

**Rules of  
 Department of Health  
 Division 20—Division of Environmental  
 Health and Epidemiology  
 Chapter 3—General Sanitation**

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## Title 19—DEPARTMENT OF HEALTH

### Division 20—Division of Environmental Health and Epidemiology Chapter 3—General Sanitation

#### 19 CSR 20-3.010 The Construction of Water Supply Wells (Rescinded October 25, 1987)

#### 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 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 (1500) 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 (1500) gallons 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 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.

*Auth: sections 192.005.2. and 701.025—701.039, RSMo (1986). Original rule filed Nov. 25, 1986, effective Feb. 28, 1987.*

**19 CSR 20-3.020 Sanitation of Public Bathing Places**

*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.

(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.

*Auth: section 192.020, RSMo (1986). This rule previously filed as 13 CSR 50-82.010. Original rule filed Dec. 21, 1955, effective Dec. 31, 1955.*

**19 CSR 20-3.030 Sanitation of Preparation Rooms in Funeral Establishments**  
(Rescinded August 27, 1987)

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

*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 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:

(A) Garbage shall mean all solid and semi-solid 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 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.

*Auth: section 192.020, RSMo (1986). This rule previously filed as 13 CSR 50-83.010. Original rule filed May 12, 1949, effective May 22, 1949.*

### 19 CSR 20-3.050 Sanitation of Tourist Courts, Cabins and Resorts

*PURPOSE: This rule establishes sanitation and safety standards for commercial lodging facilities (tourist camps, cabins and resorts).*

(1) Requirements for water supply are as follows:

(A) An adequate, accessible supply of potable drinking water approved by the Department of Health shall be provided at all resorts. Water from a source other than a municipal supply shall not be used until it has been approved by the Department of Health. No unapproved water supply shall be available on the resort grounds for drinking purposes. No common drinking cups shall be allowed;

(B) No municipality, community, institution, corporation, organization, association, firm or person operating, maintaining or offering a resort for use is permitted to furnish any cup, vessel or other receptacle for common use in any such place for drinking or eating purposes;

1. Common use in this section shall be construed to mean for use by more than one (1) person without adequate cleansing and sanitization.

2. Private water supply in this section shall be construed to mean any drinking water supply available to the general public not included under the rules governing public water supplies as defined in 10 CSR 60-2.015; and

(C) No physical connections shall be permitted between any potable private water supply either through cross connections, auxiliary intakes or bypasses and any other supply, except with private water supply approved by the Department of Health.

1. Cross connection in this section shall be construed to mean any physical connection where a potable water supply system is connected with another water supply system in a manner that a flow of water into the potable supply is possible therefrom either directly through the manipulation of valves or because of ineffective check or back pressure valves.

2. Auxiliary intake in this section shall be construed to mean any piping, connection or device where water may be secured from a source other than that normally used.

3. Bypass in this section shall be construed to mean any system of piping or arrangement where the water may be diverted around any part or portion of a water purification plant.

(2) Requirements for sewage and waste disposal are as follows: sewage treatment and waste disposal shall be in compliance with laws and rules of the Department of Natural Resources.

(3) Requirements for health and safety are as follows: all establishments shall be properly constructed, maintained, operated, plumbed, lighted and ventilated and shall be conducted in every respect with strict regard for the health and safety of the guests.

(4) Requirements for buildings are as follows: all cottages, cabins and other buildings provided for living purposes shall be of adequate size, substantially constructed and properly screened with screen not larger than fourteen (14) meshes per inch, except when, in the opinion of the licensing authority, screening is not necessary for certain openings on buildings used for lodging. All buildings used for living purposes shall be properly lighted and shall be properly ventilated.

(5) Requirements for garbage and refuse disposal are as follows:

(A) All garbage shall be stored in containers that are nonabsorbent, of easily cleanable construction and are provided with tight-fitting covers. Garbage cans shall be conveniently located and in adequate numbers for storing garbage from cabins, kitchens, fish-cleaning facilities and any other operations on the premises that may have garbage. Garbage shall be removed from the premises as frequently as may be necessary to prevent a nuisance and unsightliness and disposed of in a manner approved by the Missouri Department of Natural Resources; and

(B) Refuse such as rubbish, trash and other solid waste resulting from operations on the premises of a resort, consisting of both combustible and noncombustible material, shall be stored in a manner which will not