

**Trstenjak David**

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**From:** Vic Knight (APTS) [apts@westnet.com.au]  
**Sent:** Wednesday, 28 July 2010 1:51 PM  
**To:** waste paper  
**Cc:** Vic at work  
**Subject:** Queensland Waste Strategy consultation draft submission

To Whom it may concern,

On reference to your consultation draft there appears to be no application being made for portable sanitation changes.

On reference to this application I would like to be advised if there is intention to change the regulation.

My belief is that the current act should remain intact due to the following facts.

Over the last 2 years workplace Health and safety have been monitoring select hire companies to ensure they conform to the act. Numerous companies have spent millions of dollars upgrading their toilet fleets to ensure that they comply with the act.

We have been pursuing several Queensland government departments and also members of parliament as to answers as to why only certain companies have been approached yet other companies using non complaint toilets are allowed to continue to operate. These companies are known to workplace health and safety. There is currently an undertaking of several companies to see where they legally stand with this issue.

In regards to the existing ACT:

The following comments are supplied as our opinion as a manufacturer of portable toilets and also as a previous hire company operator.

**Waste tank size:**

The current ACT states that the tank size must be a minimum of 230 litres. This should be reviewed as the very minimum. Due to there being no set time as to when the a portable toilet has to be pumped out, a lot of units in the field reach the average tank capacity prior to pumping out on a fortnightly basis. The average tank capacity at the moment in the field for the most popular toilets is 380 litres. To reduce the tank capacity will require the units to be pumped out weekly or even less than weekly pump outs and place a large cost onto the hirer which in turn will be passed onto the event organiser or builder who will look at ways of reducing the units on site causing further issues. My believe is that the minimum tank capacity should be lifted to a minimum of 300 litres to ensure that the toilet capacity is enough to ensure that the average building site has enough capacity to last between the industry accepted standard of pumping every 2 weeks.

**Straight drop or recirculation of contaminated toilets:**

Recently there has been a lot of imported toilets that are enabling the operator to use recirculation type flushing. This is the use of the waste matter and urine to flush the toilets. This type of flushing has been banned from a lot of countries due to the fact that when the unit is flushed, a certain amount of the liquid is atomised allowing the user of the toilet to breathe in faecal matter. I believe the regulation should be strengthened here as these toilets are appearing on the Australian market and impose a very high health risk. There recently was a chemist employed by a company in Australia that uses recirculating toilets to advise on how they performed over a period but the report did not go into the problems associated with these toilets and only looked at the waste matter in the toilet tank. Not the effects of waste matter left on the bowl or the faecal matter atomised into the air.

The only developed country I know that permit these toilets is the UK and this legislation is under review due

to recent studies on the health risks they impose. I do have high concerns as to why no one is regulating the use of these toilets in Australia due to the health risks they oppose and i am sure that if most of the public using these toilets, realised that the bowl they are about to sit on has been flushed with the waste matter from everyone else that has used the toilet prior to them - they would not use the toilet.

Simply put, a toilet that uses waste matter to flush itself that allows the next user to come into contact with is not a very healthy toilet. Would you feel comfortable sitting on a toilet seat knowing the bowl just below is covered in faecal matter?

#### **Lifting hooks:**

This regulation should also include the fact that the toilet lifting hooks must be provided to the top of the toilet and be NATA certified as some toilets are not capable of being lifted full and have issues of breaking while being lifted and impose risks. Again a lot of toilets have no lifting hooks and some hire operators expect their staff to lift toilets manually onto the back of trucks. These toilets weigh over 85kgs. Top lifting hooks should be made standard to prevent injury and also bottom lifting hooks tend to get damaged when the toilets are loaded at yards by forklifts.

All lifting hooks should meet Australian Standards and be certified. This should be a part of the act to ensure that any toilet is capable of being lifted without having to verify this with a manufacture. Some toilets on the market have lifting hooks but the lifting points but are not capable of lifting the units when full. This should be mandatory as the operator seeing lifting hooks assumes that the toilet can be lifted full and there has been numerous failures in the field. To date I am not aware of any injuries caused by this but it is only a time bomb.

#### **Cabinet construction to remain sound while lifting:**

This policy should be enforced and remain intact as it is pointless having lifting facilities when the cabinet collapses when lifted. There are toilets in the market place that cannot support their own weight while being lifted.

#### **Water Seal Flap:**

The water seal flap is the only part of the toilet that prevents vermin from entering the waste tank. A lot of toilets have flaps but do not hold water so flies, ants etc can easily enter the waste tank. This part of the act needs to be expanded upon so it states a minim of at least 3mm of water is to be held on the flap after flushing. A standard household toilet has a large water seal. A flap on a portable toilet has absolutely no seal without some water being held at the flap .

Without a water seal it allows odours to escape from the tank and vermin to enter the tank.

#### **Freshwater tank capacity:**

One item that really does need attention. Under the act it is required the pumps operates with 200 ml per flush. (This is a minim I believe to ensure that the unit flushes correctly and in our experience any amount less then this does not enable the toilet to be flushed correctly)

If a pump operates at 200 ml and the required freshwater capacity is 20% of the waste tank, then the freshwater capacity is required to be only 46 litres. If the toilet is flushed once at every usage only (most people tend to flush at least twice) then it is good for 230 uses yet the waste tank capacity is good for over 600 uses. This is not including the freshwater used to wash hands. Hence this will not even allow 50 % use of the toilet prior to the unit being un operational.

The minim freshwater tank capacity should be a minim 100 litres allowing for the toilet to be utilised to its full capacity and also enabling people to wash their hands etc. This will allow the freshwater tank to suffice to the capacity of the waste tank.

A lot of toilets on the market place have no positive displacement pump for washing of hands. I.e. it is gravity feed which produces no water or insufficient water for washing of hands. There are toilets on the market place that fail to provide water tho the hand wash facilities.

There needs to be a clear description of the capacity of the water to be provided to the hand wash tank per stroke of a pump and it should be supplied by a separate pump other then the flushing pump for operating

the waste flushing. It should be a positive displacement pump IE the pump displaces water directly and only to the hand washing facility . This ensures that the user wash's there hands in clean water.

There are toilets on the market place that use the same pump and when transported full of waste the pump forms a vacuum and sucks raw waste back into the tank freshwater tank so when the next person uses the toilet they are washing their hands in raw sewerage.

Yes these toilets are sold in Australia on our market.

The only way to completely eliminate this possibility is to have 2 separate freshwater tanks where the hand wash tank is separate from the freshwater for waste flushing. There are toilets all ready on the market like this but the added cost (around\$30) drives the consumer away from buying this type of toilet.

### Compliance.

The most important part of the act is it needs to be clarified who is responsible for ensuring the toilet is to the standard.

The most surprising element to myself is currently that there are some very good , sound regulations in place currently and they represent good practices that should be followed within the portable sanitation industry, yet when we contacted DERM about who is responsible for the regulation to be followed, they advise that Workplace Health and safety are responsible. The reply we received from them that it is up to DERM.

I fully understand that this requires a lot of policing and not all officers in the field are fully aware of the regulation and how do they determine that the toilet is complaint.

This has lead to a spate of non complaint toilets appearing on the market place and even to a point where some of these types of toilets are a time bomb. For one example, recently the Mooloolaba tri had recirculating toilets placed adjacent to eateries and cafes. the cafe operators complained about the smell (front page of the Sunshine Coast daily) It would be worth considering what sort of media frenzy would of evolved if they were aware that the toilets where non complaint and they were using the waste in the tank for flushing of the units. It has been reported had the fact that the atomised faecal matter from a recirculating toilet can travel large distances. I am sure that the people that eat at this event at the cafes adjacent to the toilets would feel uncomfortable if they were aware that of the operation of the toilet. What is more alarming is that when the council , workplace health and safety and local members of parliament where made aware of the fact that very little response was given.

My belief is that the act should be that a toilet must meet compliance before being sold onto the market.

The toilet must show a compliance tag on the outside of the toilet showing the toilet is complaint. It makes it very simple then for any council or workplace health and safety officer to confirm that the toilet is complaint.

It is a simple task to ensure the toilets are complaint and this can be done by either a self assessment by the manufacture or others. At least if the toilet is shown to be complaint and it is not then the company is legally responsible .

At the moment the market is being flooded with non complaint toilets that no one is able to monitor due to lack of resources, that will cause health concerns further down the path, an industry with a lot of non complaint toilets that will cause financial hardship to the industry if they have to be replaced in the future. The longer this problem of non complaint toilets exists the worse the issue is as hire companies are buying toilets unaware that they do not comply, end users are being put into a health risk situation and Australian manufacturers are being penalised and placed under financial hardship due to trying to compete with non complaint toilets that are cheaper to produce.

The other concern and is rapidly growing popularity with in the industry is the possibility of the legal ramifications. There have been a number of toilet operators that have complied to the regulation after workplace health and safety inspections yet there are numerous companies that have not complied. The complaint companies have named the companies to workplace health and safety and there has been no

action to prevent the use of these non complaint toilets. This has also been informed to members of parliament and others with very little or no response.

To prevent the sale and use of non complaint toilets there has to be a clear path as to whom is responsible for policing the regulations otherwise they are not even worth writing.

I look forward to any comments or matters arising from this letter and any information if the regulation for portable toilets is going to be changed.

Have a great day.

Vic Knight

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