



COLORADO

Department of Public Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

PROGRAM:	Child Care
EFFECTIVE REGULATION:	<i>Rules and Regulations Governing Health and Sanitation of Child Care Facilities, effective January 14, 2016</i>
INTERPRETIVE MEMO NO.:	16-01
DATE:	January 14, 2016
SUBJECT:	Application of the indirect draining of sinks in section 7.11

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





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Direct Draining Application	
Facility Information	
Name of Facility:	Phone:
Street Address:	License Number:
City:	License Type:
State/Zip:	Age of Children:
County:	Capacity:

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 _____
Director or Owner Name 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: _____