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Construction site sanitation: water, toilets and washing under Sections 1524, 1526 and 1527

Michael Karl McNeil, REP, RIH, EPP, QSD | McNeil Safety Consulting

This note covers three short sections of California's Construction Safety Orders: Title 8, Section 1524 (Water Supply), Section 1526 (Toilets at Construction Jobsites) and Section 1527 (Washing Facilities, Food Handling, and Temporary Sleeping Quarters). I have set out what each one says about drinking water, toilet counts, the mobile-crew exception and hand washing, with the subsection for each point.

Drinking water: Section 1524(a)

Section 1524(a)(1) reads that an adequate supply of potable water shall be provided in all places of employment. A note under that paragraph points to Section 3395 for additional drinking water requirements in outdoor places of employment. Section 1524(a)(2) then has the employer take one or more of four steps so that every employee has access to drinking water:

- provide drinking fountains;
- supply single-service cups, with a sanitary container for the unused cups and a receptacle for the used ones;
- supply sealed one-time use water containers, with a receptacle for the empties;
- make re-usable, closable containers available for individual employee use, marked to identify the user and kept in a sanitary condition.

The shared water cooler is covered by Section 1524(a)(3). A portable container that dispenses drinking water to more than one person must have a faucet or drinking fountain and must be capable of being tightly closed. Water is not to be dipped from it. Under (a)(4), any container used to store or dispense drinking water is clearly marked as to its contents and is not used for any other purpose. Under (a)(5), individual re-usable containers and drinking cups are not shared, with an exception for those that are safely and effectively cleaned and sanitized between users.

Nonpotable water: Section 1524(b)

A water truck or a hose bib fed from a nonpotable source is a common sight on a project. Section 1524(b)(1) prohibits using nonpotable water for drinking, washing or food preparation. Section 1524(b)(2) requires the outlets to be posted, in a manner understandable to all employees, to show that the water is unsafe and is not to be used for drinking, washing or cooking. Section 1524(b)(3) requires nonpotable systems to be maintained so as to prevent backflow or backsiphonage into a potable water

system. The phrase I underline in (b)(2) is "understandable to all employees." On a crew that reads mostly Spanish, I look for the sign in Spanish.

Toilets: Section 1526

Section 1526(a) sets the ratio: a minimum of one separate toilet facility for each 20 employees or fraction thereof of each sex. The facilities may include both toilets and urinals, provided the number of toilets is not less than one half of the minimum required number of facilities. "Fraction thereof" matters in the arithmetic. As I read it, 21 employees of one sex call for two facilities, and 41 call for three.

Subsection (a) carries two exceptions:

- Where there are fewer than five employees, one single-user toilet facility designated for all-gender use is sufficient.
- A single-user all-gender facility counts as one of the required separate facilities if three conditions are met: the total number of facilities satisfies subsection (a), all single-user facilities are designated for all-gender use, and all multi-user separate facilities are provided in equal number to each sex.

Under (b), not less than one toilet is to be available under temporary field conditions. Under (c), where water closets are not feasible because there is no sanitary sewer or no adequate water supply, nonwater carriage disposal facilities are provided. Unless local regulations prohibit them, these may be chemical toilets, recirculating toilets, combustion toilets, or privies where their use will not contaminate surface or underground waters. Under (d), toilet facilities are kept clean and in good working order, designed and maintained to assure privacy, and stocked with an adequate supply of toilet paper.

The mobile-crew exception

Section 1526(e) states that the requirements of the section do not apply to mobile crews having readily available transportation to nearby toilet facilities. Section 1527(a)(1) has a matching exception for mobile crews having readily available transportation to a nearby toilet and washing facility. Both turn on three words in the text: "readily available" and "nearby." Neither section puts a distance or a travel time on those words, so I do not quote one. I ask the crew where they actually go and how they get there.

Washing facilities: Section 1527(a)

Section 1527(a)(1) uses the same ratio as the toilet rule: a minimum of one washing station for each twenty employees or fraction thereof. Each station must:

- be maintained in a clean and sanitary condition;
- have an adequate supply of water for effective washing;
- have a readily available supply of soap or other suitable cleansing agent;
- have a readily available supply of single-use towels or a warm-air blower;
- be located and arranged so that any time a toilet is used, the user can readily wash.

Section 1527(a)(1)(F) deals with the portable unit. A washing station provided with a nonwater carriage toilet under Section 1526(c) must carry a sign or equivalent notice that the water is intended for washing, and must be located outside the toilet facility and not attached to it. There is one exception: where there are fewer than 5 employees and only one toilet facility is provided, the washing facility may be inside the toilet facility.

Section 1527(a)(2) is a separate requirement for crews applying paints or coatings, or doing other work with substances that may be harmful to them. Washing facilities are to be in near proximity to the worksite and equipped so employees can remove the substance, with water sufficient for effective removal from skin surfaces, soap, special cleansing compounds where they are needed for removal, and single-use towels or a warm-air blower. On coating work I check for a wash station at the work face, stocked with whatever the product needs to come off skin.

Under (a)(3), where showering is required by the employer or by the orders, the shower must meet Section 3366(f). Under (b), food service facilities and operations must meet the applicable laws, ordinances and regulations of the jurisdiction where they are located. Under (c), temporary sleeping quarters, when provided, must be heated, ventilated and lighted and must meet the same local requirements.

These three sections fit on a single page, and I carry them that way: headcount by sex, toilet and wash station counts, the water container and the nonpotable signs, each with its subsection next to it.

Michael Karl McNeil, REP, RIH, EPP, QSD