or smelter or some other current or historical lead industry that the department will notify the Missouri Department of Natural Resources.

(9) Child Care Facility Requirements in Geographic Areas Designated High-Risk for Lead Poisoning.

(A) Enrollment. All child care facilities, as defined in section 701.344, RSMo that are located in a geographic area designated as high-risk for lead poisoning, shall, within thirty (30) days of enrolling a child, require the child’s parent or guardian to provide evidence of blood lead poisoning testing performed within the previous twelve (12) months, in written format from the health care professional that administered the test, as described in 19 CSR 20-8.030(4)(A) and provide assistance to achieve blood testing as stated in 701.340-701.349, RSMo.

(B) Refusal of Testing. Parents or guardians who object to the test shall do so in a written refusal statement as stated in 19 CSR 20-8.030(4)(B).

(C) Frequency. At the beginning of each year of enrollment at any of the facilities described in 19 CSR 20-8.030(8)(A), the parent or guardian shall provide proof of testing or written statement of refusal. The evidence of testing or refusal will not be considered valid at any facility located in an area designated high-risk for lead poisoning if it is not dated within the previous twelve (12) months.

Appendix A

Guidelines For Determining High Risk Areas for Lead Poisoning

The table is an adaptation of the “Guidelines for choosing an appropriate screening recommendation” in CDC Screening Young Children for Lead Poisoning: Guidance for State and Local Public Health Officials, November 1997, p. 50. These guidelines were adopted by the State of Missouri Governor’s Advisory Committee for Lead Poisoning on December 17, 2001. Using census 2000 housing has dropped the national average for pre-1950 housing to 22%.

% Children ages 6-72 months with EBLs ≥ 10 mug/dl [FN1]	% Housing built before 1950 [FN2]	Risk Recommendation
≥ 12%	-	High-risk

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< 12% reliable data	$\geq 22\%$	Non-high-risk
3-12 %	< 22%	% EBL children based on reliable data = Non-high-risk
		% EBL Children based on unreliable data = High-risk
< 3%	< 22%	% EBL children based on reliable data = Non-high-risk
Unknown	$\geq 22\%$	High-risk
Unknown	< 22%	Non-high-risk [FN3]

1. *mug/dl = micrograms per deciliter*

2. *Pre-1950 housing percentage is based on 2000 census data.*

3. *If an area that is designated non-high-risk because the prevalence rate is unknown and less than 22% of their housing is pre-1950, does not test the children as required by Federal Program Guidelines as described in subsection (3)(C) during a period of three (3) years, they will be redesignated as high-risk until a reliable prevalence rate can be determined.*