

## Enforcement of Pool Regulations

### WAC 246-260-211 Enforcement

The enforcement section of the Water Recreation Facilities rules includes several compliance tools for Local Health Jurisdictions (LHJ) to utilize. For example, the Local Health Jurisdiction may 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 form (Appendix A). **Red** items on the form are critical health and safety violations that require immediate corrective action. Some **Red** item violations present imminent hazard to public health or safety that require immediate closure of the facility. Other less critical, **black** items on the form may also require that the pool be closed if the issue is not resolved in a timely manner. 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:

- Informal 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 Technical Advisory Group, which represents 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 LHM'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 <small>(WAC 246-260-211)</small>	FOLLOW-UP / RE-INSPECTION <small>(Action if issue is not resolved)</small>
<b>WATER QUALITY</b>			
0110 or 0120	Disinfectant Levels  Very Low or Very High  (See Appendix B, page 18)  <i>WAC Reference 246-260-111 (3) 246-260-999 Table 111.1</i>	<b>Immediate Closure</b> 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 <b>LHJ may also require:</b> Owner to send chemical records for at least 1 week and/or Informal administrative conference and/or Require training to improve pool operation skills
0111 or 0121	Disinfectant level  Low – below minimum, or High – above maximum  (See Appendix B, page 18) <i>WAC Reference 246-260-111 (3) 246-260-999 Table 111.1</i>	<b>24 Hour Compliance</b> 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 <b>LHJ may also require:</b> Owner to send chemical records for at least 1 week and/or Informal administrative conference and/or Require training to improve pool operation skills
0130	Combined chlorine level high (>50% of free chlorine)  <i>WAC Reference 246-260-111 (3) 246-260-999 Table 111.1</i>	LHJ Discretion	LHJ may allow operator to keep pool open with an approved compliance schedule correct the violation <b>LHJ may also require:</b> Owner to send combined chlorine level records for at least 1 week and/or Require training to improve pool operation skills
0210 or 0220	pH very low –below minimum, pH ≤ 6.8, or  pH very high –above maximum, > 8.2 or maximum value of the test kit  <i>WAC Reference 246-260-111 (3) 246-260-999 Table 111.2</i>	<b>Immediate Closure</b> 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 <b>LHJ may also require:</b> Owner to send chemical records for at least 1 week and/or Informal administrative conference and/or Require training to improve pool operation skills
0211 or 0221	pH low –below minimum pH 6.9-7.1, or  pH high –above maximum pH 8.1-8.2  <i>WAC Reference 246-260-111 (3) 246-260-999 Table 111.2</i>	<b>24 Hour Compliance</b> 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  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 <b>LHJ may also require:</b> Owner to send chemical records for at least 1 week and/or Informal administrative conference and/or Require training to improve pool operation skills

## Water Recreation Facilities Rule Enforcement Guidelines

CODE (Bold = Red)	SUBJECT	ENFORCEMENT ACTION (WAC 246-260-211)	FOLLOW-UP / RE-INSPECTION (Action if issue is not resolved)
0300	Test Kit not adequate  <i>WAC Reference 246-260-111(6)(c) 246-260-999 Table 111.3</i>	Compliance Schedule:  3 to 14 Days	Ask owner to send proof of testing equipment purchase <b>and/or</b> Compliance schedule <b>and/or</b> Informal administrative conference
0400	Water clarity unsatisfactory (main drain and pool bottom not visible)  <i>WAC Reference 246-260-111(4) 246-260-999 Table 111.2</i>	<b>Immediate Closure</b> Pool closed until re-inspection, pool open only with LHJ approval  Follow-up inspection is highly recommended by LHJ after 24 hours and before next routine inspection Check for sediment at bottom of pool	Pool closed until LHJ verifies clarity problem is corrected, additional follow-up by LHJ to assure compliance <b>LHJ may also require:</b> Owner to send inspection records for at least 1 week <b>and/or</b> Informal administrative conference <b>and/or</b> Require training to improve pool operation skills
0410	Water clarity hazy or cloudy (Water is hazy in appearance, but outline of main drain and floor is visible) <i>WAC Reference 246-260-111(4) 246-260-999 Table 111.2</i>	<b>24 Hour Compliance</b> LHJ Discretion  Follow-up inspection is highly recommended by LHJ after 24 hours and before next routine inspection Check for sediment at bottom of pool	Follow-up inspection is highly recommended by LHJ after 24 hours and before next routine inspection <b>and/or</b> Check for sediment at bottom of pool Owner to provide water clarity notes daily for 1 week <b>and/or</b> Compliance schedule and follow-up by LHJ to assure compliance Owner to provide plan to improve clarity
0500	Water temperature $\geq 106^{\circ}$ F  <i>WAC Reference 246-260-111(4) 246-260-999 Table 111.2</i>	<b>Immediate Closure</b> Pool closed until re-inspection, pool open only with LHJ approval <b>or</b> Operator may reopen pool before re-inspection when water temp is below 104 and LHJ has given approval	Pool closed until re-inspection, pool open only with LHJ approval <b>or</b> Operator may reopen pool before re-inspection when water temperature is below 104 and LHJ has given approval <b>LHJ may also require:</b> Owner to send inspection temp records for at least 1 week <b>and/or</b> Informal administrative conference <b>and/or</b> Require training to improve pool operation skills
0510	Water temperature $> 104^{\circ}$ F and $< 106^{\circ}$ F <i>WAC Reference 246-260-111 (4) 246-260-999 Table 111.2</i>	Temperature adjusted while inspector is on site	Owner to send temperature records for 1 week <b>and/or</b> Informal administrative conference
0600	Cyanuric acid high  <i>WAC Reference 246-260-111 (4) 246-260-999 Table 111.2</i>	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 <b>and/or</b> Informal administrative conference

### WALKING SURFACES, BARRIERS

## Water Recreation Facilities Rule Enforcement Guidelines

CODE <small>(Buf) = Reul)</small>	SUBJECT	ENFORCEMENT ACTION (WAC 246-260-211)	FOLLOW-UP / RE-INSPECTION (Action if issue is not resolved)
700	<p>Walking surfaces:</p> <ul style="list-style-type: none"> <li>• Have trip hazards</li> <li>• Improperly drained</li> <li>• Slippery, or</li> <li>• Permeable finish</li> </ul> <p><i>WAC Reference</i> 246-260-031(3), 246-260-041(2) 246-260-051(1), 246-260-071(1) 246-260-081(1), 246-260-091(4)&amp;(5) 246-260-131(2)(e)</p>	<p>LHJ Discretion to establish a compliance schedule (Immediate Fix to 1 year) Temporary mitigation may be needed, which may include visual enhancement</p>	<p>Revise compliance schedule to meet goals <b>and/or</b> Informal administrative conference</p>
0800	<p>Barrier height is not adequate</p> <p><i>WAC Reference</i> 246-260-031(4) 246-260-131(2)(a)</p>	<p>Compliance schedule required:  (Immediate Repair to 30 days)</p>	<p>Pool closed until re-inspection, pool open only with LHJ approval or Revise compliance schedule to meet goals <b>LHJ may also require:</b> Owner to send proof of temporary barrier installation <b>and/or</b> Informal administrative conference</p>
0810	<p>Barrier construction is not adequate</p> <p><i>WAC Reference</i> 246-260-031(4) 246-260-131(2)(a)</p>	<p>Compliance schedule required:  (Immediate repair to 30 days)</p>	<p>Pool closed until re-inspection, pool open only with LHJ approval or Revise compliance schedule to meet goals <b>LHJ may also require:</b> Owner to send proof of temporary barrier installation <b>and/or</b> Informal administrative conference</p>
830	<p>Gates/doors are not self-closing</p> <p><i>WAC Reference</i> 246-260-031(4) 246-260-131(2)(a) 246-260-141(1)</p>	<p><b>Immediate Repair or Closure</b> or 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 or Pool may remain open if immediate temporary repair made <b>LHJ may also require:</b> Owner to send proof of repair or temporary barrier installation <b>and/or</b> Informal administrative conference</p>
0840	<p>Self latching mechanism is not adequate</p> <p><i>WAC Reference</i> 246-260-031(4) 246-260-131(2)(a)</p>	<p><b>Immediate Repair or Closure</b> or 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 or Pool may remain open if Immediate temporary repair made <b>LHJ may also require:</b> Owner to send proof of repair or temporary mitigation <b>and/or</b> Informal administrative conference</p>

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0850	Gates/doors are not properly locked during periods facility is closed to public  <i>WAC Reference 246-260-141(f)</i>	<b>Immediate Repair or Closure</b> or Compliance schedule required: (Immediate to 10 days)  Follow-up inspection is highly recommended by LHJ before next routine inspection	Pool closed until re-inspection, pool open only with LHJ approval or Pool may remain open if immediate temporary repair made <b>LHJ may also require:</b> Owner to send proof of repair or temporary mitigation <b>and/or</b> Informal administrative conference
<b>INLETS AND OUTLETS</b>			
0900	Suction outlets improperly secured and/or not intact  <i>WAC Reference 246-260-031(8)(d)(iii) 246-260-031(8)(e)(iv)(C) 246-260-081(4)(c)(iv) 246-260-081(4)(e)(i) 246-260-131(2)(f)</i>	<b>Immediate Closure</b> 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 <b>LHJ may also require:</b> Owner to send proof of repair or new installation <b>and/or</b> Informal administrative conference
0920	Single main drain without safety system or device  <i>WAC 246-260-041(11)(h) 246-260-071(7) 246-260-081(5) 246-260-131(2)(f)</i>	<b>Immediate Closure</b> 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 <b>LHJ may also require:</b> Owner to send proof of repair or new installation <b>and/or</b> Informal administrative conference
0925	Spa without safety system or device  <i>WAC Reference 246-260-051(5)(e) 246-260-131(2)(f)</i>	<b>Immediate Closure</b> 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 <b>LHJ may also require:</b> Owner to send proof of repair or new installation <b>and/or</b> Informal administrative conference
1010	Overflow system improperly functioning  <i>WAC Reference 246-260-031(8) 246-260-131(1)(a)</i>	<b>Immediate Repair or Closure</b> LHJ Discretion to establish a compliance schedule: (1 day to 30 days)	Revise compliance schedule to meet goals or Informal administrative conference
1015	Overflow system not functioning  <i>WAC Reference 246-260-031(8) 246-260-131(1)(a)</i>	<b>Immediate Closure</b> 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 <b>LHJ may also require:</b> Owner to send proof of repair or new installation <b>and/or</b> Informal administrative conference
1020	Skimmer weirs not in place  <i>WAC Reference 246-260-031(8)(d)(i) 246-260-131(1)(e)</i>	LHJ Discretion to establish a compliance schedule: (1 day to 30 days)	Revise compliance schedule to meet goals or Informal administrative conference

## Water Recreation Facilities Rule Enforcement Guidelines

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*030	Skimmer equalizer line does not prevent entrapment  <i>WAC Reference 246-260-031(8)(d)(iii) 246-260-131(2)(f)</i>	<b>Immediate Closure</b> Pool closed until re-inspection, pool open only with LHJ approval <b>or</b> 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 <b>or</b> Operator may reopen pool before re-inspection when repairs are made and LHJ has given approval <b>LHJ may also require:</b> Owner to send proof of repair or new installation <b>and/or</b> Informal administrative conference
<b>LADDERS, STAIRS, DIVING BOARDS, &amp; STARTING BLOCKS</b>			
1100	Not provided as required  <i>WAC Reference 246-260-031(11) 246-260-041(6) 246-260-131(2)(e)</i>	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 <b>or</b> Informal administrative conference
1200	Problem with treads visible, contrasting color, handrails secure  <i>WAC Reference 246-260-031(11)(b) 246-260-131(2)(e)</i>	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 <b>or</b> Informal administrative conference
1300	Diving boards not properly secured or in need of repair  <i>WAC Reference 246-260-041(6) 246-260-131(2)(a)</i>	<b>Immediate Closure of Diving Board</b> Closed until re-inspection, pool open only with LHJ approval <b>or</b> Operator may reopen diving board before re-inspection when repairs are made and LHJ has given approval	Pool closed until re-inspection, pool open only with LHJ approval <b>or</b> Operator may reopen diving board before re-inspection when repairs are made and LHJ has given approval <b>LHJ may also require:</b> Owner to send proof of repair or new installation <b>and/or</b> Informal administrative conference
1400	Starting block protection not adequate <i>WAC Reference 246-260-041(6) 246-260-131(2)(a)</i>	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 <b>or</b> Informal administrative conference
<b>RECIRCULATION, MECHANICAL ROOM &amp; FILTRATION</b>			
1500	Turnover rate not adequate  <i>WAC Reference 246-260-041(7), 246-260-051(4) 246-260-071(4), 246-260-081(2)(e) 246-260-121(3)(b)(ii) 246-260-131(2)(e)</i>	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 <b>or</b> Informal administrative conference
1600	No flow meter  <i>WAC Reference 246-260-031(16)(a)(ii) 246-260-121(3)(b)(ii) 246-260-131(2)(e)</i>	LHJ Discretion to establish a compliance schedule:  (1 day to 30 days)	Revise compliance schedule to meet goals <b>and/or</b> Ask owner to send proof of repair or new installation <b>and/or</b> Informal administrative conference
1610	Flow meter inoperative  <i>WAC Reference 246-260-031(16)(a)(ii) 246-260-121(3)(b)(ii) 246-260-131(2)(e)</i>	LHJ Discretion to establish a compliance schedule:  (1 day to 30 days)	Revise compliance schedule to meet goals <b>and/or</b> Ask owner to send proof of repair or new installation <b>and/or</b> Informal administrative conference <b>and/or</b> Require training to improve pool operation skills

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1700	Pumps not operating  <i>WAC Reference</i> 246-260-041(7) 246-260-051(4) 246-260-071(4) 246-260-091(2)(e) 246-260-121(3)(b)(ii) 246-260-131(2)(e)	<b>Immediate Closure</b> 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 <b>LHJ may also require:</b> Owner to send inspection records for at least 4 weeks and/or Informal administrative conference and/or Require training to improve pool operation skills
1710	Filters not operating or severely malfunctioning  <i>WAC Reference</i> 246-260-031(16) 246-260-131(2)	<b>Immediate Closure</b> 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 <b>LHJ may also require:</b> Owner to send inspection records for at least 4 weeks and/or Informal administrative conference and/or Require training to improve pool operation skills
1800	Pumps & filters need maintenance  <i>WAC Reference</i> 246-260-131(1) WAC 246-260-131(2)	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 Informal administrative conference and/or Require training to improve pool operation skills
1900	Pump strainer needs maintenance  <i>WAC Reference</i> 246-260-131(1) 246-260-131(2)	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 Informal administrative conference and/or Require training to improve pool operation skills
1910	Extra cartridge not provided for cartridge filter  <i>WAC Reference</i> 246-260-031(18)(b) 246-260-131(2)(g)	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 Informal administrative conference and/or Require training to improve pool operation skills
2000	Access within equipment room not adequate  <i>WAC Reference</i> 246-260-031(14) 246-260-131(2)(e)	LHJ Discretion to establish a compliance schedule:  (1 day to 30 days)	Revise compliance schedule to meet goals or Informal administrative conference



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2010	Equipment room not locked  <i>WAC Reference</i> 246-260-031(14) 246-260-131(1) 246-260-131(2)	LHJ Discretion to establish a compliance schedule: (Immediate to 30 days)  Immediately repair lock, or use temporary lock if permitted	Revise compliance schedule to meet goals <b>and/or</b> Informal administrative conference <b>and/or</b> Require training to improve pool operation safety awareness
<b>DISINFECTANT &amp; CHEMICAL FEED STORAGE &amp; EQUIPMENT</b>			
2100	Disinfection equipment installation, maintenance or operation not adequate  <i>WAC Reference</i> 246-260-031(17) 246-260-121(3) 246-260-131(2)(e)	LHJ Discretion to establish a compliance schedule: (Immediate to 3 days)  If immediate fix is not an option some temporary mitigation is needed (Hand Feed)	Revise compliance schedule to meet goals <b>and/or</b> Ask owner to send proof of repair or new installation <b>and/or</b> Informal administrative conference <b>and/or</b> Require training to improve pool operation skills
2110	Disinfection feeder operation problem  <i>WAC Reference</i> 246-260-031(17) 246-260-121(3) 246-260-131(2)(e)	LHJ Discretion to establish a compliance schedule: (Immediate to 3 days)  If immediate fix is not an option some temporary mitigation is needed (Hand Feed)	Revise compliance schedule to meet goals <b>and/or</b> Ask owner to send proof of repair or new installation <b>and/or</b> Informal administrative conference <b>and/or</b> Require training to improve pool operation skills
2200	Gas cylinders not properly secured and housed  <i>WAC Reference</i> 246-260-031(17)(h) 246-260-121(3) 246-260-131(2)(e)	LHJ Discretion to establish a compliance schedule: (Immediate to 7 days)  If immediate fix is not an option some temporary mitigation is needed (safety line and/or cover)	Revise compliance schedule to meet goals <b>and/or</b> Ask owner to send proof of repair or new installation <b>and/or</b> Informal administrative conference <b>and/or</b> Require training to improve pool operator safety awareness
2300	Chemicals improperly stored and locked  <i>WAC Reference</i> 246-260-031(14) 246-260-031(17) 246-260-031(18) 246-260-131(1)(a);	LHJ Discretion to establish a compliance schedule: (Immediate to 3 days)  Some temporary mitigation may be needed (Immediately repair lock, or use temporary lock if permitted)	Revise compliance schedule to meet goals <b>and/or</b> Ask owner to send proof of repair or new installation <b>and/or</b> Informal administrative conference <b>and/or</b> Require training to improve pool operator safety awareness
2400	Chlorine gas facilities: improper safety equipment & controls  <i>WAC Reference</i> 246-260-031(17) 246-260-121(3) 246-260-131(2)(e)	LHJ Discretion to establish a compliance schedule: (Immediate for wrench and up to 7 days for other items)  Some temporary safety equipment or access control mitigation is needed	Revise compliance schedule to meet goals <b>and/or</b> Ask owner to send proof of repair or new installation <b>and/or</b> Informal administrative conference <b>and/or</b> Require training to improve pool operator safety awareness

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2500	Interlocks between chemical feed pumps and recirculation system absent or inoperable <i>WAC Reference</i> 246-260-031(17)(b)(iii) 246-260-031(17)(f)(ii) 246-260-031(18) 246-260-131(1)(a);	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)  Increase testing as mitigation	Revise compliance schedule to meet goals <b>and/or</b> Ask owner to send proof of repair or new installation <b>and/or</b> Informal administrative conference <b>and/or</b> Require training to improve pool operator safety awareness
<b>Lighting &amp; Ventilation</b>			
2600	Lighting inadequate <i>WAC Reference</i> 246-260-031(23) 246-260-131(1)(a) 246-260-131(2)(a) 246-260-131(10)	LHJ Discretion to establish a compliance schedule:  (1 day to 30 days)	Revise compliance schedule to meet goals <b>and/or</b> Ask owner to send proof of repair or new installation <b>and/or</b> Informal administrative conference
2700	Lighting fixtures and covers need repair <i>WAC Reference</i> 246-260-031(23) 246-260-131(1)(a) 246-260-131(2)(a)	LHJ Discretion to establish a compliance schedule:  (1 day to 30 days)	Revise compliance schedule to meet goals <b>and/or</b> Ask owner to send proof of repair or new installation <b>and/or</b> Informal administrative conference
2800	Ventilation inadequate <i>WAC Reference</i> 246-260-031(19) 246-260-031(17)(e) 246-260-031(14) 246-260-131(1)(a) 246-260-131(2) 246-260-131(10)	LHJ Discretion to establish a compliance schedule:  (1 day to 30 days)	Revise compliance schedule to meet goals <b>and/or</b> Ask owner to send proof of repair or new installation <b>and/or</b> Informal administrative conference
<b>Locker Rooms &amp; Restrooms</b>			
2900	Improperly maintained and operating <i>WAC Reference</i> 246-260-031(20), 246-260-031(21) 246-260-131(1)(a) 246-260-131(2)(a);	LHJ Discretion to establish a compliance schedule:  (1 day to 30 days)	Revise compliance schedule to meet goals <b>and/or</b> Ask owner to maintenance or cleaning schedule <b>and/or</b> Informal administrative conference
2910	Lockers or diaper changing station not secured, maintained or provided <i>WAC Reference</i> 246-260-031(20) 246-260-031(22) 246-260-131(1)(a), (2)(a)	LHJ Discretion to establish a compliance schedule:  (1 day to 30 days)	Revise compliance schedule to meet goals <b>and/or</b> Ask owner to send proof of repair or new installation <b>and/or</b> Informal administrative conference
3000	Floors, walls, ceilings in unsanitary condition <i>WAC Reference</i> 246-260-131(2)	LHJ Discretion to establish a compliance schedule:  (1 day to 30 days)	Revise compliance schedule to meet goals <b>and/or</b> Ask owner to maintenance or cleaning schedule <b>and/or</b> Informal administrative conference
3100	Toilets, showers or sinks not adequate or maintained; lacking soap, hand towels, or toilet tissue <i>WAC Reference</i> 246-260-031(21)(g)(iv) 246-260-131(1)(a) 246-260-131(2)(d)	LHJ Discretion to establish a compliance schedule:  (1 day to 30 days)	Revise compliance schedule to meet goals <b>and/or</b> Ask owner to maintenance or cleaning schedule <b>and/or</b> Informal administrative conference





## Water Recreation Facilities Rule Enforcement Guidelines

CODE <small>(Bold - Rec)</small>	SUBJECT	ENFORCEMENT ACTION <small>(WAC 246-260-211)</small>	FOLLOW-UP / RE-INSPECTION <small>(Action if issue is not resolved)</small>
<b>210</b>	<p>Entrapment emergency equipment and/or alarm not operating</p> <p><i>WAC Reference</i> 246-260-041(11)(h) 246-260-051(6)(e) 246-260-071(7) 246-260-081(5) 246-260-131(2)(a)</p>	<p><b>Immediate Closure for Equipment Failure</b></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 approved by LHJ</p> <p>Alarm-only failure— LHJ discretion to establish a compliance schedule: (Immediate to 7 days)</p>	<p>Pool closed until re-inspection, pool open only with LHJ approval</p> <p>and/or</p> <p>Owner to send proof of entrapment emergency equipment repair or new installation</p> <p>LHJ may also require: Informal administrative conference</p> <p>Revise compliance schedule to correct alarm failure</p> <p>LHJ may also require: Owner to send proof of alarm repair or new installation</p>
<b>4300</b>	<p><u>When lifeguard is required:</u> rescue tube or buoys and backboard not provided</p> <p><i>WAC Reference</i> 246-260-041(11)(f) 246-260-131(2)(a)</p>	<p>LHJ discretion to establish a compliance schedule:  (Immediate to 7 days)</p>	<p>Revise compliance schedule to meet goals</p> <p>and/or</p> <p>Ask owner to send proof of purchase</p> <p>and/or</p> <p>Informal administrative conference</p> <p>and/or</p> <p>Require training to improve pool operator safety awareness</p>
<b>4400</b>	<p><u>When lifeguard is not required:</u> double crook reaching poles, and throwing buoys (or equivalent) with ropes attached not provided</p> <p><i>WAC Reference</i> 246-260-041(11)(g) 246-260-131(2)(a)</p>	<p>LHJ discretion to establish a compliance schedule:  (Immediate to 7 days)</p> <p>Temporary emergency equipment mitigation is needed</p>	<p>Revise compliance schedule to meet goals</p> <p>and/or</p> <p>Ask owner to send proof of purchase</p> <p>and/or</p> <p>Informal administrative conference</p> <p>and/or</p> <p>Require training to improve pool operator safety awareness</p>
<b>4500</b>	<p>First aid kit (16 unit) and/or accessible emergency blanket not provided</p> <p><i>WAC Reference</i> 246-260-041(11)(d)&amp;(e) 246-260-51(6)(c)&amp;(d) 246-260-9902 Appendix C 246-260-131(2)(a)</p>	<p>LHJ Discretion to establish a compliance schedule:  (7 days to 30 days)</p>	<p>Revise compliance schedule to meet goals</p> <p>and/or</p> <p>Ask owner to send proof of purchase</p> <p>and/or</p> <p>Informal administrative conference</p> <p>and/or</p> <p>Require training to improve pool operator safety awareness</p>
<b>Water Supply and Waste Disposal</b>			
<b>4600</b>	<p>Water supply not in compliance with WAC 246-290</p> <p><i>WAC Reference</i> 246-260-031(15)(b) 246-260-111(1) 246-260-131(1)(a)</p>	<p>LHJ Discretion to establish a compliance schedule:  (30 days to 3 years)</p>	<p>Revise compliance schedule to meet goals</p> <p>and/or</p> <p>Ask owner to send proof of purchase</p> <p>and/or</p> <p>Informal administrative conference</p>
<b>4700</b>	<p>Water supply not protected against cross connection</p> <p><i>WAC Reference</i> 246-260-031(15)(c) &amp; (d) 246-260-111(1) 246-260-131(1)(a)</p>	<p>LHJ Discretion to establish a compliance schedule:  (7 days to 30 days)</p>	<p>Revise compliance schedule to meet goals</p> <p>and/or</p> <p>Ask owner to send proof of repair</p> <p>and/or</p> <p>Informal administrative conference</p>

## Water Recreation Facilities Rule Enforcement Guidelines

CODE (Bold = Red)	SUBJECT	ENFORCEMENT ACTION (WAC 246-260-211)	FOLLOW-UP / RE-INSPECTION (Action if issue is not resolved)
4800	Pool not protected against cross connection <i>WAC Reference</i> 246-260-031(15)(c)&(d) 246-260-031(16)(a)(iii) 246-260-111(1) 246-260-131(1)(e)	LHJ Discretion to establish a compliance schedule:  (7 days to 30 days)	Revise compliance schedule to meet goals <b>and/or</b> Ask owner to send proof of repair <b>and/or</b> Informal administrative conference
4900	Sewage and waste disposal not in compliance with state and local codes <i>WAC Reference</i> 246-260-111(1) 246-260-131(10)&(11)	LHJ Discretion to establish a compliance schedule:  (7 days to 30 days)	Revise compliance schedule to meet goals <b>and/or</b> Ask owner to send proof of repair <b>and/or</b> Informal administrative conference
<b>Bather Use and Control</b>			
5000	<b>When lifeguard in not required:</b> Supervision of users not in conformance with requirements (e.g., responsible adults are not present when small children are at the pool) <i>WAC Reference</i> 246-260-131(6)(c) 246-260-131(6)(d) 246-260-131(7)(d) 246-260-131(8)(c)	<b>Immediate Closure</b> Pool closed until re-inspection, pool open only with LHJ approval <b>or</b> 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 <b>and/or</b> Informal administrative conference <b>and/or</b> Notification is made to all pool users of the supervision requirements
5100	Signage required is not conspicuously posted or lacks required elements  <i>WAC Reference</i> 246-260-131(5)	LHJ Discretion to establish a compliance schedule:  (7 days to 30 days)	Revise compliance schedule to meet goals <b>and/or</b> Ask owner to send proof of purchase <b>and/or</b> Informal administrative conference <b>and/or</b> Require training to improve pool operator safety awareness
5110	Inadequate notification to users for conditions of use at non-lifeguarded facilities  <i>WAC Reference</i> 246-260-131(7)(d) 246-260-131(9)(c)	LHJ Discretion to establish a compliance schedule:  (7 day to 30 days) <i>the owner of the facility shall notify responsible adults also the rules &amp; pro</i>	Pool closed until re-inspection, pool open only with LHJ approval <b>and/or</b> Informal administrative conference <b>and/or</b> 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  <i>WAC Reference</i> 246-260-131(3)	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 <b>and/or</b> Informal administrative conference
<b>Other Miscellaneous Items</b>			

## 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>
300	Monitoring and recordkeeping improperly maintained  <i>WAC Reference 246-260-121(3)</i>	LHJ Discretion to establish a compliance schedule  (Immediate to 7 days)	Owner to send inspection records for at least 4 week and/or Informal administrative conference and/or Require training to improve pool operation skills
5400	Operations plan not developed and/or used  <i>WAC Reference 246-260-131(1)</i>	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 Informal administrative conference and/or Require training to improve pool operation skills
5500	Pool improperly secured during periods of non-use  <i>WAC Reference 246-260-141(1) &amp; (2)</i>	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 <b>LHJ may also require:</b> Owner to send proof of repair or temporary mitigation and/or Informal administrative conference
5600	Lack of valid operating permit on premises <i>WAC Reference 246-260-101(1)</i>	LHJ discretion to establish a compliance schedule: (1 days to 7 days)	Revise compliance schedule to meet goals and/or Informal administrative conference
5700	Other concerns for referral to other agencies (such as electrical, structural, etc)  <i>WAC Reference 246-260-131(11)</i>	LHJ discretion	Revise compliance schedule to meet goals and/or Ask owner to send proof of resolution and/or Informal administrative conference
5710	Pool modifications made without required plan review and approval <i>WAC Reference 246-260-021(1)</i>	LHJ discretion	Revise compliance schedule to meet goals and/or Informal administrative conference
5800	Miscellaneous concerns  <i>WAC Reference 246-260-101(4)</i>	LHJ discretion	Revise compliance schedule to meet goals and/or Ask owner to send proof of resolution and/or Informal administrative conference
5900	Imminent Hazard	<b>Immediate Closure</b> Pool closed until re-inspection, pool open only with LHJ approval	Pool closed until re-inspection, pool open only with LHJ approval and/or Informal administrative conference





# Water Recreation Facilities Rule Enforcement Guidelines

Items in Red are critical health and safety violations that may be cause for immediate closure.

## Water Quality

- 0110 Disinfectant level very low - Closure
- 11 Disinfectant level low - below minimum
- .20 Disinfectant level very high - Closure
- 0121 Disinfectant level high - above maximum
- 0130 Combined chlorine level high (> 50% of free chlorine)
- 0210 pH very low - Closure
- 0211 pH low - below minimum
- 0220 pH very high - Closure
- 0221 pH high - above maximum
- 0300 Test Kit not adequate
- 0400 Water clarity unsatisfactory (main drain and pool bottom not visible) - Closure
- 0410 Water Clarity Hazy or cloudy
- 0500 Water temperature  $\geq 106^{\circ}$  F. - Closure
- 0510 Water temperature  $> 104^{\circ}$  F. and  $< 108^{\circ}$  F.
- 0600 Cyanuric acid high

## Walking Surfaces & Barriers

- 0700 Walking surfaces have trip hazards, improperly drained, slippery, or permeable finish
- 0800 Barrier height is not adequate
- 0810 Barrier construction is not adequate
- 0830 Gates/doors are not self-closing
- 0840 Self-latching mechanism is not adequate
- 0850 Gates/doors are not properly locked during periods facility is closed to public

## Inlets & Outlets

- 0900 Suction outlets improperly secured and/or not intact - Closure
- 0920 Single main drain without safety system or device
- 0925 Spa without safety system or device
- 1010 Overflow system improperly functioning
- 1015 Overflow system not functioning
- 1020 Skimmer weirs not in place
- 130 Skimmer equalizer line does not prevent entrapment

## Ladders, Stairs, Diving Boards, & Starting Blocks

- 1100 Not provided as required
- 1200 Problem with treads visible, contrasting color, handrails secure
- 1300 Diving boards not properly secured or in need of repair
- 1400 Starting block protection not adequate

## Recirculation, Mechanical Room & Filtration

- 1500 Turnover rate not adequate
- 1600 No flow meter
- 1610 Flow meter inoperative
- 1700 Pumps not operating - Closure
- 1710 Filters not operating or severely malfunctioning
- 1800 Pumps & filters need maintenance
- 1900 Pump strainer needs maintenance
- 1910 Extra cartridge not provided for cartridge filter
- 2000 Access within equipment room not adequate
- 2010 Equipment room not locked

## Disinfectant & Chemical Feed Storage & Equipment

- 2100 Disinfection equipment installation, maintenance or operation not adequate
- 2110 Disinfection feeder operation problem
- 2200 Gas cylinders not properly secured and housed
- 2300 Chemicals improperly stored and locked
- 2400 Chlorine gas facilities: improper safety equipment & controls
- 2500 Interlocks between chemical feed pumps and recirculation system absent or inoperative

## Lighting & Ventilation

- 2600 Lighting inadequate
- 2700 Lighting fixtures and covers need repair
- 300 Ventilation inadequate

## Locker Rooms & Restrooms

- 2900 Improperly maintained and operating
- 2910 Lockers or diaper changing station not secured, maintained, or provided
- 3000 Floors, walls, or ceilings in unsanitary condition
- 3100 Toilets, showers, or sinks not adequate or maintained; lacking soap, hand towels, or toilet tissue
- 3200 Shower temperature exceeds maximum  $120^{\circ}$  F.

## Pool Structure, Markings & Safety Lines

- 3300 Pool sides are rough or have protrusions
- 3400 Pool surface color is not white or light color
- 3500 Depth markings not adequate
- 3600 Safety float line or marking line not provided at break between shallow and deep areas of pool
- 3700 Pool surfaces in dirty and unsanitary condition

## Personnel

- 3800 Lifeguards not present when required - Closure
- 3810 Attendant not present when required
- 3820 Lifeguard or attendant inattentive
- 3900 Personnel lack required certificates
- 4000 Emergency response training for appropriate personnel not provided and/or documentation not available

## Emergency Equipment

- 4200 Phone not provided and/or inoperable
- 4210 Entrapment emergency equipment and/or alarm not operating
- 4300 When lifeguard is required: rescue tube or buoys and backboard not provided
- 4400 When lifeguard is not required: double crook reaching poles, and throwing buoys (or equivalent) with ropes attached not provided
- 4500 First aid kit (16 unit) and/or accessible emergency blanket not provided

## Water Supply and Waste Disposal

- 4600 Water supply not in compliance with WAC 246-290
- 4700 Water supply not protected against cross connection
- 4800 Pool not protected against cross connection
- 4900 Sewage and waste disposal not in compliance with state and local codes

## Bather Use and Control

- 5000 When lifeguard is not required: Supervision of users not in conformance with requirements (e.g., responsible adults are not present when small children are at the pool)
- 5100 Signage required is not conspicuously posted or lacks required elements
- 5110 Inadequate notification to users for conditions of use at non-lifeguarded facilities
- 5200 Spectator areas and food service areas improperly separated from pool area

## Other and Miscellaneous Items

- 5300 Monitoring and recordkeeping improperly maintained
- 5400 Operations plan not developed and/or used
- 5500 Pool improperly secured during periods of non-use
- 5600 Lack of valid operating permit on premises
- 5700 Other concerns for referral to other agencies (such as electrical, structural, etc.)
- 5710 Pool modifications made without required plan review and approval
- 5800 Miscellaneous concerns
- 5900 Imminent Hazard

**Water Recreation Facilities Rule Enforcement Guidelines**

**APPENDIX B**

<b>Action Levels for Swimming Pools</b>			
<b>pH Level</b>	<b>Type of Disinfectant</b>	<b>Immediate Closure – Very Low Levels (PPM)</b>	<b>Immediate Closure – Very High Levels (PPM)</b>
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	
<b>Action Levels for Spas, Wading Pools, and Recirculating Spray Pools</b>			
<b>pH Level</b>	<b>Type of Disinfectant</b>	<b>Immediate Closure – Very Low Levels (PPM)</b>	<b>Immediate Closure – Very High Levels (PPM)</b>
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.

For more information or additional copies of this guidance document contact:  
 Office of Environmental Health, Safety and Toxicology  
 Water Recreation Program  
 PO Box 47825  
 Olympia, WA 98504-7825  
 1-877-485-7316

For people with disabilities, this document is available on request in other formats. To submit a request, please call 1-800-525-0127 (TDD/TTY call 711).