



SNOHOMISH HEALTH DISTRICT
RESOLUTION OF THE BOARD OF HEALTH

08-11

RESOLUTION NUMBER: 08-11

RESOLUTION SUBJECT: REVISING SNOHOMISH HEALTH DISTRICT SANITARY CODE
CHAPTER 7.3, WATER RECREATION FACILITY ENFORCEMENT
PROCEDURES

WHEREAS the Board of Health of the Snohomish Health District serves to promote the public health of the residents of Snohomish County, and under the provisions of RCW 70.05.060 maintains supervision over matters pertaining to the preservation of the life and health of the people within its jurisdiction, and

WHEREAS the Board of Health has incorporated into the Sanitary Code of Snohomish Health District certain public health statutes of the State of Washington and rules promulgated by the State Board of Health and Secretary of Health to provide for the control and prevention of any dangerous, contagious or infectious disease within its jurisdiction and provide for the prevention, control and abatement of nuisances detrimental to the public health, and


WHEREAS the Snohomish Health District has incorporated as Chapter 7.1 of the Sanitary Code the Rules and Regulations of the Washington State Board of Health for Water Recreation Facilities within its jurisdiction, and

WHEREAS revision of Rules and Regulations of the Washington State Board of Health for Water Recreation Facilities has made it necessary to modify the water recreation facility enforcement procedures of the Snohomish Health District,

NOW THEREFORE the Board of Health hereby takes the following actions:


- (1) Adopts the revised Chapter 7.3 of the Sanitary Code of Snohomish Health District, "Water Recreation Facility Enforcement Procedures."

ADOPTED this 8th day of April, 2008.



John Koster, Chair
Board of Health

ATTEST:



Gary Goldbaum, MD, MPH
Health Officer

SNOHOMISH HEALTH DISTRICT SANITARY CODE

CHAPTER 7.3

WATER RECREATION FACILITY ENFORCEMENT PROCEDURES

Authority: Chapter 70.90 of the Revised Code of Washington; and Chapter 246-260 Washington Administrative Code (WAC), Rules and Regulations of the State Board of Health for Water Recreation Facilities, and Chapter 246-262 WAC, Recreational Water Contact Facilities.

I. INSPECTION FREQUENCY/FORM/GUIDELINES

- A. Inspection Frequency: Water recreation facilities will generally be inspected three times a year. Facilities operated on a seasonal basis (less than six months annually) will be inspected at least twice during their season. Facilities with identified problems may be subject to more frequent inspections.
- B. Inspection Form: Snohomish Health District (SHD) form titled "Water Recreation Facility Inspection Report," or the Department of Health form titled "Water Recreation Facility Inspection Form" will be used.
- C. Inspection Guidelines: The Water Recreation Facilities Rule Enforcement Guidelines, dated December, 2006, or latest version there of, will be used in determining the type of enforcement action to be taken based upon the type, severity and frequency of the violation.

II. TYPES OF ENFORCEMENT ACTIONS

- A. Office Conference: A conference, in lieu of Water Recreation Facility Operating Permit (permit) suspension.
- B. Mandatory Training: Requiring the Water Recreation Facility owner or authorized representative to participate in training to improve basic skills for operating pools.
- C. Permit Suspension: By suspension of the permit.
- D. Closure for Lack of Permit: By Health Officer's Order when a valid permit does not exist.
- E. Permit Revocation: By revocation of the permit.

III. OFFICE CONFERENCE

Reasons for: When an inspection indicates the presence of ongoing or repeated violations of the water recreation facilities regulations, WAC 246-260, and WAC 246-262, an Office Conference may be scheduled.

- 1. The conference will be scheduled within five (5) working days from the date of the most recent inspection.
- 2. The problems identified during the inspection will be reviewed with the operator and/or owner who will be advised that subsequent findings of a like nature will result in permit suspension.

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3. Each owner will be allowed one Office Conference, the purpose of which will be educational and instructional in nature, in lieu of automatic permit suspension.
4. Office Conferences may be followed by additional inspections beyond the routine inspection schedule as established by the Living Environment Program Supervisor.

IV. MANDATORY TRAINING

Reason for:

Failure to Demonstrate Knowledge: When an inspection indicates the presence of ongoing or repeated violations of the water recreation facilities regulations, WAC 246-260, and WAC 246-262, related to the operation and maintenance of the pool mandatory training may be required. If the owner fails to identify the correct water chemistry parameters such as acceptable pH range and disinfectant levels as well as failing to know how to document the results of required water testing the owner or operator may be required to attend a course on basic skills for operating a pool.

V. PERMIT SUSPENSION

A. Reasons for:

1. Immediate Health or Safety Hazard: When an immediate health or safety hazard exists for which there are no appropriate corrective remedies other than closure of the water recreation facility. Examples are: electrical power outage; lack of lighting; lack of potable water supply; sewer back-up into public or water contact areas; lack of required safety devices; gross chemical or physical contamination of the water; incidence of acute human illness or severe injury directly attributed to the water recreation facility.
2. Potential Health Hazard: When any of the operational support capabilities are not sufficient to prevent existence of a potential health hazard and no immediate remedy exists other than closure of the water recreational facility. Examples are: malfunctioning water filtration, and/or disinfection equipment, methods, processes, or procedures; malfunctioning water heating equipment; chemical disinfectant, water pH, or water turbidity not within limits required in WAC 246-260, and WAC 246-262; bacteria count exceeding safe limits and operational causes remain uncorrected.

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3. Ongoing and Repeated Violations: When there exists ongoing and repeated violations of water recreation facilities regulations, WAC 246-260, and WAC 246-262 of a nature and severity to warrant enforcement action, and when reasonable effort has been made to achieve voluntary compliance.

B. Procedures:

1. Existing Immediate Health or Safety Hazard: When the Environmental Health Specialist determines that an immediate health or safety hazard exists, the Specialist will note the specific violations on the inspection form and state on the form that the pool(s) and/or spa(s) or the entire water recreational facility is closed, and deliver the form to the person in charge of the water recreation facility. The applicable signs indicating the notice of closure shall be posted by the Specialist at the entrances to the pool(s) and/or spa(s) or the entire facility.
2. Existing Potential Health Hazard: When the Environmental Health Specialist determines that a potential health hazard exists, the Specialist will note the specific violations on the inspection form and state on the form that the pool(s) and/or spa(s) or entire water recreational facility is closed, and deliver the form to the person in charge of the water recreation facility. The applicable signs indicating the notice of closure shall be posted by the Specialist at the entrances to the pool(s) and/or spa(s) or to the entire facility.
3. Ongoing and Repeated Violations: The decision to close a water recreation facility for ongoing and repeated violations will be made by the Environmental Health Specialist and confirmed by a member of the Environmental Health Supervisory Staff. The Specialist will state the specific repeat violations on the inspection form and state on the form that the pool(s) and/or spa(s) or the entire water recreational facility is closed, and deliver the form to the person in charge of the water recreation facility. The applicable signs indicating the notice of closure shall be posted by the Specialist at the entrances to the pool(s) and/or spa(s) or to the entire facility.

C. Procedures for Reinstatement:

1. Notice to SHD: The water recreation facility permit holder will notify SHD by telephone or in writing that: the violations causing the permit suspension have been corrected; that if applicable that there has been sufficient treatment time for one complete turnover of the questioned facility water; the water's quality has reached satisfactory levels as outlined in WAC 246-260, and WAC 246-262; and, that all noted safety hazards have been eliminated.

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2. Reinspection: SHD will arrange for reinspection as soon as possible after notification from the Permit holder. Closures resulting from chemical and water quality violations may possibly not be allowed to reopen the same day as the permit suspension, dependent upon correction of the deficiencies and the passage of sufficient treatment time. Mechanical or non-chemical/water quality violations resulting in closure may be subject to reinspection the same day as the permit suspension provided the violation is satisfactorily abated.
3. Reinspection Fee: A reinspection fee, as established by the Board of Health, will be charged to each permitted facility after the facility permit has been suspended. Payment must be received in SHD's Environmental Health Division office not later than the close of business on the first business day following the closure or the permit will be considered invalid and the facility subject to Section VI. of these procedures.

D. Hearings:

1. Request for: A water recreation facility operating permit holder who believes that suspension of a permit was an incorrect action may request a hearing. Such request must be filed, in writing, with the Health Officer or Health Officer's designee no later than ten (10) calendar days following the inspection date, including the date of inspection. The request must state specifically which violations cited in the permit suspension order were incorrectly cited and why the action of SHD in suspending the permit was incorrect. Issues not addressed in the request will not be considered at the time of the hearing.
2. Conduct of: The Health Officer or Health Officer's designee will arrange for a hearing to be conducted at a selected time and place within thirty (30) calendar days of receipt of the request for a hearing. The Health Officer or Health Officer's designee shall make a written finding and shall sustain, modify, or rescind any notice considered in the hearing.
3. Water Recreation Facility Operating Permit Remains Suspended: The request for hearing will not stay the suspension of a water recreation facility operating permit.

VI. CLOSURES/LACK OF VALID PERMIT

A. Reasons for:

1. Failure to obtain a water recreation facility operating permit.
2. Failure to renew a water recreation facility operating permit within the permit renewal time.

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B. Procedures:

1. Health Officer's Order: Closure of a water recreation facility lacking a valid water recreation facility operating permit shall be accomplished through issuance of a Health Officer's Order, said order to be delivered to the facility operator and mailed to the owner of the facility by both regular and certified mail. Notice by mail will be considered acceptable if the order cannot be delivered to the facility.
2. Application to Reopen: A water recreation facility closed due to lack of a valid water recreation facility operating permit may be opened upon payment of the requisite fee and obtaining such permit.

VII. **REVOCATION OF PERMIT(S)**

A. Reasons for:

1. Serious and/or Repeated Violations: When enforcement efforts have failed and serious and/or repeated violations of WAC 246-260, and WAC 246-262 continue, and such violations represent a serious public health hazard or represent continued poor sanitary and safety practices of a serious nature, the permit may be revoked by the Health Officer or Health Officer's designee.
2. Interference with Environmental Health Staff: When water recreation facility staff have prevented inspection activities or otherwise interfered in the performance of duty of SHD Staff, the permit may be revoked by the Health Officer or Health Officer's designee.
3. Operation in Defiance: Water recreation facilities that continue to operate without a valid permit and in defiance of a permit suspension shall be subject to permit revocation for a period of not less than five (5) days.

B. Procedures:

1. Hearing: The Health Officer or Health Officer's designee will not revoke a water recreation facility operating permit until an opportunity has been provided for a hearing before the Health Officer or Health Officer's designee. Written notification of the hearing, including the time and place of the hearing, shall be made to the permit holder within thirty (30) days of the last inspection or field visit relative to the action. The Health Officer or Health Officer's designee shall make a final finding based upon the complete hearing record and shall sustain, modify or rescind any notice or record considered in the hearing. A written report of the hearing decision shall be furnished to the holder of the permit by the Health Officer or Health Officer's designee within (15) fifteen days of the conclusion of the hearing.

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WATER RECREATION FACILITY ENFORCEMENT PROCEDURES

2. Health Officer's Order: Permits shall be revoked through issuance of a Health Officer's Order, said order shall be delivered to the facility operator and mailed to the owner of the facility by both regular and certified mail. Notice by mail will be considered acceptable if the order cannot be delivered to the facility.
3. Application for New Permit: A permit holder whose water recreation facility operating permit has been revoked may make written application and pay fee for the purpose of obtaining a new permit. A hearing will be provided before the Health Officer or Health Officer's designee to determine if a new permit should be issued.

Guidelines for

Enforcement of Pool Regulations

December 2006



Guidelines for

Enforcement of Pool Regulations

December 2006



For more information or additional copies
of this guidance document contact:

Office of Environmental Health and Safety
Water Recreation Program
PO Box 47825
Olympia, WA 98504-7825

1-888-586-9427

Mary Selecky
Secretary of Health

For persons with disabilities, this document is
available in other formats upon request.

Please call 1-888-586-9427
(TTY/TDD 1-800-833-6388).
DOH Pub 333-121

Special acknowledgements to:

Environmental Health Directors Pool Adhoc Committee Members:

Rick Dawson.....Benton Franklin Health District
Dave DeLong.....Tacoma Pierce County Health Department
Gary Fraser.....Washington State Department of Health
Eileen Hennessy.....Public Health Seattle and King County
Steve Main.....Spokane Regional Health District
Marty McGinn.....Clark County Health Department
David Riggs.....Wahkiakum County Health Department
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Water Recreation Facilities Rule Enforcement Guidelines

WAC 246-260-211 Enforcement

The new enforcement section of the Water Recreation Facilities rules includes several new compliance tools for Local Health Jurisdictions (LHJ) to utilize. For example, the Local Health Jurisdiction may now request that the pool operator obtain additional training. This guidance document may help LHJ determine which **violations to prioritize**, determine which **compliance tools** to utilize, and provide some suggestions as to what **compliance schedules** may be appropriate.

Prioritize:

The attached enforcement guideline table suggests enforcement actions that could be taken for each violation that may be noted on the standard Washington State inspection sheet. Red items on the inspection sheet are critical health and safety violations, which could be considered an imminent hazard to public health or safety. Other less critical, black items on the inspection sheet may also require that the pool be closed if the issue is not resolved in a timely manner. Therefore any violation may require enforcement action if the problem persists.

Note: Although the LHJ could immediately suspend the permit for red items, they may want the pool owner/operator to close the pool voluntarily, or take some other immediate action to mitigate the problem. Suspension of a permit as the result of an imminent hazard will require LHJ to provide a written order according to section WAC 246-260-211(6).

Compliance Tools:

The enforcement guideline table includes the use of several tools to obtain compliance quickly after the situation is noted or during the subsequent follow up inspection. For example, some items require immediate closure or compliance schedules. However, if there are continuous compliance problems or repeat violations, the LHJ may likely send "Notice of Violation" or "Order to cease violation". At that time the LHJ may require one or more of the following actions:

- Administrative conference
- Mandatory Training
- Assessing Civil Penalty
- Permit Suspension
- Permit revocation

Compliance Schedules:

Enforcement actions should be taken to reduce health and safety risk as quickly as a hazard is noted. However, some situations may take time to achieve compliance and therefore a compliance schedule may be required. The attached enforcement guideline table includes compliance schedule options for many violations. Each compliance schedule has a range of times for the LHJ to choose from depending on the situation. Since the goal of regulatory compliance is to achieve a safe environment for facility users as quickly as possible, the LHJ should use the shortest compliance schedule possible, which will still allow the pool operator to accomplish the required task. Note that some situations that cannot be corrected right away could be mitigated by a temporary fix.

Water Recreation Facilities Rule Enforcement Guidelines

WAC 246-260-211 Enforcement:

(1) The department or local health officer may enforce this chapter by one or more of the following actions:

- (a) Conducting an informal administrative conference to explore facts and resolve problems, convened at the request of the department, local health officer, or owner;
- (b) Issuing an order directing the WRF owner, operator, or the person responsible to cease violating this chapter or chapter 70.90 RCW;
- (c) Requiring the WRF owner or authorized representative to participate in training to improve basic skills for operating pools;
- (d) Assessing a civil penalty of up to five hundred dollars per violation per day; and
- (e) Denying, suspending, or revoking a WRF construction or operating permit.

(2) Orders authorized under this section may include, but are not limited to, requirements to:

- (a) Take corrective measures, which may include a schedule; necessary to gain compliance with this chapter and chapter 70.90 RCW; and
- (b) Stop work or refrain from using a WRF or any portion of a WRF and obtain approvals required by statute or rules.

(3) An order issued under this section shall:

- (a) Be in writing;
- (b) Name the facility and the person or persons to whom the order is directed;
- (c) Briefly describe each action or inaction constituting a violation of this chapter or chapter 70.90 RCW;
- (d) Specify any required corrective action, if applicable;
- (e) Provide notice, as appropriate, that continued or repeated violation may subject the violator to the penalties specified in subsection (4) of this section.

(4) Continued or repeated violation of the provisions of this chapter or chapter 70.90 RCW may subject the violator to:

- (a) Civil penalties of up to five hundred dollars;
- (b) Denial, suspension or revocation of the facility's construction or operating permit; or
- (c) Referral to the county prosecutor or attorney general's office.

(5) The department or local health officer may deny an application or reapplication for a WRF operating permit and may revoke or suspend a WRF operating permit of any person who:

- (a) Previously had an operating permit suspended or revoked or had an operating permit application denied for reason;
- (b) Failed or refused to comply with any provisions of this chapter, chapter 70.90 RCW, or any other statutory provision or rule regulating the WRF construction or operation; or
- (c) Obtained or attempted to obtain an operating permit or any other required certificate of approval applicable to the WRF by fraudulent means or misrepresentation.

(6) The department or local health officer may summarily suspend a WRF operating permit, without a prior hearing, if the department or local health officer finds that the WRF presents an imminent hazard to public health or safety and incorporates a finding to that effect in an order.

This document was prepared by the Water Recreation Ad hoc Committee, which represent the Washington State Department of Health Water Recreation Program and the Washington State Environmental Health Directors. The purpose of this document is to provide guidance to LHJ's conducting routine inspections of water recreation facilities. This document can also be used to help develop internal policies and procedures for enforcement of the water recreation facilities regulations.

Water Recreation Facilities Rule Enforcement Guidelines

CODE <small>(Bold = Red)</small>	SUBJECT	ENFORCEMENT ACTION (WAC 246-260-211)	FOLLOW-UP / RE-INSPECTION (Action if issue is not resolved)
<u>WATER QUALITY</u>			
0110 or 0120	Disinfection Levels Very Low or Very High (See Appendix A, page 15)	Immediate Closure Pool closed until re-inspection, pool open only with LHJ (Local Health Jurisdiction) approval or Operator may reopen pool before re-inspection when disinfectant is at proper levels and LHJ has given approval Follow-up inspection is highly recommended by LHJ after 24 hours and before next routine inspection	Pool closed until re-inspection, pool open only with LHJ approval or Operator may reopen pool before re-inspection when disinfectant is at proper levels and LHJ has given approval LHJ may also require: Owner to send chemical records for at least 1 week and/or Administrative conference and/or Require training to improve pool operation skills
0111 or 0121	Disinfection Levels Low or High (See regulatory levels as shown in table 111.1 of WAC 246-260-999)	24 Hour Compliance Operator may keep pool open after implementing immediate corrective action and must submit records to LHJ within 24 hours showing proper disinfection levels have been maintained Follow-up recommended by LHJ after 24 hours and before next routine inspection	LHJ may allow operator to keep pool open after implementing immediate corrective action LHJ may also require: Owner to send chemical records for at least 1 week and/or Administrative conference and/or Require training to improve pool operation skills
0210-0220	pH ≤ 6.8, > 8.2 or maximum value of the test kit	Immediate Closure Pool closed until re-inspection, pool open only with LHJ approval or Operator may reopen pool before re-inspection when pH is at proper levels and LHJ has given approval Follow-up highly recommended by LHJ after 24 hours and before next routine inspection	Pool closed until re-inspection, pool open only with LHJ approval or Operator may reopen pool before re-inspection when pH is at proper levels and LHJ has given approval LHJ may also require: Owner to send chemical records for at least 1 week and/or Administrative conference and/or Require training to improve pool operation skills

Water Recreation Facilities Rule Enforcement Guidelines

CODE <small>(Bold = Red)</small>	SUBJECT	ENFORCEMENT ACTION <small>(WAC 246-260-211)</small>	FOLLOW-UP / RE-INSPECTION <small>(Action if issue is not resolved)</small>
0211-0221	pH 6.9-7.1 or 8.1-8.2	<p>24 Hour Compliance</p> <p>Operator may keep pool open after implementing immediate corrective action and must submit records to LHJ within 24 hours showing proper pH levels have been maintained</p> <p>Follow-up recommended by LHJ after 24 hours and before next routine inspection</p>	<p>LHJ may allow operator to keep pool open after implementing immediate corrective action</p> <p>LHJ may also require:</p> <p>Owner to send chemical records for at least 1 week and/or Administrative office conference and/or Require training to improve pool operation skills</p>
0300	Accurate Test Kit	<p>Compliance Schedule:</p> <p>3 to 14 Days</p>	<p>Ask owner to send proof of testing equipment purchase and/or Compliance schedule and/or Administrative office conference</p>
0400	Water clarity unsatisfactory (Main drain and pool bottom not visible)	<p>Immediate Closure</p> <p>Pool closed until re-inspection, pool open only with LHJ approval</p> <p>Follow-up inspection is highly recommended by LHJ after 24 hours and before next routine inspection Check for sediment at bottom of pool</p>	<p>Pool closed until LHJ verifies clarity problem is corrected, additional follow-up by LHJ to assure compliance</p> <p>LHJ may also require:</p> <p>Owner to send inspection records for at least 1 week and/or Administrative conference and/or Require training to improve pool operation skills</p>
0410	Clarity hazy or cloudy (Water is Hazy in appearance, but outline of Main Drain and floor is visible)	LHJ Discretion	<p>Owner to provide water clarity notes daily for 1 week and/or Compliance schedule and follow-up by LHJ to assure compliance Owner to provide plan to improve clarity</p>
0500	Maximum Pool Temperature $\geq 106^{\circ}$ F	<p>Immediate Closure</p> <p>Pool closed until re-inspection, pool open only with LHJ approval</p> <p>or</p> <p>Operator may reopen pool before re-inspection when water temp is below 104 and LHJ has given approval</p>	<p>Pool closed until re-inspection, pool open only with LHJ approval or Operator may reopen pool before re-inspection when water temperature is below 104 and LHJ has given approval</p> <p>LHJ may also require:</p> <p>Owner to send inspection temp records for at least 1 week and/or Administrative conference and/or Require training to improve pool operation skills</p>

Water Recreation Facilities Rule Enforcement Guidelines

CODE <small>(Bold = Red)</small>	SUBJECT	ENFORCEMENT ACTION <small>(WAC 246-260-211)</small>	FOLLOW-UP / RE-INSPECTION <small>(Action if issue is not resolved)</small>
0510	Maximum Pool Temperature >104°F <106°F	Temperature adjusted while inspector is on site	Owner to send temperature records for 1 week and/or Administrative office conference
0600	Cyanuric acid high	Operator may keep pool open with an approved compliance schedule to correct problem	Follow-up inspection, problem not corrected: Owner to send chemical records for at least 4 weeks and/or Administrative office conference

WALKING SURFACES, BARRIERS

0700	Walking surfaces <ul style="list-style-type: none"> • Ponding • Non-Slip • Trip Hazard 	LHJ Discretion to establish a compliance schedule (Immediate Fix to 1 year) Temporary mitigation may be needed, which may include visual enhancement	Revise compliance schedule to meet goals and/or Administrative conference
0800	Barrier height not adequate <ul style="list-style-type: none"> • Non-compliant with previous WAC 246-260 • Non-compliant with current WAC 246-260 following renovation 	Compliance schedule required: (Immediate Repair to 30 days)	Pool closed until re-inspection, pool open only with LHJ approval or Revise compliance schedule to meet goals LHJ may also require: Owner to send proof of temporary barrier installation and/or Administrative office conference
0810	Barrier construction not adequate <ul style="list-style-type: none"> • Hole in fence • Area under fence dug out • Fence falling down • New/Renovated fence – large chain link, wrong vertical spacing, etc 	Compliance schedule required: (Immediate repair to 30 days)	Pool closed until re-inspection, pool open only with LHJ approval or Revise compliance schedule to meet goals LHJ may also require: Owner to send proof of temporary barrier installation and/or Administrative office conference

Water Recreation Facilities Rule Enforcement Guidelines

CODE <small>(Bold = Red)</small>	SUBJECT	ENFORCEMENT ACTION <small>(WAC 246-260-211)</small>	FOLLOW-UP / RE-INSPECTION <small>(Action if issue is not resolved)</small>
0830	Gates/doors are not Self-Closing	<p>Immediate Repair</p> <p>or</p> <p>Compliance schedule required: (1 to 10 days)</p> <p>Follow-up inspection is highly recommended by LHJ before next routine inspection</p>	<p>Pool closed until re-inspection, pool open only with LHJ approval</p> <p>or</p> <p>Pool may remain open if immediate temporary repair made</p> <p>LHJ may also require:</p> <p>Owner to send proof of repair or temporary barrier installation</p> <p>and/or</p> <p>Administrative office conference</p>
0840	Self latch mechanism is not adequate	<p>Immediate Repair</p> <p>or</p> <p>Compliance schedule required: (Immediate to 10 days)</p> <p>Follow-up inspection is highly recommended by LHJ before next routine inspection</p>	<p>Pool closed until re-inspection, pool open only with LHJ approval</p> <p>or</p> <p>Pool may remain open if immediate temporary repair made</p> <p>LHJ may also require:</p> <p>Owner to send proof of repair or temporary mitigation</p> <p>and/or</p> <p>Administrative office conference</p>
0850	Gates/Doors are not lockable when facility is not in use	<p>Immediate Repair</p> <p>or</p> <p>Compliance schedule required: (Immediate to 10 days)</p> <p>Follow-up inspection is highly recommended by LHJ before next routine inspection</p>	<p>Pool closed until re-inspection, pool open only with LHJ approval</p> <p>or</p> <p>Pool may remain open if immediate temporary repair made</p> <p>LHJ may also require:</p> <p>Owner to send proof of repair or temporary mitigation</p> <p>and/or</p> <p>Administrative office conference</p>
0860	Notice of barriers non-compliance	<p>Compliance schedule required: June 1, 2008</p> <p>LHJ should send letter to owner/operator concerning need for upgrade barriers and required plans before 2007</p>	<p>Compliance schedule should include deadline for plan submittal by December 31, 2007</p>

INLETS AND OUTLETS

0900	Main Drain improperly secured & not intact	<p>Immediate Closure</p> <p>Pool closed until re-inspection, pool open only with LHJ approval</p> <p>or</p> <p>Operator may reopen pool before re-inspection when repairs are made and LHJ has given approval</p>	<p>Pool closed until re-inspection, pool open only with LHJ approval</p> <p>LHJ may also require:</p> <p>Owner to send proof of repair or new installation</p> <p>and/or</p> <p>Administrative office conference</p>
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Water Recreation Facilities Rule Enforcement Guidelines

CODE <small>(Bold = Red)</small>	SUBJECT	ENFORCEMENT ACTION (WAC 246-260-211)	FOLLOW-UP / RE-INSPECTION (Action if issue is not resolved)
0910	Notice to meet compliance for single main drain by June 1, 2008	Compliance schedule required: June 1, 2008 LHJ should send letter to owner/operator concerning need for upgrade barriers and required plans before 2007	Compliance schedule should include deadline for plan submittal by December 31, 2007
1010	Overflow gutter improperly functioning	LHJ Discretion to establish a compliance schedule: (1 day to 30 days)	Revise compliance schedule to meet goals or Administrative Office Conference
1020	Skimmer weirs not in place	LHJ Discretion to establish a compliance schedule: 1 day to 30 days	Revise compliance schedule to meet goals or Administrative Office Conference
1030	Skimmer equalizer line entrapment protection	Immediate Closure Pool closed until re-inspection, pool open only with LHJ approval or Operator may reopen pool before re-inspection when repairs are made and LHJ has given approval	Pool closed until re-inspection, pool open only with LHJ approval or Operator may reopen pool before re-inspection when repairs are made and LHJ has given approval LHJ may also require: Owner to send proof of repair or new installation and/or Administrative office conference

LADDERS, STAIRS, DIVING BOARDS, & STARTING BLOCKS

1100	Ladders, diving boards, and starting blocks not provided as required	LHJ Discretion to establish a compliance schedule Immediate fix to 30 days If immediate fix is not an option some temporary mitigation is needed	Revise compliance schedule to meet goals or Administrative Office Conference
1200	Problem with treads visible, contrasting color, handrails secure	LHJ Discretion to establish a compliance schedule: (1 day to 30 days) Temporary mitigation may be needed, which may include visual enhancement	Revise compliance schedule to meet goals or Administrative Office Conference

Water Recreation Facilities Rule Enforcement Guidelines

CODE <small>(Bold = Red)</small>	SUBJECT	ENFORCEMENT ACTION (WAC 246-260-211)	FOLLOW-UP / RE-INSPECTION (Action if issue is not resolved)
1300	Diving boards not properly secured or in need of repair	<p>Immediate Closure of Diving Board</p> <p>Closed until re-inspection, pool open only with LHJ approval</p> <p>or</p> <p>Operator may reopen diving board before re-inspection when repairs are made and LHJ has given approval</p>	<p>Pool closed until re-inspection, pool open only with LHJ approval</p> <p>or</p> <p>Operator may reopen diving board before re-inspection when repairs are made and LHJ has given approval</p> <p>LHJ may also require:</p> <p>Owner to send proof of repair or new installation</p> <p>and/or</p> <p>Administrative office conference</p>
1400	Protections inadequate for starting blocks	<p>LHJ Discretion to establish a compliance schedule: (Address immediately or allow up to 30 days)</p> <p>If immediate fix is not an option some temporary mitigation is needed</p>	<p>Revise compliance schedule to meet goals</p> <p>or</p> <p>Administrative Office Conference</p>

Water Recreation Facilities Rule Enforcement Guidelines

RECIRCULATION, MECHANICAL ROOM & FILTRATION

1500	Inadequate turnover rate	LHJ Discretion to establish a compliance schedule :Immediate fix to 30 days If immediate fix is not an option some temporary mitigation is needed	Revise compliance schedule to meet goals or Administrative Office Conference
1600	No flow meter	LHJ Discretion to establish a compliance schedule: (1 day to 30 days)	Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference
1610	Flow meter inoperative	LHJ Discretion to establish a compliance schedule: (1 day to 30 days)	Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference and/or Require training to improve pool operation skills
1700	Pumps not operating	Immediate Closure Pool closed until re-inspection, pool open only with LHJ approval or Operator may reopen pool before re-inspection when repairs are made and LHJ has given approval	Pool closed until re-inspection, pool open only with LHJ approval or Operator may reopen pool before re-inspection when repairs are made and LHJ has given approval LHJ may also require: Owner to send inspection records for at least 4 weeks and/or Administrative conference and/or Require training to improve pool operation skills

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1710	Filters not operating or severely malfunctioning	Immediate Closure Pool closed until re-inspection, pool open only with LHJ approval or Operator may reopen pool before re-inspection when repairs are made and LHJ has given approval	Pool closed until re-inspection, pool open only with LHJ approval or Operator may reopen pool before re-inspection when repairs are made and LHJ has given approval LHJ may also require: Owner to send inspection records for at least 4 weeks and/or Administrative conference and/or Require training to improve pool operation skills
1800	Pumps & filters need maintenance	LHJ Discretion to establish a compliance schedule: (1 day to 30 days)	Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference and/or Require training to improve pool operation skills
1900	Pump strainer needs maintenance	LHJ Discretion to establish a compliance schedule: (1 day to 30 days)	Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference and/or Require training to improve pool operation skills
1910	Lack extra cartridge for cartridge filter	LHJ Discretion to establish a compliance schedule: (1 day to 30 days)	Revise compliance schedule to meet goals and/or Ask owner to send proof of filter purchase and/or Administrative Office Conference and/or Require training to improve pool operation skills
2000	Inadequate access in equipment room	LHJ Discretion to establish a compliance schedule: (1 day to 30 days)	Revise compliance schedule to meet goals or Administrative Office Conference

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2010	Equipment room not locked	<p>LHJ Discretion to establish a compliance schedule: (Immediate to 30 days)</p> <p>Immediately repair lock, or use temporary lock if permitted</p>	<p>Revise compliance schedule to meet goals and/or Administrative Office Conference</p> <p>and/or Require training to improve pool operation safety awareness</p>
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DISINFECTANT & CHEMICAL FEED STORAGE & EQUIPMENT

2100	Improper installation, maintenance or operation of disinfection equipment	<p>LHJ Discretion to establish a compliance schedule: (Immediate to 3 days)</p> <p>If immediate fix is not an option some temporary mitigation is needed (Hand Feed)</p>	<p>Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference</p> <p>and/or Require training to improve pool operation skills</p>
2110	Disinfection feeder operation problem	<p>LHJ Discretion to establish a compliance schedule: (Immediate to 3 days)</p> <p>If immediate fix is not an option some temporary mitigation is needed (Hand Feed)</p>	<p>Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference</p> <p>and/or Require training to improve pool operation skills</p>
2200	Gas cylinders not properly secured and housed	<p>LHJ Discretion to establish a compliance schedule: (Immediate to 7 days)</p> <p>If immediate fix is not an option some temporary mitigation is needed (safety line and/or cover)</p>	<p>Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference</p> <p>and/or Require training to improve pool operator safety awareness</p>
2300	Chemicals improperly stored and locked	<p>LHJ Discretion to establish a compliance schedule: (Immediate to 3 days)</p> <p>Some temporary mitigation may be needed (Immediately repair lock, or use temporary lock if permitted)</p>	<p>Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference</p> <p>and/or Require training to improve pool operator safety awareness</p>

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<p>2400</p>	<p>Chlorine gas facilities: improper safety equipment & controls</p>	<p>LHJ Discretion to establish a compliance schedule: (Immediate for wrench and up to 7 days for other items)</p> <p>Some temporary safety equipment or access control mitigation is needed</p>	<p>Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference and/or Require training to improve pool operator safety awareness</p>
<p>2500</p>	<p>Interlocks between chemical feed pumps and recirculation system absent or inoperable</p>	<p>LHJ Discretion to establish a compliance schedule: (Immediate if have existing chemical interlock devices or up to 30 days if need to install new chemical interlock devices)</p> <p>Increase testing as mitigation</p>	<p>Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference and/or Require training to improve pool operator safety awareness</p>

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Lighting & Ventilation

2600	Lighting inadequate	LHJ Discretion to establish a compliance schedule: (1 day to 30 days)	Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference
2700	Lighting fixtures and covers need repair	LHJ Discretion to establish a compliance schedule: (1 day to 30 days)	Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference
2800	Ventilation inadequate	LHJ Discretion to establish a compliance schedule: (1 day to 30 days)	Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference

Locker Rooms & Restrooms

2900	Improperly maintained and operating	LHJ Discretion to establish a compliance schedule: (1 day to 30 days)	Revise compliance schedule to meet goals and/or Ask owner to maintenance or cleaning schedule and/or Administrative Office Conference
2910	Lockers not secured, diaper changing station not secured and maintained	LHJ Discretion to establish a compliance schedule (1 day to 30 days)	Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference

Water Recreation Facilities Rule Enforcement Guidelines

3000	Floors, walls, ceilings in unsanitary conditions	LHJ Discretion to establish a compliance schedule: (1 day to 30 days)	Revise compliance schedule to meet goals and/or Ask owner to maintenance or cleaning schedule and/or Administrative Office Conference
3100	Toilets, showers and sinks unsanitary and/or not in sufficient number with soap and toilet tissue	LHJ Discretion to establish a compliance schedule: (1 day to 30 days)	Revise compliance schedule to meet goals and/or Ask owner to maintenance or cleaning schedule and/or Administrative Office Conference
3200	Shower temperature exceeds maximum 120° F	Immediate Repair or Closure Operator must correct shower water temperature immediately Pool may be required to close until shower water temperature is below 120° F	Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference

Pool Structure, Markings & Safety Lines

3300	Pool sides are rough or have protrusions	LHJ Discretion to establish a compliance schedule: (30 days to 3 years)	Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference
3400	Pool surface color is not white or light color	LHJ Discretion to establish a compliance schedule: (30 days to 3 years)	Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference
3500	Depth markings not adequate	LHJ Discretion to establish a compliance schedule: (1 day to 30 days)	Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference

Water Recreation Facilities Rule Enforcement Guidelines

3600	Failure to provide float line or marking line at break between shallow and deep areas of pool	LHJ Discretion to establish a compliance schedule: (1 day to 10 days) Temporary mitigation may be needed, which may include markers, signage, or visual enhancement	Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference
3700	Pool surfaces maintained in dirty and unsanitary condition	LHJ Discretion to establish a compliance schedule: (1 day to 30 days)	Revise compliance schedule to meet goals and/or Ask owner to maintenance or cleaning schedule and/or Administrative Office Conference

Personnel

3800	Lifeguards not present when required	Immediate Closure Pool closed until re-inspection, pool open only with LHJ approval or Operator may reopen pool before re-inspection when certified personnel are present and LHJ has given approval Follow-up inspection is highly recommended by LHJ after 24 hours and before next routine inspection	Pool closed until re-inspection, pool open only with LHJ approval LHJ may also require: Owner to send Lifeguard response records for at least 1 year and/or Administrative conference and/or Require training to improve pool operator safety awareness
3810	Attendant not present when required	Immediate Closure Pool closed until re-inspection, pool open only with LHJ approval or Operator may reopen pool before re-inspection when certified personnel are present and LHJ has given approval Follow-up inspection is highly recommended by LHJ after 24 hours and before next routine inspection	Pool closed until re-inspection, pool open only with LHJ approval LHJ may also require: Owner to send Lifeguard response records for at least 1 year and/or Administrative conference and/or Require training to improve pool operator safety awareness
3820	Lifeguard or attendant inattentive	LHJ Discretion to establish a compliance schedule: (Immediate to 3 days) Operator must perform response drill	Owner to send Lifeguard response records for at least 1 year and/or Administrative conference and/or Require training to improve pool operator safety awareness

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3900	Personnel lack required certificates	LHJ Discretion to establish a compliance schedule" (Immediate to 7 days) Operator must provide documentation	Owner to send Lifeguard certification records for at least 1 year and/or Administrative conference and/or Require training to improve pool operator safety awareness
4000	Lack of emergency response training to appropriate personnel and/or lack of documentation	LHJ Discretion to establish a compliance schedule: (3 days to 6 months) Operator must perform response drill and provide documentation	Owner to send Lifeguard response records for at least 1 year and/or Administrative conference and/or Require training to improve pool operator safety awareness

Emergency Equipment

4200	Phone not provided and/or inoperable	LHJ Discretion to establish a compliance schedule: (Immediate to 30 days) Temporary emergency communication equipment mitigation is needed	Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference
4210	Emergency shutoffs and/or alarm not operating	LHJ discretion to establish a compliance schedule: (Immediate to 7 days) Temporary emergency communication equipment mitigation is needed	Revise compliance schedule to meet goals and/or Ask owner to send proof of repair or new installation and/or Administrative Office Conference
4300	When lifeguard is required rescue tube or buoys and backboard not provided	LHJ discretion to establish a compliance schedule: (Immediate to 7 days)	Revise compliance schedule to meet goals and/or Ask owner to send proof of purchase and/or Administrative Office Conference and/or Require training to improve pool operator safety awareness
4400	When lifeguard is not required; double crook reaching poles, and throwing buoys [or equivalent] with ropes attached not provided	LHJ discretion to establish a compliance schedule: (Immediate to 7 days) Temporary emergency equipment mitigation is needed	Revise compliance schedule to meet goals and/or Ask owner to send proof of purchase and/or Administrative Office Conference and/or Require training to improve pool operator safety awareness

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4500	First aid kit (16 units and/or accessible emergency blanket not provided)	LHJ Discretion to establish a compliance schedule: (7 days to 30 days)	Revise compliance schedule to meet goals and/or Ask owner to send proof of purchase and/or Administrative Office Conference and/or Require training to improve pool operator safety awareness
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Water Supply and Waste Disposal

4600	Water supply not conforming to WAC 246-290	LHJ Discretion to establish a compliance schedule: (30 days to 3 years)	Revise compliance schedule to meet goals and/or Ask owner to send proof of purchase and/or Administrative Office Conference
4700	Water supply not protected against cross connection	LHJ Discretion to establish a compliance schedule: (7 days to 30 days)	Revise compliance schedule to meet goals and/or Ask owner to send proof of repair and/or Administrative Office Conference
4800	Pool not protected against cross connection	LHJ Discretion to establish a compliance schedule: (7 days to 30 days)	Revise compliance schedule to meet goals and/or Ask owner to send proof of repair and/or Administrative Office Conference
4900	Sewage and waste disposal not in compliance with state and local codes	LHJ Discretion to establish a compliance schedule: (7 days to 30 days)	Revise compliance schedule to meet goals and/or Ask owner to send proof of repair and/or Administrative Office Conference

Bather Use and Control

5000	Supervision of users not in conformance with requirements [At non-lifeguarded facilities, responsible adults are not present when small children are at the pool]	Immediate Closure Pool closed until re-inspection, pool open only with LHJ approval or Operator may reopen pool before re-inspection when supervision is provided and LHJ has given approval	Pool closed until re-inspection, pool open only with LHJ approval and/or Administrative conference and/or Notification is made to all pool users of the supervision requirements
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5100	Signage required is not conspicuously posted or lacks required elements	LHJ Discretion to establish a compliance schedule: (7 days to 30 days)	Revise compliance schedule to meet goals and/or Ask owner to send proof of purchase and/or Administrative Office Conference and/or Require training to improve pool operator safety awareness
5110	Inadequate notification to users for conditions of use at non-lifeguarded facilities	LHJ Discretion to establish a compliance schedule: (7 day to 30 days)	Pool closed until re-inspection, pool open only with LHJ approval and/or Administrative conference and/or Ask owner to send proof of Notification is made to all pool users of the supervision requirements
5200	Spectator areas and food service areas improperly separated from pool area	LHJ Discretion to establish a compliance schedule: (30 days to 3 years) Require owner to send plan for relocating spectator area	Revise compliance schedule to meet goals and/or Administrative Office Conference

Other Miscellaneous Items

5300	Monitoring and recordkeeping improperly maintained	LHJ Discretion to establish a compliance schedule (Immediate to 7 days)	Owner to send inspection records for at least 4 week and/or Administrative conference and/or Require training to improve pool operation skills
5400	Operations plan needs developed and/or to be used	LHJ Discretion to establish a compliance schedule: (30 days to 1 year)	Pool closed until re-inspection, pool open only with LHJ approval and/or Administrative conference and/or Require training to improve pool operation skills
5500	Pool improperly secured during periods of non-use	Compliance schedule required: (Immediate repair to 30 days)	Pool closed until re-inspection, pool open only with LHJ approval or Pool may remain open if immediate temporary repair made LHJ may also require: Owner to send proof of repair or temporary mitigation and/or administrative office conference

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5600	Lack of valid operating permit on premises	LHJ discretion to establish a compliance schedule: (1 days to 7 days)	Revise compliance schedule to meet goals and/or Administrative conference
5700	Other concerns for referral to other agencies (such as electrical, structural, etc)	LHJ discretion	Revise compliance schedule to meet goals and/or Ask owner to send proof of resolution and/or Administrative conference
5800	Miscellaneous concerns	LHJ discretion	Revise compliance schedule to meet goals and/or Ask owner to send proof of resolution and/or Administrative conference

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APPENDIX A

Action Levels for Swimming Pools

pH Level	Type of Disinfectant	Immediate Closure – Very Low Levels (PPM)	Immediate Closure – Very High Levels (PPM)
7.2 – 7.4	Chlorine	<0.6	15 ppm or Higher
	Cyanurate Chlorine (Stabilized Chlorine)	<0.8	
	Bromine	<2.3	
7.5 – 7.7	Chlorine	<0.8	
	Cyanurate Chlorine (Stabilized Chlorine)	<1.1	
	Bromine	<2.3	
7.8 – 8.0	Chlorine	<1.3	
	Cyanurate Chlorine (Stabilized Chlorine)	<1.7	
	Bromine	<2.3	

Action Levels for Spas, Wading Pools, and Recirculating Spray Pools

pH Level	Type of Disinfectant	Immediate Closure – Very Low Levels (PPM)	Immediate Closure – Very High Levels (PPM)
7.2 – 7.4	Chlorine	<1.3	15 ppm or Higher
	Cyanurate Chlorine (Stabilized Chlorine)	<1.5	
	Bromine	<3.5	
7.5 – 7.7	Chlorine	<1.7	
	Cyanurate Chlorine (Stabilized Chlorine)	<2.0	
	Bromine	<3.6	
7.8 – 8.0	Chlorine	<2.5	
	Cyanurate Chlorine (Stabilized Chlorine)	<2.9	
	Bromine	<3.9	

Chlorine levels mean **free** chlorine residual levels

Cyanurate chlorine means a pool using chlorine with: cyanuric acid or any of its derivatives used in organic forms of chlorine such as dichlor or trichlor

Bromine means **total** bromine residual levels. If using Bromine disinfectants, some manufacturers may prescribe levels that are lower than allowed and in such instances, the manufacturer upper limits prevail.