The recently adopted *Rules and Regulations Governing Health and Sanitation of Child Care Facilities* (regulations) which become effective January 14, 2016 more clearly states that all sinks used for food preparation and warewashing shall be indirectly connected to the sewer. While this requirement is not new, the previous regulation language created an inconsistent application of the provision. Consequently, existing facilities with directly connected food preparation or warewashing sinks shall be given an extended period of time to comply with the requirement. Facilities may be given up to 120 days from the date of inspection to comply.

Additionally, Section 7.11 (A)(6) of the “regulations” states,

> “Where structural changes pose a true economic hardship or are too difficult to implement due to space constraints, conflicts with the plumbing code, or building ownership, direct plumbing to the sewer system may be approved by the Department provided public health is protected.”

To ensure consistency by the local public health agencies the following requirements have been established for approving this allowance.

- Financial hardships (estimates shall be provided); or
- Documented conflicts with the local building or plumbing codes based on the necessary modifications; or
- Unusual situations with building ownership such as a very limited operation in a leased space. This may only be approved when food preparation or warewashing is limited to a few items such as the washing of a bag of apples, the knife and cutting board.

In the event that direct draining is approved the following conditions shall be in place:

- The sink shall be washed, rinsed, and sanitized prior to any food preparation or warewashing; and
- Documentation of such approval shall be maintained on site and available for review. The attached form may be used.

Jeff Lawrence, Director  
Division of Environmental Health and Sustainability

Attachment A: Direct Drainage Application
# Direct Draining Application

<table>
<thead>
<tr>
<th>Facility Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Facility:</td>
</tr>
<tr>
<td>Street Address:</td>
</tr>
<tr>
<td>City:</td>
</tr>
<tr>
<td>State/Zip:</td>
</tr>
<tr>
<td>County:</td>
</tr>
</tbody>
</table>

Hardship created by indirectly draining a food preparation or warewashing sink:

☐ Financial Hardship (explain and attach quote):

_________________________________________________________________________________
_________________________________________________________________________________

☐ Conflict with plumbing or building code (explain and attach code):

_________________________________________________________________________________
_________________________________________________________________________________

☐ Unique challenges with building ownership (explain):

_________________________________________________________________________________
_________________________________________________________________________________

I, __________________________________, of ________________, of ________________, Director or Owner of Facility agree to wash, rinse, and sanitize the directly drained sink prior to preparing any food or washing dishes.

I understand that failing to meet this requirement or a change in my operation may result in revoking the direct draining approval and I may be required to indirectly drain the sink(s).

Signature:_________________________________________ Date:________________
Department Use Only:

_____Approved        Additional conditions:

_____Denied          Reason for denial:

Signature:_________________________________________  Date:________________________