**Section 1545.100 Drinking Water**

a) General Requirements:

1) Where water is supplied by the rail carrier for cooking, washing of foods, washing of cooking or eating utensils, washing of food preparation or processing premises, bathing, or drinking purposes, it shall, where available, be from a public supply under the jurisdiction of the Illinois Department of Public Health. Water from a private supply shall meet the standards of the Illinois Department of Public Health, 77 Ill. Adm. Code 900, as well as the U.S. Food and Drug Administration regulations contained in 21 CFR 165.110 (May 29, 2009). The distribution lines shall be capable of supplying operating pressures to all water taps for normal simultaneous operation. Commercially available bottled drinking water may be used to satisfy this requirement.

2) An adequate supply of drinking water shall be made available to all employees. Commercially available bottled drinking water may be used to satisfy this requirement.

3) When necessary, suitable, sanitary drinking water containers shall be available, conveniently placed for the use of employees, but not in toilet rooms. Each container shall be equipped with a sanitary fountain, faucet or other dispenser. Open containers such as barrels, pails or tanks for drinking water from which the water must be dipped or poured, whether or not they are fitted with a cover, shall not be used. Drinking water dispensers shall be designed, constructed and serviced so that sanitary conditions are maintained, capable of being closed, and equipped with a tap.

4) All containers used to furnish drinking water shall be thoroughly cleansed as often as is necessary to assure a sanitary and palatable drinking water supply.

5) The common drinking cup is prohibited. Either single service containers or drinking fountains with sanitary angle head shall be used.

b) Required Locations:

1) Running Facilities: Drinking water containers shall be provided, and drinking water shall be available for use, on the following equipment when in use:

A) All locomotives.

B) Baggage and express cars (when employees are required to work en route), unless another facility is reasonably available (e.g., a passenger car in which water is available being attached to a baggage or express car).

C) Cabooses.

2) Stationary Facilities: Drinking water shall be available to employees who are on duty regularly for periods of time long enough to make the drinking water facility reasonably necessary, at the following locations:

A) All terminals.

B) All yard offices.

C) All stations where a public water supply is locally available (except where water is otherwise reasonably accessible).

D) All shops and engine houses.

E) All signal or section headquarters in terminals and all bunk or section houses.

F) All lunch rooms operated by a railroad on railroad property.

G) Camp cars.

3) Other Locations and Job Sites:

Drinking water shall be made available to employees at other locations and job sites where employees are on duty with sufficient regularity for periods of time long enough to make drinking water reasonably necessary, when determined by the following procedures:

A) An employee requesting water to be provided at other locations and job sites shall contact his/her authorized immediate supervisor, and the parties shall make a reasonable good faith effort to resolve the matter.

B) If the matter is not resolved, the employee may contact his/her authorized employee representative and identify the specific location and reasons for the request.

C) If appropriate, the employee representative may initiate an Informal Complaint with the Commission staff under 83 Ill. Adm. Code 200.160. Commission staff shall conduct a joint informal investigation with parties to determine whether drinking water should be provided at the location.

D) If, following Commission staff's investigation, the matter remains unresolved, a Formal Complaint under 83 Ill. Adm. Code 200.170 may be initiated.

(Source: Amended at 33 Ill. Reg. 13802, effective October 1, 2009)