

Practice for the Approval of the Installation of Composting or Incinerating Toilets in Buildings Not Served with Potable Water

The Question -

Can the installation of a composting or incinerating toilet be approved for use in a building frequented by the public that does not have a potable water supply piped to the building?

Discussion –

There are a small number of buildings used by the public that were constructed prior to the existence of regulations requiring the installation of potable water and wastewater disposal systems, that in fact do not have these systems. Examples include churches, libraries, and Grange halls. A small number of these buildings have site limitations that do not allow for the installation of any type of potable water supply and soil-based wastewater disposal system. The Agency has allowed these buildings to continue their traditional use even though they do not have the water and wastewater systems required for new buildings.

When originally constructed, many of these types of buildings did not include any water or wastewater systems. Occupancy of these buildings for the traditional use is sometimes difficult as the public generally expects to have toilet facilities available. Over time, most of these types of buildings have obtained permits to upgrade the facilities to include potable water and wastewater disposal systems. Those without potable water and wastewater disposal systems have become less viable as the users of these buildings migrated to the buildings with facilities.

The existing Wastewater System and Potable Water Supply Rules, effective August 16, 2002, (Rules) do not allow the use of holding tanks for buildings except for those that are publicly owned or for those with existing wastewater disposal systems that cannot be repaired or replaced in a manner that causes them to be no longer “failed systems” as defined in the Rules. Publicly owned in this context means those buildings under the ownership of the municipal, county, state, or federal government. This provision does not allow for the addition of a potable water supply to an existing building, unless the proposed water supply and the wastewater disposal systems can comply with the Rules.

The Rules require that any project that involves the modification of a building or the change in use of a building that results in an increase in design flow or which modifies other operational requirements of a potable water supply or wastewater disposal system obtain a permit. The permit may only be granted if the water supply and wastewater disposal systems required under the Rules comply with the technical standards of the Rules.

The installation of a composting toilet, by itself, cannot satisfy the requirements when there will be an increase in design flow or a change in other operational requirements for the building. Therefore, if under the Rules, the proposed use of a building requires that potable water be piped into the building, and a potable water supply cannot be approved, a permit cannot be granted for a composting or incinerating toilet.

The installation of a composting toilet or an incinerating toilet does not necessarily require the installation of a potable water supply piped to the building. The installation of a composting toilet or incinerating toilet does mean that some additional cleaning will be required to maintain the toilet, and this could be accomplished with the use of bottled cleansers and disposable paper or cloth towels.

Decision –

A composting or incinerating toilet may be approved for installation in a building that was constructed in accord with state regulations related to potable water supplies and wastewater disposal systems in effect at the time of construction provided that:

- A. the approval will be strictly limited to the number of users and the type of use in existence prior to June 1, 1970;
- B. none of the actions for which a permit is required under §1-402 of the Rules have been taken or have been caused to be taken on or after June 1, 1970;
- C. the proposed toilet unit is determined to be of an appropriate capacity for the use, based on a proposal prepared by a licensed designer;
- D. means of hand washing will be provided with pre-moistened towelettes or disinfecting lotion and paper towels; and
- E. if a composting toilet is proposed, the permit shall include conditions related to the proper disposal of the waste material removed from the unit.

Effective November 5, 2004 _____/s/
Christine Thompson, Director WWMD