**PART 3: OPERATIONS AND MAINTENANCE**

**WAC 246-261-501011 Owner Responsibilities** (2023 MAHC 5.1.1)

(1) **Operating Permit Required.** The AQUATIC FACILITY owner must apply to the DEPARTMENT or LOCAL HEALTH OFFICER for an operating permit and the operating permit must be issued prior to opening to the public.

(2**) Application.** To obtain an operating permit, owners of an AQUATIC FACILITY shall provide the department or local health officer information showing the AQUATIC FACILITY and each AQUATIC VENUE is in compliance with this chapter and pay the applicable fees.

(3) **Separate.** A separate permit is required for each AQUATIC VENUE at an existing AQUATIC FACILITY.

(4) **Permit Details.** The operating permit must:

(a) Be issued in the name of the owner,

(b) Valid for one year;

(c) Subject to annual renewal; and

(d) Specify the period of time the AQUATIC VENUE is allowed to open to the public as approved by the DEPARTMENT or LOCAL HEALTH OFFICER, and

(e) Be nontransferable without written consent of the DEPARTMENT or LOCAL HEALTH OFFICER. For purposes of this section, a change in management of a corporation, partnership, association, or other nonindividual business entity shall create a new person requiring either consent to a permit transfer or issuance of a new permit upon proper application.

(5) **Permit Location.** A copy of the operating permit must be posted at the AQUATIC FACILITY in a conspicuous location.

(6) **Permit Denial.** The operating permit may be withheld, suspended, revoked, or denied by the DEPARTMENT or LOCAL HEALTH OFFICER for noncompliance of the AQUATIC FACILITY with the requirements of this chapter~~.~~

(7) **Extended Closure Reopening.** Owners of an AQUATIC VENUE that has been closed for more than 12 consecutive months planning to reopen, allowing BATHERS, must notify the DEPARTMENT or LOCAL HEALTH OFFICER before applying for an operating permit. The DEPARTMENT or LOCAL HEALTH OFFICER may require AQUATIC FACILITY owners to submit additional information to verify the AQUATIC VENUE’s construction, design, and planned operation comply with applicable sections of this chapter before issuing an operating permit.

**WAC 246-261-501012 Operating Permits** (2023 MAHC 5.1.2)

(1) The department or local health officer may deny an application or reapplication for an AQUATIC VENUE operating permit and may revoke or suspend an AQUATIC VENUE 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**](http://app.leg.wa.gov/RCW/default.aspx?cite=70.90) RCW, or any other statutory provision or rule regulating the AQUATIC VENUE construction or operation; or

(c) Obtained or attempted to obtain an operating permit or any other required certificate of approval applicable to the AQUATIC VENUE by fraudulent means or misrepresentation.

(2) **Closed** **Aquatic Venue Tracking** AQUATIC VENUES that have been closed to BATHERS for more than 12 consecutive months subject to WAC 246-261-504010(2) or (3) must be tracked by the LOCAL HEALTH OFFICER or DEPARTMENT until the AQUATIC VENUE is reopened, demolished or backfilled.

**WAC 246-261-504010 Closure and reopening** (2023 MAHC 5.4.1)

Except for INTERACTIVE WATER PLAY AQUATIC VENUES, owners of AQUATIC VENUES closed to the public shall meet the following requirements:

(1) **For Temporary Closures**:

(a) Prevent access to the AQUATIC VENUE by means of a locked ENCLOSURE. If an AQUATIC FACILITY has one AQUATIC venue open and another closed within the same ENCLOSURE, the owner shall ensure the closed AQUATIC VENUE is:

(i) Posted with signage stating that the AQUATIC VENUE is closed; and

(ii) Either:

(A) Covered with a safety cover meeting ASTM standard F1346-91 and not allowing access to the AQUATIC VENUE water; or

(B) Meets water clarity standards as outlined in MAHC 5.7.6; and

(iii) Not creating a nuisance or disease hazard such as algae and mosquitos; and

(iv) Monitored by staff to prevent unauthorized entry of PATRONS.

(b) Where an ice layer may develop:

(i) Install a safety cover meeting ASTM standard F1346-91; or

(ii) Prevent access to the AQUATIC FACILITY by means of a locked ENCLOSURE.

(c) Remove all safety covers during periods when the AQUATIC VENUE is open for use.

(2) **For closures of more than 12 months**. In addition to the requirements outlined in subsection (1) of this section, owners shall:

(a) Conduct daily integrity checks of the locked ENCLOSURE; and

(b) Provide a plan to the DEPARTMENT or LOCAL HEALTH OFFICER outlining how the AQUATIC VENUE will be secured and maintained. This plan should include long term plans for:

(i) Demolition; or

(ii) Reopening; and

(c) Contact the DEPARTMENT or LOCAL HEALTH OFFICER prior to reopening to verify the AQUATIC VENUE meets all applicable requirements of this chapter.

(3) **For closures of more than 36 months**. In addition to the requirements outlined in subsection (1) of this section, owners shall:

(a) Conduct daily integrity checks of the locked ENCLOSURE; and

(b) Provide a plan to the DEPARTMENT or LOCAL HEALTH OFFICER outlining how the AQUATIC VENUE will be secured and maintained. This plan should include long term plans for:

(i) Demolition; or

(ii) Reopening; and

(c) Contact the DEPARTMENT or LOCAL HEALTH OFFICER prior to reopening to request an inspection of the AQUATIC VENUE to ensure it meets all applicable requirements of this chapter.

**Subpart X: Aquatic Venue Structure**

**WAC 246-261-505000 Aquatic Venue Structure** (2023 MAHC 5.5)

(1) **Access Ladders Securely Anchored** Ladders, grab rails, and handrails shall be securely anchored.

(2) **Depth Markers** Depth markers shall be provided in locations in accordance with WAC 246-261-405019 and maintained.

(3) **No Diving Markers** NO DIVING MARKERS shall be provided in accordance with WAC 246-261-405019 and maintained.

(4) **Ropes and Float Lines** ROPE**S** AND FLOAT LINES shall be installed as required in WAC 246-261-405019 and WAC 246-261-4012XX. Be kept in place at all times, except may be temporarily removed when the pool is used for a specific purpose such as programmatic lap swimming or competitive use.

(5) **Pool Shell Maintenance**

(a) **Cracking**

(i) **Repaired** CRACKS shall be part of the daily inspection process and be repaired when they change sufficiently to increase the potential for:

(A) Leakage,

(B) Trips or falls,

(C) Lacerations, or

(D) Impact the ability to properly clean and maintain the AQUATIC VENUE area.

(ii) **Document Cracks** Surface CRACKS under 1/8 inch (3.2 mm) wide shall be documented and MONITORED for any movement or change including opening, closing, and/or lengthening.

(b) **Sharp Edges** Any sharp edges shall be removed or repaired.

**Subpart X: Equipment Rooms and Chemical Storage**

**WAC 246-261-509000 Pipe Identification**

All piping in the EQUIPMENT ROOM shall be marked and maintained in accordance with WAC 246-261-409010(5).

**WAC 246-261-509010 Chemical Storage** (2023 MAHC 5.9.1)

(1) **Code Compliance** Chemical storage shall be in compliance with all applicable local, state, territorial, federal, and tribal laws.

(2) **Department of Labor and Industries and EPA**. Chemical handling shall be in compliance with Washington State Department of Labor & Industries rules and EPA regulations.

(3) **Safety Data Sheets**. For each chemical, STORAGE, handling, and use of the chemical shall be in compliance with the manufacturer’s SDS and labels.

(4) **Access Prevention**. AQUATIC VENUE chemicals shall be stored to prevent access by unauthorized individuals.

(5) **Protected**. AQUATIC VENUE chemicals shall be stored so that they are protected from getting wet.

(6) **No Mixing**. AQUATIC VENUE chemicals shall be stored so that if the packages were to leak, no mixing of incompatible materials would occur. SDSs shall be consulted for incompatibilities. Spill containment shall be provided for liquid chemicals per WAC 246-261-406020(2)(a)(ii).

(7) **Flammable Substances**. Potentially flammable substances, including but not limited to gasoline, diesel, natural gas, or gas-powered equipment such as lawn mowers, motors, grills, POOL heaters, or portable stoves shall not be stored or installed in the CHEMICAL STORAGE SPACE.

(8) **Smoking/Vaping**. Smoking and vaping shall be prohibited in the CHEMICAL STORAGE SPACE.

(9) **Lighting**. Lighting shall be at minimum 30 footcandles (323 lux) measured at floor level to allow operators to read labels on containers throughout the CHEMICAL STORAGE SPACE and EQUIPMENT ROOM.

(10) **Personal Protective Equipment**. Personal protective equipment shall be available as indicated on the chemical SDSs.

(11) **Storage**. Chemicals shall be stored in accordance with SDSs and manufacture’s recommendations. A single container of a particular chemical that has been opened and that is currently in use in the EQUIPMENT ROOM may be kept in a staging area of the EQUIPMENT ROOM only if the chemical(s) will be protected from exposure to heat and moisture.

(12) **Separate.** The CHEMICAL STORAGE SPACE shall be separate from the EQUIPMENT ROOM. If a separate room is not provided for existing AQUATIC FACILTIES constructed before the effective date of these rules, owners shall provide a separate chemical storage area that conforms to manufacturer's requirements for each chemical used in the pool area.

**WAC 246-261-509020 Chemical Handling** (2023 MAHC 5.9.2)

(1) **Identity**. Containers of chemicals shall be labeled, tagged, or marked with the identity of the material and a statement of the hazardous effects of the chemical according to ~~OSHA~~ Washington State Department of Labor & Industries or EPA materials labeling requirements. **~~Labeling~~**. All AQUATIC VENUE chemical containers shall be labeled according to Washington State Department of Labor & Industries or EPA materials labeling requirements.

(2) **NSF Standard**. The chemical equipment used in controlling the quality of water shall be CERTIFIED, LISTED, AND LABELED to NSF/ANSI 50 by an ANSI-accredited certification organization and used only in accordance with the manufacturer’s instructions.

(3) **Measuring Devices**. Chemicals shall be measured using a dedicated measuring device where applicable. These measuring devices shall be clean, dry, and constructed of material compatible with the chemical to be measured to prevent the introduction of incompatible chemicals.

(4) **Chemical Addition Methods**.

(a) **Automatically Introduced**. DISINFECTION and pH control chemicals shall be introduced through the recirculation system using the chemical feed system as required in 4.7. pH control chemicals may be introduced manually at existing AQUATIC FACILITIES constructed before the effective date of this chapter.

(i) **Manual Addition.** DISINFECTION and pH control chemicals may be added manually directly into the AQUATIC VENUE only on an emergency basis in the absence of BATHERS in the AQUATIC VENUE and in the surrounding area. Examples of emergency include SUPERCHLORINATION, HYPERCHLORINATION, and other occasions as approved by the DEPARTMENT or LOCAL HEALTH OFFICER.

(ii) **Pool Chemicals Other Than Disinfectants and pH Control Chemicals**. Pool chemicals, other disinfectants, and pH control chemicals may be added manually into the AQUATIC VENUE as instructed by the manufacturer.

(iii) **Manual Chemical Correction**. When necessary, chemicals may be added manually.

(b) **Safety Requirements**. Treatment chemicals shall be added in strict adherence to the manufacturer’s use instructions to ensure concentrations levels in the water are safe for human exposure. Refer to WAC 246-261-5070XX (MAHC 5.7.3).

(i) **Diluted**. Whenever required by the manufacturer, chemicals shall be diluted (or mixed with water) prior to application and as per the manufacturer’s directions.

(ii) **Added**. Chemicals shall be added to water when diluting as opposed to adding water to a concentrated chemical.

(iii) **Mixed**. Each chemical shall be mixed in a separate, labeled container. Two or more chemicals shall never be mixed in the same dilution water.