

333-119-0040

Construction and Operation of Tanning Facilities

Unless otherwise ordered or approved by the Authority, each tanning facility shall be constructed, operated and maintained to meet the following minimum requirements:

(1) Physical facilities:

- (a) All tanning facilities shall be equipped with convenient toilet facilities and dressing rooms. Such toilet facilities shall include a water closet and hand washing sinks. Such toilet and dressing rooms shall be properly maintained, as well as meet all state and local codes.
- (b) All areas of the tanning facility shall be ventilated with at least six air changes per hour or as required by local code.
- (c) Tanning booth temperature shall be maintained below 100 degrees Fahrenheit (38 degrees Centigrade) during booth operation.
- (d) The tanning device shall meet the National Fire Protection Association's National Electrical Code, or be approved by the Underwriter Laboratories (UL) or Electrical Testing Laboratories (ETL).
- (e) Except as otherwise noted by the Authority, each tanning facility shall be constructed, operated and maintained in accordance with applicable city, county and state codes.

- (f) Clean sanitary towels shall be provided to all patrons using tanning facilities.
- (g) A hamper or receptacle must be provided for all soiled towels and linen.
- (h) No pets or animals are permitted in tanning facilities other than service animals.

333-119-0041

Formatted: Font: Bold

(2) Cleaning and Sanitation/maintenance:

- (a) All areas of the tanning facility, including tanning devices, equipment and apparatus, shall be maintained in a clean and sanitary manner by the facility operator. ~~in accordance with manufacturer's instructions.~~
- (b) The tanning device(s) and protective eyewear shall be cleaned ~~with an approved sanitizer~~ after each use by the facility operator ~~in accordance with the manufacturer's instructions. A listing of approved sanitizers is maintained by the Authority and is available upon request of registrants. This listing may change at any time due to updating of state or federal sanitation guidelines. The operator shall use a sanitizer that sanitizes to a safe level of microorganisms as required by these rules.~~ A clean paper or cloth towel shall be used each time the tanning device is cleaned and sanitized. The sanitizer, ~~as described in these rules,~~ is ~~one~~ specifically manufactured for sanitizing ultraviolet light emitting equipment and protective eyewear, and that ~~it~~ does not damage the acrylic lamp covers of the device. The Ultraviolet Light produced by the tanning device itself is not considered an adequate sanitizing agent.
- (c) Protective eyewear and tanning devices shall be sanitized after each use with a sanitizing agent. ~~that is registered by EPA and approved by the Authority using the following procedures:~~
 - (A) ~~immerse protective eyewear for at least one minute in a clean solution (or spray tanning device acrylic surfaces and allow at least one to two minutes of surface contact time with a solution) containing at least 400 ppm (parts per million) of available quaternary ammonium compound at a temperature of at least 75 degrees Fahrenheit; or~~

~~(B) Immerse protective eyewear for at least one minute in a clean solution (or spray tanning device acrylic surfaces and allow at least one to two minutes of surface contact time with the solution) containing at least 100 ppm (parts per million) of available chlorine as a hypochlorite and at a temperature of at least 75 degrees Fahrenheit.~~

~~(d) A test kit that accurately measures the concentration of the sanitizing solution in parts per million (ppm) shall be used to measure the strength of the sanitizing solution when the concentrate and water dilution is initially prepared and at least weekly thereafter to ensure sufficient strength of the sanitizing solution. If a suitable test kit is not available for an approved sanitizer, the laboratory analysis data shall be provided by the product manufacturer, and a copy of it be on file with the Authority. Written procedures at the facility using sanitizer shall include proper mixing and handling instructions to assure proper concentration of the sanitizer.~~

~~(d) An operator cannot require the consumer to sanitize the tanning equipment or protective eyewear and shall not post any signs requesting such sanitation be performed by the consumer.~~

~~(e) The sanitizer must contain a concentration of Quaternary Ammonium between 400ppm-800ppm. A test kit that accurately measures the concentration of the sanitizing solution in parts per million (ppm) shall be used to measure the strength of the sanitizing solution when the concentrate and water dilution is initially prepared and tested weekly thereafter to ensure sufficient strength remains within the sanitizing solution.~~

~~(f) A written policy for cleaning and sanitizing will be available for employees and the consumer. Written policies should address the following:~~

~~(A) Tanning device manufacturer's recommended sanitizer solution and cleaning guidelines.~~

~~(B) Materials Safety Data Sheets referring to the sanitizing agent used by the operator.~~

~~(C) If available the device manufacturer's recommended sanitizer agent to use.~~

~~(D) Location of the sanitizer's application instructions.~~

~~(e) Clean sanitary towels shall be provided to all patrons using tanning facilities.~~

~~(f) A hamper or receptacle must be provided for all soiled towels and linen.~~

~~(g) No pets or animals are permitted in tanning facilities other than service animals.~~

Stat. Auth.: ORS 431.925 - 431.955

Stats. Implemented: ORS 431.930

Hist.: HD 15-1991, f. & cert. ef. 10-1-91; HD 15-1994, f. & cert. ef. 5-6-94; PH 3-2003, f. & cert. ef. 3-27-03; PH 31-2004(Temp), f. & cert. ef. 10-8-04 thru 4-5-05; PH 36-2004, f. & cert. ef. 12-1-04; PH 14-2008, f. & cert. ef. 9-15-08