

Public Meeting on Pools and Aquatic Venues

Chesapeake College
Wye Mills, Maryland
October 25, 2017
1:00 – 4:00pm

AGENDA

- Welcome and Introduction
- Overview and Goal
- Discussion
 - ❖ Critical Violations
 - ❖ Major Violations
- Determine if Additional Meeting Required
- Final Thoughts and Questions

Welcome and Introduction

- Today's Topics:

Critical Violations

AND

Major Violations

Overview



What is a human life worth?



Value of a Human Life

- Department of Transportation = **\$6 million***
- Food and Drug Administration = **\$7.9 million***
- Environmental Protection Agency = **\$9.1 million***

- To a Parent, Spouse, or Child = **“PRICELESS”**

*The Cost of a Human Life, Statistically Speaking, The Globalist, July 21, 2012, <https://www.theglobalist.com/the-cost-of-a-human-life-statistically-speaking/>

Goal

- Goal: **Prevent Injury, Illness, or Death**
- Think about **the value of a human life** as we discuss **Critical** and **Major** Violations
- Remember these decisions affect all Public Pools and Spas in Maryland
- Use science, best practices, and inspection information to make decisions

Key

- Current text (unchanged)
- [Text to be deleted.]
- *Text to be added*

.05 Definitions

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(#) *“Critical violation” means:*

(a) *Failure to comply with:*

(i) *Except for Regulation .21A(10)(a), (d)-(f), and B(2), Regulation .21, Barriers, of this chapter;*

(ii) *Except for Regulation .25A, Regulation .25, Circulation Systems, of this chapter;*

(iii) *Except for Regulation .28H(7)-(8), and I, Regulation .28, Entrapment Prevention, of this chapter;*

(iv) *Regulation .32, Illumination of Water, Deck, Walkway, of this chapter*

(v) *Regulation .40D and E, Public Pool and Spa Safety, of this chapter;*

(vi) *Regulation .43A and B, Aquatic Venue Operation, of this chapter;*

(vii) *Regulation .45A(7), Water Clarity, of this chapter; and*

(viii) *Regulation .48B, Sanitary Quality of Water, of this chapter;*

(b) *A pH level:*

(i) *Below 6.5; or*

(ii) *Above 8;*

(c) *A free chlorine level:*

(i) *Less than 0.5 ppm; or*

(ii) *Greater than 11 ppm;*

(d) *A bromine level:*

(i) *Less than 2 ppm; or*

(ii) *Greater than 9 ppm;*

(e) *A pool temperature above 96°F; and*

(f) *A spa temperature above 104°F.*

.05 Definitions

(#) *“Major Violation” means:*

(a) Failure to comply with:

- (i) Regulation .06, Construction and Alteration Permits, of this chapter;*
 - (ii) Regulation .06-1, Replacements, of this chapter;*
 - (iii) Regulation .08, Approval After Construction or Alteration, of this chapter;*
 - (iv) Regulation .21B(2), Self-Closing and Self-Latching Gate, of this chapter;*
 - (v) Regulation .25A, Gauges and Meters, of this chapter;*
 - (vi) Regulation .28I, Pool and Spa Entrapment Hazards Checklist, of this chapter;*
 - (vii) Regulation .29, Chemical Storage Area, of this chapter;*
 - (viii) Except for Regulation .40D and E, Regulation .40, Public Pool and Spa Safety, of this chapter;*
 - (ix) Except for Regulation .43A and B, Regulation .43, Pool and Spa Operation, of this chapter;*
 - (x) Regulation .44A, Disinfection of a Pool and Spa, of this chapter;*
 - (xi) Regulation .45A(1), pH, of this chapter;*
 - (xii) Regulation .46, Operating Records Required, of this chapter; and*
 - (xiii) Regulation .48A, Sanitary Quality of Water, of this chapter; and*
- (b) A pool temperature between 88°F and 96°F.*

.10 Suspension or Revocation of an Operating Permit.

A. Suspension.

(1) The Secretary may:

- (a) Suspend an operating permit if an owner or operator violates a requirement of this chapter; and
- (b) Summarily suspend an operating permit and close a public pool or spa when protection of the public health, safety, or welfare imperatively requires emergency action.

(2) The Secretary may summarily suspend an operating permit pursuant to §A(1)(b) of this regulation for any: **[of the following:**

- (a) Residual disinfection levels in violation of Regulation .44 of this chapter;
 - (b) Sanitary water quality in violation of Regulation .48 of this chapter;
 - (c) Water pH in violation of Regulation .45A(1) of this chapter;
 - (d) Water clarity in violation of Regulation .45A(7) of this chapter;
 - (e) A malfunctioning or nonworking recirculation or disinfection system;
 - (f) A condition that may endanger the health and safety of an individual using a pool or spa, for example, a missing drain cover or other suction outlet entrapment hazard; and
 - (g) A lifeguard has not been provided as required in Regulation .40 of this chapter.]
- (a) *Critical violation not corrected immediately; and*
- (b) *Major violation not corrected within 24 hours.*

Questions and Comments

Thank you!

- For questions or to sign up for the mailing list, please email mdh.envhealth@maryland.gov.
- Information – including drafts of any regulatory proposals, meeting information, and resources – will be posted to the pools website:
<https://phpa.health.maryland.gov/OEHFP/CHS/Pages/CHHCS-Regulations.aspx>