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The Double Life of **Charley Heltunen**

The owner of A-1 Toilets leads a not-so-secret double life. A full-time elementary school teacher, he's developed a schedule that allows him to succeed at both jobs.

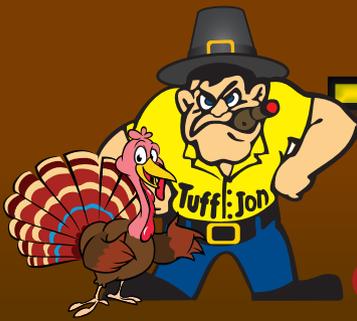
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BUILT IT OURSELVES

When the COVID-19 pandemic caused a run on their hand-wash equipment inventory, the skilled fabricators at Biros Utilities went to work building a homemade solution

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ON THE COVER: Charley and Kaitlin Heltunen bought A-1 Toilets in Michigan's Upper Peninsula to augment his teacher's salary. The couple poses in the company yard with their children, Laisa and Sully. Five Peaks restrooms (now from Satellite Industries) are shown in the background. (Photo by Veronica Urbaniak)

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Published monthly by



COLE Publishing Inc.
1720 Maple Lake Dam Rd. • PO Box 220
Three Lakes, WI 54562

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In U.S. or Canada call toll-free 800-257-7222
Elsewhere call 715-546-3346 • Fax: 715-546-3786
Website: www.promonthly.com • Email: pro@promonthly.com
Office hours 7:30 a.m.-5:00 p.m. Central Time, Monday - Friday

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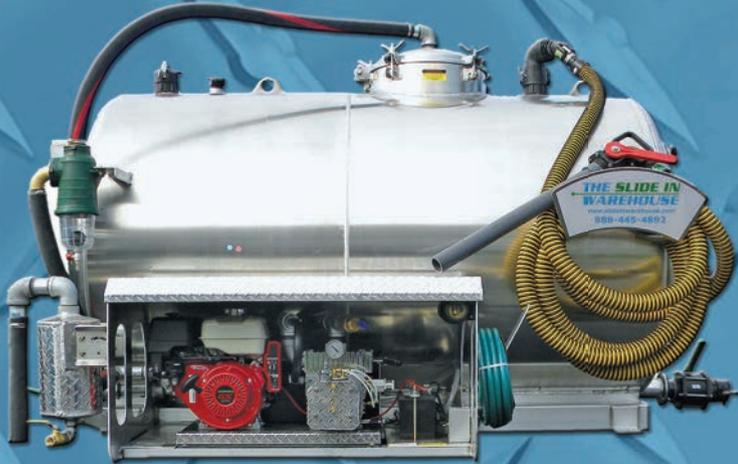
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By Jim Kneiszel

Criminal Behavior and Public Defecation Continue to Plague Restroom Operators

Even being in pandemic mode doesn't put an end to typical problems faced by the portable sanitation community

I often recall my parents telling me what it was like to live through World War II. They were members of the Greatest Generation, willing to make the necessary sacrifices to defeat the Axis powers that threatened the world and our great land. Mom was at home conserving resources and planting a victory garden. Dad was in the Army Air Corps traveling the Pacific to face the enemy.

In those days, seemingly everyone worked together toward a common purpose. I'm sure we all have an idealized picture in our heads of what life was like then in our own hometowns. Despite the war, or maybe because of it, we imagine folks set aside their troubles and bad behavior to defeat a common foe.

When the COVID-19 pandemic struck early this year, I thought this would become one of those moments like World War II, where the problems we may have seen in the recent past would melt away for the time being. For PROs, I thought your sanitation efforts amid the crisis would be recognized and you wouldn't be spending your time dealing with issues like petty crime and government customers hemming and hawing about the cost of placing restrooms where they were critically needed.

BUSINESS AS USUAL

Unfortunately, it has been business as usual as PROs have had to fight the same battles as in pre-pandemic times. The headlines involving the portable sanitation industry over the past several months have been peppered with stories of vandalism, crimes involving your units and pleas for more sanitation services.

Granted, there has been a lot of good news for restroom contractors. Most have stayed busy, trading lost special event business for increased service at construction sites and in many public areas where cleanliness is required. And the demand for hand-wash stations and sanitizer service has exploded — and will probably remain strong when the COVID threat eases.

But when you take a look at a few of these local news stories, you'll see we all have a way to go to put an end to some of the issues that have plagued the industry in the past. There continues to be a lack of consumer education about the need for effective portable sanitation services in many areas. And

governments need to learn when to open their coffers to provide portable restrooms when and where they are needed most.

CONSIDER THESE RECENT STORIES:

NEW MEXICO GROUP SENDS PLEA TO STOP VANDALISM

As COVID-19 settled in this summer, the nonprofit Upper Pecos Watershed Association paid to have 10 portable restrooms added to serve a growing number of campers in the Pecos Canyon in northern New Mexico. Little did they know that their \$1,000 per month gift to the people would be greeted with so much disrespect.

"We have seen the worst behavior that the canyon has ever witnessed, as far as are visitors that we have seen come up. These, unfortunately, are a majority of New Mexicans," Frank Adelo, president of the organization, told KRQE-TV. The units became constant targets for vandalism and visitors

filling the holding tanks with trash. The organization couldn't keep ahead of the damage despite crews cleaning the units twice a week.

"It's disheartening for everybody in our group, a lot of residents in the area and other visitors who come to the area," Adelo said.

USING A PORTABLE RESTROOM TO SMUGGLE POT ACROSS TEXAS

First it was criminals caught using a septic service vacuum truck to transport many bundles of pot. And recently LMTonline reported the arrest of a man who was to be paid \$500 to carry 397 pounds of marijuana — with a street value of \$238,200 — across Texas. The driver of a Chevy 2500 towing a flatbed trailer was stopped and a canine officer sniffed out the restroom loaded with bundles of pot.

The driver was arrested at a highway checkpoint and charged with possession with intent to deliver a controlled substance. He told authorities an acquaintance offered to pay him \$500 to transport the drugs from Laredo to Cotulla. Who were the owners of the vacuum truck in the first case and the portable restroom in the second? I trust these weren't upstanding members of the wastewater industry.

Then there is the lack of awareness from customers about the equipment and know-how it takes to provide an adequate level of portable sanitation service. The education effort is a constant battle, but it's one we can win over time.

PUPPY LEFT FOR DEAD IN A ST. PAUL, MINNESOTA, RESTROOM

In a case disgusting to pet lovers everywhere, a puppy was shot and left in a portable restroom in a St. Paul, Minnesota, park. People in the area reported hearing gunshots and a dog crying in the park, and responding police found the young Labrador retriever mix in the restroom, shot in the snout.

“The little guy was lucky to be alive,” an animal rescue worker told the St. Paul Pioneer Press. The dog, who rescue workers named “Bill,” suffered a broken jaw and shattered teeth when he was left for dead.

Fortunately, a volunteer organization saw to it that the puppy was treated. It recovered and “is a very happy and friendly puppy, eager to greet all people and make friends,” a St. Paul Animal Control worker said.

MAINE LAKE AREA CRYING OUT FOR MORE PORTABLE RESTROOMS

The COVID-19 pandemic prompted many folks to look for safe outdoor activities, and that meant a lot of swimmers and boaters at Long Lake in southwestern Maine. The 11-mile-long lake stretches through Bridgton, Naples and Harrison townships and attracted many new people this year. But the visitors weren’t always following sanitary practices, prompting the Lakes Environmental Association to post a sign saying, “Reminder, the lake is not a toilet,” reported WGME-13 News.

There have been multiple complaints about human waste found on shorelines and private property. The lakes group — calling this a serious

health and sanitation issue — asked local officials to place portable restrooms at several boat launches to address the problem.

“Because boating and lake recreation is a relatively safe activity right now, more people appear to be out on the water and the problem seems to be getting worse,” Colin Holme, association executive director, wrote in a letter to local officials. He said there’s “no excuse for somebody to get off their boat and go on somebody’s property to relieve themselves. That’s just poor upbringing.”

HERE TO SERVE

I know stories like these can be frustrating for portable sanitation providers. Every time one of your units is vandalized, you spend money on labor and parts to repair it and get it back out on the job. And so many bad-news stories can undeservedly tarnish the reputation of your service company and the industry overall.

Then there is the lack of awareness from customers about the equipment and know-how it takes to provide an adequate level of portable sanitation service. The education effort is a constant battle, but it’s one we can win over time.

Is it disappointing that you face the same old issues and challenges when we should all be pulling together to put this pandemic behind us? Yes, it is. But our focus should remain clear to provide the best possible sanitation services no matter what’s going on around us. Stay strong, PROs. ■

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OVERHEARD ONLINE

“While exit interviews can be a useful tool, it’s about more than just collecting data. Companies need to analyze and share the information and then follow up with action.”

– *Why Good Employees Leave and What to Do About It*
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DON'T LOOK BACK

Start Business Planning for a Successful 2021

The ongoing pandemic threw a wrench in most long-term business plans and scrapped even the best-laid plans for 2020. Don't abandon all hope for 2021, prepare instead. Read this exclusive online article to learn more.

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SPEAK UP!

An Effective Safety Culture Is Seen and Heard

Work in portable sanitation has its own set of hazards and concerns. Don't let service technicians get caught off guard; read this online article to see what you can do to improve on-the-job safety.

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Jeff and Terri Wigley are portable sanitation industry veterans, having owned and operated Atlanta-based Pit Stop Sanitation Services for 22 years. Send your questions for them or comments to editor@promonthly.com.



By Jeff and Terri Wigley

Here's the Step-by-Step Process to Become a Woman-Owned Business

Gaining the designation is laborious, but it can give your PRO company a leg up on the competition when it comes to government contracts

QUESTION: My husband and I have owned and operated our company for several years. What do I do to become a woman-owned business? How will such a designation help our company?

ANSWER: A woman-owned business is the designation of a company that, once the requirements are met, is eligible for certain set-aside programs offered by U.S. government agencies, large companies with government contracts and certain industry associations.

Terri operated our company, Pit Stop Sanitation Services in Atlanta, as a certified woman-owned business. According to Terri, this program presents opportunities for which your company may not otherwise be eligible. One cautionary and important point she makes: Do not rely on this special designation as a major source of obtaining business. Certification should merely complement your company's commitment to quality service and a high level of customer satisfaction in all business sectors.

According to the U.S. Small Business Administration, the federal government's goal is to award "at least 5% of all federal contracting dollars to women-owned small businesses each year." Clearly this certification can be of benefit to qualified PROs.

Two designations of women-owned businesses are "Woman-Owned Business Enterprise" (WBE) and "Woman Owned Small Business" (WOSB). The basic requirements for both are straightforward but stringent. The core principle is that the business be at least 51% owned by one or more female American citizen that operates and controls the business on a daily basis. In addition, the business must meet the requirements for a small business.

WOMAN-OWNED SMALL BUSINESS (WOSB)

The WOSB certification program is administered by the SBA and, in addition to the 51% minimum ownership requirement, it also looks at the size of the business according to certain industry standards, primarily NAICS codes. (For reference in completing various forms in this process, NAICS is the North American Industry Classification System and replaced the older Standard Industrial Classification (SIC) system in 1997. The NAICS code for portable toilet rental, service and cleaning is 562991.)

As of this past July 15, the SBA made several changes to this program, and as of October 15, the SBA began issuing decisions on certifications. The updated WOSB Federal Contracting Program regulations can be found at beta.certify.sba.gov.

Keep in mind that this is a process that not every business owner is eligible to participate in, so an investment of your time will benefit your company in the long run.

One important change in the October 2020 process is that third-party certified documentation can be used for this certification as well. (The third-party process for certifying as a "Woman-Owned Business Enterprise" (WBE) is described below.) Self-certification is no longer an option.

Another key component of this program is that certification must be updated annually through both SAM.gov (System for Award Maintenance) and the previously mentioned beta.certify.sba.gov system.

WOMAN-OWNED BUSINESS ENTERPRISE (WBE)

The WBE certification program is provided by several third-party organizations that also offer network and training opportunities with fellow members and other industry representatives.

The four organizations approved by the SBA are:

- Women's Business Enterprise National Council (WBENC) - www.wbenc.org
- National Women Business Owners Corporation (NAWBO) - www.nawbo.org
- U.S. Women's Chamber of Commerce - www.uswcc.org
- El Paso Hispanic Chamber of Commerce - www.ephcc.org

Terri was a long-standing member of WBENC and using this organization as an example will illustrate the goal of these third-party organizations.

WBENC is the largest of these organizations and their certification standard is accepted by over 1,000 corporations in addition to many federal, state and city entities. They offer support, resources, targeted marketing and networking opportunities. The WBENC National Conference and Business

Fair is their largest event to assist certified women-business owners. This organization offers the WBENlink2.0 D Internet Database and is an excellent source of information and includes a repository of certified WBEs.

Fourteen Regional Partner Organizations work with the WBENC to administer certification across the U.S. Refer to the WBENC database, at wbenc.org, for the most convenient regional partner.

WBENC is also an approved third-party certifier for the SBA WOSB Federal Contracting Program.

CERTIFICATION PROCESS AND SUGGESTIONS

As you might imagine, paperwork is involved. But keep in mind that this is a process that not every business owner is eligible to participate in, so an investment of your time will benefit your company in the long run.

Certification is a two-part process: online application and documentation and then a site visit. Preparation in advance will make the entire process run smoother and faster.

Your company must possess three key numbers for you to begin the application process. The Federal Employer Identification Number (FEIN) should already be established for your company as it is used extensively in the annual income tax process. The second number is a DUNS number (Data Universal Numbering System). The third number that is required to work with the federal government is an SAM number (System for Award Management).

The DUNS number is a proprietary system developed by Dun & Bradstreet in 1963 for credit reporting practices. Over time, the DUNS number was so widely adopted by industry and trade associations throughout the world that in 1998 it was incorporated as the U.S. federal government's contractor identification code. One phone call to Dun & Bradstreet at 866-705-5711 will complete this process at no charge. Once on the phone, indicate that you are a federal grant applicant and inquire if your company already has an assigned number. If so, record the number and you are finished. If you do not have a number, remain on the line and you will be assigned a DUNS number for your company.

The SAM number (System for Award Management) is found on an official website of the federal government that allows your company to do business with any entity within the U.S. government. By proceeding in the recommended order of operations that has been described in this column, the requirements for a SAM number are easily met. Merely sign on to the website sam.gov and enter your company's FEIN number and DUNS number. The SAM number must be renewed annually.

The only additional requirement is your company's banking information to set up electronic funds transfer (EFT) payments from your governmental customer for timely invoice payments.

STEP 1: ONLINE APPLICATION PROCESS

With all the government-required identification numbers established, the application process is straightforward. The best advice is to thoroughly complete one step before going on the next. Our advice is to think of the adage, "How do you eat an elephant? One bite at a time." Please keep in mind that all this information is confidential with the certification committee.

GENERAL INFORMATION: This is a major point in the application process. You will sign an affidavit that you own at least 51% of the company and this document is then notarized.

OWNER IDENTIFICATION: You must present an accepted form of identification (generally a driver's license) as well as proof of U.S. citizenship. Financial information: Current financial statements, federal tax returns, any loans and real estate leases are the basics of this requirement. In addition, your corporate resolution and bank signature card will give further evidence of your role in the company.

PERSONNEL INFORMATION: Employee payroll information as well as W2 or 1099 records for all owners, officers or directors of the company for the most recent year.

MANAGEMENT INFORMATION: Your resume in addition to any other legal employment documents you may possess, such as consulting agreements with other individuals or companies.

GOVERNANCE INFORMATION: These are legal documents that define your company as a sole proprietorship, partnership or corporation. After completion of the online application, you are assigned an applicant number and the data is then analyzed.

STEP 2: SITE VISIT

Once notified that the application is complete and meets all requirements, a site visit is arranged. The objectives of this visit by a member of the certification committee are to:

- Meet the applicant one-on-one.
- Discuss the application in terms of any questions or additional information needed.
- Tour the facility and better understand the business.
- Have short conversations with several of the employees to ascertain their views of the company as well as to ensure that the owner-applicant has a day-to-day presence in the business.

After the site visit is complete and, once approved, you are certified as either a WBE or a WOSB.

RENEWAL

The certification renews annually, and the goal is to merely verify the information that is on file and to update any changes in the business. As previously noted, do not forget to also renew your SAM registration annually.

FINAL THOUGHT

While good customer service, high employee satisfaction, effective sales and good financial management are keys to success in your business, additional certifications can create a competitive advantage. The WBE and WOSB certification programs are intense, laborious, thorough and complete. While some of the requirements may seem detail-oriented, keep in mind that this ensures only qualified contractors will be certified. These certifications can lead to increased business and that is an asset to your company. ■

Jonathon and John Biros are shown with Jonathon's twin sons, Jonathon "Jay" and Alexander "Zan," the namesakes of the JayZan 2020 hand-wash stations built by Biros Utilities. In the background are PolyJohn restrooms. (Photo by Kevin Blackburn)

BUILT IT OURSELVES

When the COVID-19 pandemic caused a run on their hand-wash equipment inventory, the skilled fabricators at Biros Utilities went to work building a homemade solution

By Steve Lund

Biros Utilities Inc.
 Sheppton, Pennsylvania

Owners: John and Jonathon Biros
 Founded: 1987
 Employees: 24
 Services: Portable sanitation, fencing
 Service area: 10 counties around Sheppton
 Website: www.birosutilities.com



The ability to manufacture portable hand-wash stations for their customers kept Biros Utilities of Sheppton, Pennsylvania, at full staff, even during the worst of the economic slowdown that started this past spring.

As it did elsewhere, the COVID-19 pandemic wreaked havoc on the portable restroom business in Pennsylvania. Everything suddenly came to a standstill: Construction sites were shut down and special events were canceled.

But as construction work began to recover, concern about the coronavirus created a new opportunity. Demand for portable hand-wash stations went through the roof. Biros Utilities had a fairly large inventory of them, more than 200, from PolyJohn and Satellite | PolyPortables. But they needed more and were having difficulty sourcing them due to staggering demand.

"We were running in short supply," says Jonathon Biros. "Our suppliers were not able to supply us with wash stations. With the restrictions and the emphasis on hand washing and sanitizing, we had to go in a different direction. We started to manufacture our own."

John Biros, Jonathon's father and one of the founders of Biros Utilities, had a lot of experience in welding and metal fabricating. He went to work building a prototype, with his grandsons, age 5, helping to make the first templates out of cardboard. His first prototype would have worked, but he figured that it would be too complicated to weld and too expensive to manufacture.

Eventually he designed a portable wash station with an aluminum frame, a 25-gallon PVC water barrel and an 8 mL wastewater bladder. The washstand has a foot-operated water pump, a palm-operated soap dispenser and a pull-down paper towel dispenser. It was designed to be transportable inside a portable restroom.

TAKING UP THE SLACK

John Biros figured this could be manufactured at a reasonable cost, and he dubbed it the JayZan 2020 after his twin grandsons, Jonathon, who goes by Jay, and Alexander, who goes by Zan. Biros Utilities started out by making 50. The workers whose routes had been cut by the economic slowdown were kept on the payroll to help with the manufacturing.



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Right: Landon Pecika and Brad Kline prepare to load JayZan 2020 hand-wash stations for delivery. Customer demand for hand-wash equipment has grown tremendously.

Below: Technician Pecika services an Armal restroom. Biros Utilities builds out its own trucks using Conde pumps (Westmoor) and tanks provided by Crescent Tank, Best Enterprises, Garsite/Progress and Preston Biros.



A NEW NORMAL

Before the pandemic, the usual ratio of restrooms to wash stations was between five and 10 restrooms for each wash station. Now, Jonathon says, it's more like three restrooms for each wash station.

"That's going to be the new normal," Jonathon says. "Previously it was rare for wash stations to be ordered for a construction site. Now, it seems like all the construction sites across the board are going for one restroom unit and one wash station."

The pandemic also created demand for portable restrooms, wash stations and even restroom trailers in new places. These included:

- Warehouses and loading docks. Companies receiving deliveries would not want the delivery drivers to come into the building, so they would have restrooms and washstands set up outside.
- Hospital test sites. Some hospitals that were testing employees before they entered the hospital needed portable restrooms and washstands or restroom trailers at the testing site.
- Small businesses, as they reopened, needed wash stations
- Funerals, which were often held outside, instead of inside churches.
- Graduation parties. Big graduation ceremonies were all canceled, but some families still had outdoor graduation parties, and they would order portable restrooms and washstands so people would not have to go into the house.

FAB HAPPY

Designing and manufacturing hand-wash stations wasn't much of a stretch from routine for Biros Utilities. Welding and fabricating things from metal is in the company's DNA. John Biros' father, a welder who immigrated to the United States in the 1950s from what is now Slovakia, opened a welding shop here and became a U.S. citizen. John, the oldest of his seven children, grew up around the welding shop. He says he learned to weld and drive a truck when he was 10 years old.

Once his father gave him a "summer school" project, designing and building a wrought iron stair railing for his uncle. His father just told him to

"Everybody was down in the dumps when the pandemic started," John said. "They wanted to keep working."

And they did, thanks in large part to the JayZan 2020 hand-wash station. The first 50 were rented out quickly. When there were only 10 or so left in the yard, they built another 50. Every time the inventory would start to run low, they'd build another batch. By mid-July, they had built 300 and were adding about 100 more wash stations a month.

As lockdown restrictions gradually eased and work resumed at construction sites, demand for hand-wash equipment was heightened. The Pennsylvania Department of Transportation, a regular customer for Biros, was one of the earliest organizations to resume work, and it required wash stations at every job site.

Hand-wash stations used to go out of the yard and come back quickly because most of them were used for parties and special events. Now, they were going out to construction sites with the portable restrooms, and they were staying on the sites.

"Our units are thoroughly cleaned. We've put a good team together. Our office staff, instead of taking complaints, they are taking calls commending our drivers for their good service."

JONATHON BIROS



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Left: Hand-wash stations fabricated by Biros Utilities, along with PolyJohn restrooms, wait to be deployed.

“measure it up” and gave him all summer to work on it. At summer’s end, they installed it.

“Fortunately, everything worked out well, so I got an A-plus,” John recalls.

He has used those skills in the portable restroom business in numerous ways. Biros Utilities outfits its own trucks, sometimes even building their own aluminum tanks for pickup trucks. John has also designed and built restroom trailers.

ADDING WATERLESS URINALS

John Biros, one of the owners of Biros Utilities, remembers well when he decided to use waterless urinals in his homemade restroom trailers. It was in 2004, and waterless urinals were rare then, at least in Pennsylvania.

He had built a restroom trailer specifically for a county fair. It looked like a little barn. One night he got a call that the wastewater tank was overflowing. He went to investigate and found that the valve on the urinal was stuck open.

“After pumping that, and that was a late-night venture, the next day I was on the computer looking to see if I could locate waterless urinals. They were few and far between,” John remembers. “Waterless urinals were heard of, but they weren’t quite available in the states.”

After some investigation, he found the best way to get one was to have it delivered from Australia. It took a month to ship. When it arrived, he built a 6-by-12-foot restroom trailer with two stalls for women, one stall and a waterless urinal for men.

“I took that unit to a trade show. I noted that all the American manufacturers there had water urinals,” John recalls. He also said he spoke to a lot of people who had had similar experiences to his with a valve sticking on a urinal causing a late-night service call.”

Evidently the American manufacturers heard the same complaints. A couple years later, John says, Sloan came out with a waterless urinal. “In 2020, almost every manufacturer out there is using waterless urinals,” he says.

EXCAVATION ROOTS

Portable restrooms were a sideline for Biros Utilities in the beginning. John and his brother Michael had been operating a septic pumping and excavating business together since 1987, and the business grew to include other services, including portable sanitation. In 2000 the brothers split the business, with Michael taking the septic pumping and John taking the excavating business and portable sanitation. For years, excavating was the dominant part of John’s business.

That changed with the housing collapse in 2008. The company had been doing water and sewer work and residential construction, but all that work evaporated. So John refocused. “The portable restroom side of the business became the provider, when before the excavation side had been the provider,” he says.

There was no big turning point in the portable restroom business, just steady growth. He hired a full-time salesperson and a marketing director. The company no longer provides excavation services.

“It just kept growing. Our coverage area went from about 15 miles to about 75 now,” John says. “Our service sells the business.”

The company has 24 employees. Family members on the staff include John’s wife, Ann, who works in the office, Jonathon, and Jonathon’s nephew, Preston Biros, who drives routes.

Many of the crew are longtime employees; several have been with the company more than 20 years. The company does not offer health insurance to the entire staff, but John says there are other perks that keep the employees satisfied with their jobs.

“That’s going to be the new normal. Previously it was rare for wash stations to be ordered for a construction site. Now, it seems like all the construction sites across the board are going for one restroom unit and one wash station.”

JONATHON BIROS

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Right: John Biros welds on a base of the JayZan 2020 hand-wash station.



"They are out on the road, not in factories or warehouses," he says. "Some are former over-the-road truckers who decided they wanted to be home at the end of the day. The overtime that they work, the atmosphere, there are a bunch of different ways that we take care of people."

A FIT FLEET

He says he appreciates that the workers understand the importance of good service.

"Our units are thoroughly cleaned," he says. "We've put a good team together. Our office staff, instead of taking complaints, they are taking calls commending our drivers for their good service."

Over the years, Biros Utilities acquired the inventories of a couple of small portable restroom operators. The company now has about 2,000 portable restrooms from a variety of manufacturers plus about 200 commercially made hand-wash stations in addition to the JayZan 2020 hand-wash stations and sanitizer stands the company has manufactured. The company operates from a 5-acre property in Sheppton, about 50 miles southwest of Scranton. There is a 6,000-square-foot building and a 1,700-square-foot office building.

The fleet includes 14 trucks, mostly Dodge Ram 5500s bought new, then outfitted by the Biros Utilities crew. "We do the outfitting with tanks, pumps and gates ourselves," Jonathon says. "We do it all in-house."

They use 600-gallon waste and 300-gallon freshwater steel tanks, made by Crescent Tank, Garsite/Progress, Best Enterprises and Preston Biros, and they usually pair them with Conde pumps (Westmoor). The Biros crew also fabricates square aluminum 300-gallon waste and 160-gallon freshwater tanks to fit on the beds of pickup trucks. The company also uses a septic

hauler, an International with a 5,000-gallon aluminum tank and Conde pump, to take wastewater to treatment plants.

Biros Utilities still has some excavating equipment, but these days, it mostly sits idle.

CANCER SURVIVOR

John Biros, 62, could be said to be living on borrowed time. In 2015, he was diagnosed with a rare form of cancer that affects his kidneys, lungs and liver. He was scheduled for an operation in Allentown, but after they opened him up, the doctors there decided they were not able to help him and directed him to other hospitals. Biros ended up going to The Johns Hopkins Hospital in Baltimore. After 28 days of radiation treatments and a six-week recovery period, he had a 15-hour operation in which his kidney was removed. Doctors told him he could expect to live four to six months.

That was five years ago. In the meantime, he went to Colorado where he started using medical marijuana. He started that therapy in January 2016. He believes that helped shrink his tumor significantly.

"I've been working ever since," he says.

He also went to Houston to take immunotherapy, which he says has also been helpful.

"We're taking it one day at a time," he says, when asked about his plans for the future. "We're waiting to see what happens with this pandemic."

BUSY DESPITE THE VIRUS

Seasonal and special events like fairs and concerts typically amounted to about 25% of the portable restroom business for Biros Utilities. This year, except for some graduation parties and funerals, the special events have all been wiped off the calendar.

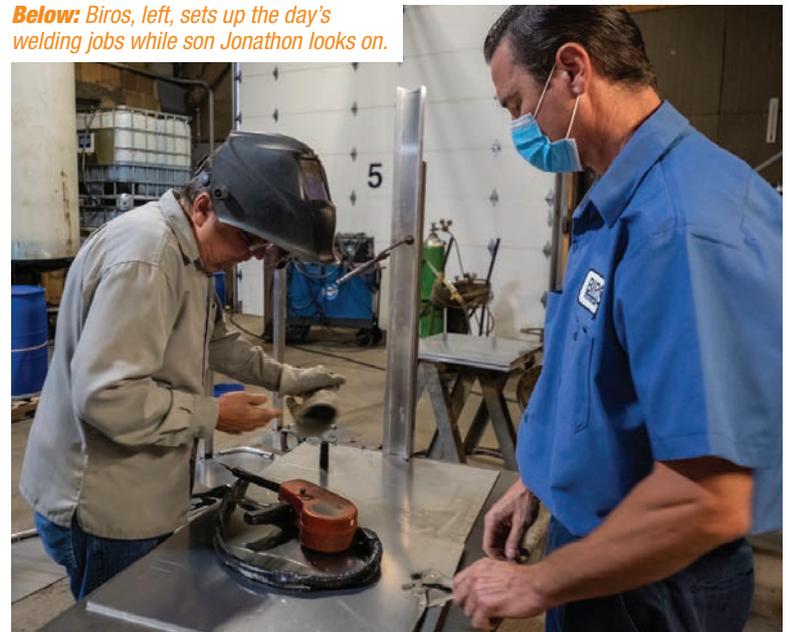
In spite of that, Biros Utilities has been busy enough that it did not have to lay off anyone and actually had to add another driver.

The company's marketing push this year has been to reach out to existing customers and potential customers to make sure they know that Biros Utilities can provide hand-wash stations.

Jonathon says that the emphasis on cleanliness has prompted customers to want more service for their restrooms and hand-wash stations.

"Our business wound up where a lot of construction companies want two or three-times-a-week service," he says. "We had to add people to keep up with demand." ■

Below: Biros, left, sets up the day's welding jobs while son Jonathon looks on.





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Protect Your Company's Name, Logo and Other Intellectual Property



Trademarks, patent and copyright law should be employed to keep others from benefitting from your company's valuable image

By Tim Dobbins

Your portable restroom business's trademark is its brand name. You've worked hard to establish your brand, so how can you protect it from infringement?

Gary Lambert is the founder and managing partner at Lambert Shortell & Connaughton and has a long history of obtaining and protecting registered trademarks for a diverse range of clients. In a recent virtual training session at the *Portable Restroom Operator* website, www.promonthly.com/video/webinar/business-patent-trademark-and-copyright-law, Lambert discusses how businesses and individuals in the water and wastewater industries can protect their proprietary goods and services.

TRADEMARKS

A trademark can be any word, name, symbol or device, or a combination of these, used to describe and identify a company's goods and services. The term "service mark" is often used to describe and identify a service separate from goods, but the two can be used interchangeably.

Once you decide on your trademark, the next step is to protect it through registration. You may have noticed the registration mark (®) following a name or product logo. This is the symbol of a registered trademark. Do note that it is unlawful to use that symbol with your trademark prior to approved registration.

The TM symbol (**TM**) represents common law trademark and shows that a company has trademark rights but has not registered it. In the U.S., parties are not required to register their marks to obtain protectable rights, though a registered trademark will be much more secure if infringement accusations ever arise.

When looking at existing registered trademarks that involve wastewater, there are certain points to pay attention to when determining if you are infringing on an existing mark or if someone is infringing on yours.

The registration date is important because the examiner and the patent and trademark office can only deal with who filed first. The next thing listed will be the international class. This number is one of 45 classes that defines a category that the trademark or service mark falls into. Following the international class will be the first use.

"First use is everything in trademark. It dictates everything in the end. When the smoke clears, what matters is first use."

Gary Lambert

"First use is everything in trademark," Lambert says. "It dictates everything in the end. When the smoke clears, what matters is first use."

If there is likelihood of confusion or controversy from another business or individual about competing trademarks, the battle comes down to who used it first.

"Likelihood of confusion" is also important and is the most common reason a registration request is denied. Likelihood of confusion only exists when the marks are similar and the goods or services of the parties are related such that consumers would mistakenly believe they come from the same source.

The trademark office lists a number of examples of what makes trademarks similar. Sound can make a mark similar. Even if it is spelled differently but sounds similar when spoken, the trademark office will consider them too similar to register. Appearance of the brand name or logo is another more obvious factor considered.

One that is maybe not as obvious but recognized by the trademark office is the meaning of a certain phrase or word. Lambert uses the word "Lupo" as an example. Lupo would be denied if a similar company had already registered the trademark "wolf" because lupo is the Italian translation of wolf. Other grounds for refusal include using largely only a surname or geographically descriptive origin of goods or service.

Something else you may want to consider is trade dress. This refers to the total image or overall appearance of something. It may include size, shape, color, color combinations, texture, graphics or even certain sales techniques. Trade dress can be registered, but it must be distinctive and cannot be a functional characteristic of the good or service.

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PATENTS

Patents differ from trademarks and are summarized as the right to exclude others from making, using, offering for sale or selling an invention in the U.S.

“A patent does not make you money; it prevents other people from making money,” Lambert explains. “Now, you might make money by preventing others from making it, but a patent by itself isn’t going to write you a check.”

Two types of patents apply to the wastewater industry: a utility patent and design patent. Utility patents protect any new and useful process, machine, article of manufacture, composition of matter or any new and useful improvement, whereas a design patent protects a new, original or ornamental design for an article of manufacture.

To receive a patent on a design or utility, the invention must be completely novel. This is strict and means that a patent cannot be obtained if the invention was already patented, described in a printed publication, in public use, on sale or otherwise available to the public before the patent claim’s filing date.

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GET PROTECTION

Knowing and using whichever protective measure applies to you and your brand name will help ensure the longevity of your property. Don’t be afraid to seek the guidance of a trademark lawyer to make the process smoother and to ensure you are getting the proper registration. ■

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The Double Life of Charley Heltunen

The owner of A-1 Toilets leads a not-so-secret double life. A full-time elementary school teacher, he's developed a schedule that allows him to succeed at both jobs.

By Peter Kenter | Photos by Veronica Urbaniak

Charley Heltunen is a third grade teacher who also happens to be the owner of A-1 Toilets, in Calumet, a small town on Michigan's Upper Peninsula. At 31 years old, he and his wife, Kaitlin Heltunen, closed the deal on A-1 Toilets on March 1, 2019, and with a slight rebranding, reopened as A-1 Toilets.

How does a teacher become the owner of a portable restroom business? By chance.

"My dad rented a couple of portable restrooms from A-1 in the summer of 2018," Heltunen says. "He got into a discussion with the owner about how he was looking to sell the business. My dad texted me and asked me if I wanted to buy a couple hundred portable restrooms."

Heltunen had considered going back to school so he could become an education administrator. But he realized that buying the business could be a better financial prospect than losing income and paying substantial tuition fees while upgrading his credentials. He opted for A-1 instead.

The sale included 263 portable restrooms, three vacuum trucks and the services of Paul Eisenman, a 17-year veteran employee. About 80% of the clients are regular summer residents who renew their contracts year after year. Other clients include construction companies and residents hosting weddings and other events.

Heltunen currently offers 267 portable restrooms. The majority are branded Five Peaks (now from Satellite | PolyPortables) with a few older PolyJohn units. Their 13 hand-wash stations include PolyJohn Bravos and Sierra RideAlongs (now from Satellite | PolyPortables).

A-1 operates two 2002 Ford F-450 diesel 4x4s with 450-gallon aluminum waste tanks and Masport pumps from Imperial Industries. Separate plastic 100-gallon freshwater tanks are supplied by Kentucky Tank. A back-up truck is used during summer — a 1995 Ford Super Duty with a 350-gallon rectangular stainless steel waste tank manufactured by the previous owner and a Masport pump.

Three flatbed snowmobile trailers are used to transport restrooms: a 22-foot FLOE trailer for up to 12 units; a 20-foot Triton trailer for up to 10; and a 10-foot Newman for as many as four.

A-1 serves an area roughly 40 miles northeast to the shores of Lake Superior and 60 miles south.

Charley and Kaitlin Heltunen of
A-1 Toilets in Calumet, Michigan



EXPLORE FIVE ISSUES THAT AFFECT CHARLEY HELTUNEN'S PORTABLE SANITATION BUSINESS:

1 BALANCING THE SCHEDULE

As a devoted schoolteacher, Charley Heltunen puts students first. But the rhythm of the school year balances nicely with the rhythms of the portable restroom business.

Kaitlin provides year-round office support, fielding customer calls and deploys trucks and restrooms.

A-1's quieter months are October to April. Summer residents fuel the busiest period, with the business ramping up slowly in May when work entails more than employee Eisenman can handle.

"The former owner, Jerry Tabor, fills in for about four weeks, and I start taking part of the route after school," Heltunen says. "When school ends at the beginning of June, I take over the route

full time until the last few days of August when school starts again."

The most hectic period for the business is July to September when almost 80% of the units are rented on monthly contracts and work can expand to 80 hours per week. Last August, A-1 handled 27 events including weddings and auctions in a single weekend.

In the fall, Heltunen's brother-in-law, a police officer working on night shift for a local university, drives a route each morning until early November, by which time only a dozen or so units remain rented, primarily for construction clients and ski trails. It works out well for Eisenman, who enjoys winter curling and chooses one day a week to pump.

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“I’ve heard that you need about one person per 100 portable restrooms and that means we should already be hiring two and two-thirds guys. ... We’re looking to see how the economy recovers, at which point we might hire somebody part time.”

CHARLEY HELTUNEN

2 DECIDING WHEN TO GROW

In the past, the business has relied on digital marketing and advertising through companies such as DexYP. However, Heltunen says he’s not ready to expand advertising efforts.

“Advertising and promotion are expensive and I don’t want to push toward growth we can’t handle over the short run,” he says. “I’ve heard that you need about one person per 100 portable restrooms and that means we should already be hiring two and two-thirds guys — we’re two-thirds of a guy short already. We’re looking to see how the economy recovers, at which point we might hire somebody part time. If the demand comes, my father-in-law is ready and waiting in the wings.”

He says he’d like to redeploy some of his restroom fleet by buying some luxury restroom trailers for weddings, then cycling some of the older units into construction contracts.



Above: Charley Heltunen loads a Satellite I PolyPortables restroom for delivery.

Above Right: Heltunen prepares to restock paper products in his service truck.

3 PLANNING FOR THE FUTURE

As a teacher, Heltunen can retire in his mid 50s. What he’ll be doing with A-1 Sanitation at that age depends on the performance of the business.

“We financed the purchase of the business with a loan that comes due in the summer of 2024,” he says. “When that loan is settled, I’ll definitely continue teaching for at least another year. Then we’re going to think seriously about whether I should continue teaching or devote my energies to A-1 full time.”

Heltunen foresees the possibility of expanding the business into other areas that will provide greater opportunities during the colder months. “I’ve been doing a lot of reading in *Portable Restroom Operator* and *Pumper* about what portable restroom operators are doing in the off-season,” he says. “We might look at something like snow removal work for example.”



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4 RECOGNIZING THE IMPORTANCE OF EDUCATION

Heltunen recognized the importance of learning everything he could about the business. He engaged in ride-along training sessions prior to buying the business.

Becoming the licensed owner and “responsible agent” for A-1 also required him to earn 10 continuing septage education (CSE) credits recognized by the Michigan Department of Environment, Great Lakes, and Energy. Maintaining that license requires him to earn another 30 CSE credits over five years.

“Taking those courses made me realize I still have a lot to learn about the business,” he says. “It underscores the importance of earning those additional CSE credits.”

He also likes to educate his customers with a series of light-hearted blogs. One blog encouraged customers to not treat portable restrooms like trash bins, and recounted all the items he’s pumped out of them, from iPhones and fully wrapped Snickers bars to sandbags and six packs of beer.

He’s also used his portable restroom experience in class, explaining, for example, the effect of wind on structures. “I told them how one of my restrooms was knocked over in a strong windstorm,” he says. “I told them how I had to shovel it out, then stand it back up. They think it’s very funny that I’m so fired up about portable restrooms.”

Below: Heltunen uses a stencil to apply the company name to a Satellite I PolyPortables handicap restroom in the company yard.



Right: Heltunen and employee Paul Eisenman are shown with one of their vacuum trucks built out by Imperial Industries with an aluminum tank and Masport pump.

5 CUSTOMIZING EQUIPMENT FOR EFFICIENCY

The company’s previous owner ordered all of his waste tanks mounted sideways on his service trucks, with hose reel mounted on the driver’s side. It’s a design Heltunen has come to appreciate.

“It provides easier access for the driver,” he says. “When you jump out of the truck, your hose reel is right beside you. Also, if you’re carrying a tank half full of waste, the sloshing of the waste in the tank is lessened when you slow down and speed up.”

Heltunen also likes that the layout frees up just enough of the truck bed to carry an extra pair of portable restrooms, in addition to the two he carries on his hitch gate. He’s planning to order another flatbed rig from Imperial Industries if things get any busier. Would he order his waste tank placed sideways or front to back? “Sideways, definitely,” he says. “I’m sold on that design.” ■



Left: Heltunen stops to service restrooms in Hancock, Michigan, using his truck built out by Imperial Industries and carrying a Masport pump.

MORE INFO

Imperial Industries, Inc.
800-558-2945
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See ad, page 43

Kentucky Tank, Inc.
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Masport, Inc.
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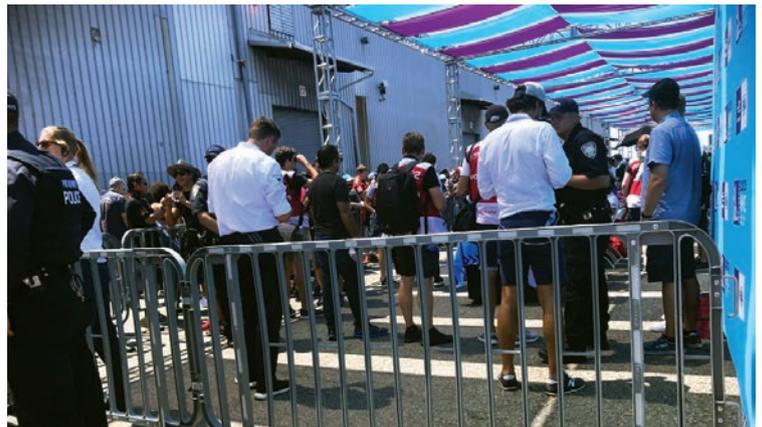
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PRODUCT NEWS



PRODUCT SPOTLIGHT

Lightweight Lantis Barrier barricades resist damage

By Tim Dobbins

Pedestrian barriers are commonly used to establish boundaries between public access and areas where people are not allowed or to help direct the flow of movement. It is common to see them in the same settings where portable restrooms are needed, so when a customer calls looking for portable restrooms, offering temporary fencing can provide an additional source of income.

The most common barricades are made of steel, and the metal can rust over time, diminishing the aesthetics and strength of the barricade. Metal is also heavy and cumbersome to deploy and move around. Oxford Plastics worked with a team of chemists and engineers to develop the Lantis Barrier.

This barrier is produced using 85% PCR, or post-consumer resin, an environmentally friendly option that uses recycled plastics, according to David Sardinha, vice president of sales at Oxford Plastics USA.

Each barrier weighs 32 pounds and includes a molded easy-carry handle to make installation easier and more efficient. Oxford Plastics focused on making the barriers lighter and also engineered them for strength. "There's strength, durability and flexibility with the Lantis Barrier," Sardinha says. "In the event that a barrier is driven over or into, there's give, and if warranted, repairs are easy."

Before releasing the barriers to the public, Oxford Plastics put them through rigorous testing, including a 30-foot drop test, a drive over test and general wear and tear.

The feet on the barriers are designed to swivel, allowing the them to stack horizontally or vertically, allowing a greater number of barricades to securely stack, creating efficiency in storage and in transportation vehicles. They are 43 inches tall, 83 inches long with connectors, and 1.5 inches wide. Without connecting pieces, they are 75.3 inches long. The connectors are designed to be compatible with steel barriers, so linking to an existing equipment is possible. Barriers come in a standard color of gray, but can be ordered in branded colors and with logos. **800-567-9182; www.oxfordplasticsusa.com. ■**

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SLIDE-IN UNITS

By Craig Mandli

SLIDE-IN SERVICE UNITS

AMERICAN TANK 400-GALLON SERVICE UNIT

The **400-Gallon Service Unit** from **American Tank** has a 300-gallon waste and 100-gallon water split tank designed to back up to the headache rack on a flatbed truck, fitting in the center of the bed allowing easy access and workability. The unit fits on any type of chassis and can even be mounted on a smaller chassis such as a Ford F-350. It



weighs approximately 1,150 pounds empty. The engine/pump package can be installed in several locations, including on the driver's side on the end of the tank so that the driver/operator can access it when they step out of the cab. The tank/pump package can be any combination, including Masport, Jurop, Fruitland, National Vacuum or Conde. It comes with 30 feet of suction hose and wand and a 15-foot section of discharge hose. Various water pump options are available, and it comes in a variety of colors. **254-938-2564; www.atcvacuumtruck.com.**

CRESCENT TANK VACUUM TANK

The **Crescent Tank** vacuum tank is flat inside and out. It has no baffles, allowing it to be emptied completely to avoid internal corrosion. With the included pump at specified CFM, unnecessary fatigue of the structure is

eliminated and the life of the tank is prolonged. It is made from 1/4-inch-thick steel for structural soundness. The workstation is designed for the portable restroom industry. Freshwater is held inside the external 1/2-inch-thick poly tank. The slide-in is low profile for better weight distribution and is barely visible in the bed of a pickup truck. The chassis required is a 1-ton or greater, 8-foot bed pickup or flatbed truck, based on maximum load capacity. **585-657-4104; www.crescenttank.com.**

FMI TRUCK SALES & SERVICE WORKMATE

The **WorkMate** three-compartment slide-in unit from **FMI Truck Sales & Service** is designed to be easy to work and fits in the back of a 1-ton pickup truck. It also works as efficiently across a flatbed truck to operate



as a pickup and delivery or special event truck. It has a 325-gallon waste compartment and twin 75-gallon poly water tanks that can be isolated for a three-compartment system or flow together for a two-compartment system. Standard options include a primary and secondary shut-off, 12-volt freshwater delivery, an oil-catch muffler and easy-drain manifold system. It comes with a wand, bucket, ergonomic workstation, hoses and straps. Options include a supply storage box on the passenger side and tool storage on the driver's side. **800-927-8750; www.fmitrucks.com.**

IMPERIAL INDUSTRIES 550-GALLON SLIDE-IN UNIT

The **550-Gallon Slide-In Unit** from **Imperial Industries** allows for versatility when a larger tank is needed without a flatbed to mount it to. It comes with a 100-gallon poly water tank, Masport HXL-3V vacuum pump with 9 hp Honda engine, 30 feet of 2-inch waste hose, 50 feet of garden hose on a hose reel, TOICO water pump and a 3-inch discharge. It is available as a stand-alone unit or situated on a 7,000-pound gross vehicle weight rated tandem-axle trailer. **800-558-2945; www.imperialind.com.**



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The **FD-950-2C-SE** from **KeeVac Industries** offers a flanged and dished tank built for both on- and off-road service. Customers looking to add to their fleet can add this work-ready unit with a powerful pumping system and

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LMT GAL-VAC 300/100

The **GAL-VAC 300/100** fully galvanized two-compartment, slide-in vacuum system from **LMT** is designed for longevity and convenience. Designed to fit between the wheel wells of a standard pickup truck bed or on a flatbed, the slide-in has a 300-gallon capacity for wastewater and 100 gallons of freshwater. The standard configuration includes a 100 cfm Hertell KDP-3000 vacuum/pressure pump powered by a direct-drive Honda 8.5 hp GX270 gas engine. The package includes a spring-rewind Hannay hose reel with 50 feet of 3/8-inch hose and a 4 gpm 12-volt washdown pump. **217-568-8265; www.lmtmfg.com.**





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SATELLITE VACUUM TRUCKS MD SLIDE-IN

The **MD** slide-in series from **Satellite Vacuum Trucks** are made from high-strength carbon steel, making them easy to maintain with a long life expectancy. They are powder coated for tank longevity and to eliminate corrosion. They are available in a 300-, 400-, 450-, 550- and 650-gallon tank, with other custom sizes available. The tanks are versatile and bolt onto any truck bed. **800-883-1123; www.satellitetruckxpress.com.**



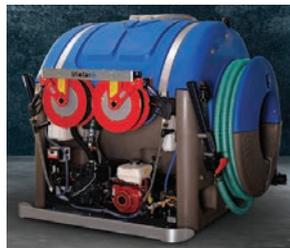
SLIDE-IN WAREHOUSE SSSC-600-2C-SE

The **SSSC-600-2C-SE** from **Slide-In Warehouse** offers the versatility of a slide-in unit with the long-term durability of stainless steel. The tank is made from 10-gauge stainless steel with a standard Masport HXL-2 vacuum pump and a Honda 5.5 hp electric-start motor. It is available

with an optional power-twin washdown pump. Units are made from all aluminum or stainless-steel, and come fully equipped and ready to work. **888-445-4892; www.slideinwarehouse.com.**

T BLUSTAR TRIOTANK

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Slide-in tanks from **TankTec** range from 100 to 995 gallons. The tanks are available in single-compartment for grease and septic or two-compartment for portable restroom service. **888-428-6422; www.tanktec.biz.**

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The **National Vacuum Equipment B250 Max Pak** is designed for the portable

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Conde PowerPak units from **Westmoor** are suitable for slide-in tank sizes from 50 to 2,000 gallons. They are compact and available in either belt- or direct-drive configurations. Direct-

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Give Thanks



It's been a challenging year, but there's still plenty to be thankful for.

We want to give thanks to all of our PolyJohn employees for their hard work and productivity as we adapted to the challenges 2020 threw our way. We are also thankful for the road that lies ahead. We know what we need to do to get better as a company and are grateful for the opportunities that can bring. And most of all, we are thankful for all of our customers – past, present, and future. You have been and continue to be there for us, and we promise to do the same for you.

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