

History Note: Authority G.S. 130A-282;
Eff. May 1, 1991;
Amended Eff. May 1, 2010; February 1, 2004; April 1, 1999; January 1, 1996; July 1, 1992;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.

15A NCAC 18A .2536 REVOCATION OF PERMITS

The Department may suspend or revoke permits in accordance with G.S. 130A-23.

History Note: Authority G.S. 130A-282;
Eff. May 1, 1991;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.

15A NCAC 18A .2537 MAINTENANCE AND OPERATION

(a) All public swimming pools constructed or remodeled on or after May 1, 1991 shall be maintained and operated in accordance with the Rules of this Section.

(b) On or after May 1, 1993 all public swimming pools including those constructed prior to May 1, 1991 shall be maintained and operated in accordance with the following:

- (1) All safety provisions of Rule .2530 of this Section shall be met.
- (2) Decks shall be structurally sound and shall be maintained free of trip hazards or offsets greater than one-half inch resulting from deterioration or changes from the original deck profile.
- (3) There shall be no loose coping.
- (4) Artificial lighting shall be provided for all pools used when natural lighting is not sufficient to make all parts of the pool and pool area clearly visible.
- (5) Swimming pools shall be protected by a fence, wall, building, or other enclosure, or any combination thereof, that completely encloses the swimming pool area. All gates and doors shall be equipped with self-closing and positive self-latching closure mechanisms. Existing waterslide flumes and other appurtenances are not required to be located inside the fence.
- (6) Depth and safety markings shall be provided as required in Rule .2523 of this Section
- (7) Drain covers shall be in good condition and securely attached.
- (8) Damaged face plates or fittings shall be repaired or replaced.
- (9) Underwater light niches shall be maintained or covered so as not to present a potential hazard to bathers.
- (10) Diving equipment and pool slides including stairs and railing shall be maintained in good working order.
- (11) A timer switch that allows no more than 15 minutes of operation without manual resetting shall be used to control air blowers and hydrotherapy pumps on heated spas.
- (12) All breaks in grade of the pool bottom including the leading edges of stair treads and seats and the tops of breakpoints where the slope of the bottom changes at a depth of five feet (15m) or less shall be marked with a contrasting color band by May 1, 2000. Contrasting color bands are not required where a registered engineer, registered architect or licensed swimming pool contractor certifies in writing that structural weakness or materials of construction prevent the installation of permanent markings.
- (13) All heated spas shall post a caution sign as specified in Rule .2532 of this Section.
- (14) Pool maintenance shall include removal of debris from the water surface and bottom of the pool.
- (15) All pool chemicals shall be stored in a clean, dry, well ventilated area and shall be organized so as to prevent chemicals from reacting.
- (16) No submersible pumps or mechanical pool cleaning equipment shall be placed or used in the pool while bathers are in the pool.

(c) The owner of a public swimming pool shall provide for the operation of the pool by a person or persons who shall be responsible to the owner for operation, maintenance, pool safety and record keeping. The pool owner shall maintain documentation that the person responsible for operating the pool has been trained on pool equipment operation, disease and injury prevention, pool water chemistry and regulatory requirements for public swimming pools. A pool and spa operator certificate issued by the National Swimming Pool Foundation or other organization that provides training on those subjects shall be accepted as meeting this requirement.

History Note: Authority G.S. 130A-282;
Eff. July 1, 1992;
Temporary Amendment Eff. May 11, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner.

The Codifier of Rules determined that the agency's findings of need did not meet the criteria listed in GS 150B-21.1(a);

Temporary Amendment Eff. May 1, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;

Amended Eff. February 1, 2004; April 1, 1999; January 1, 1996; October 1, 1993; May 1, 1993;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.

15A NCAC 18A .2538 FILL AND DRAW POOLS

Fill and draw pools are prohibited. Provisions shall be made for filtration and recirculation of water in all public swimming pools, wading pools, and spas.

History Note: Authority G.S. 130A-282;

Eff. May 1, 1993;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.

15A NCAC 18A .2539 SUCTION HAZARD REDUCTION

(a) At all public wading pools that use a single main drain for circulation of water, signs shall be posted stating, "WARNING: To prevent serious injury do not allow children in wading pool if drain cover is broken or missing." Signs shall be in letters at least one-half inch in height and shall be posted where they are visible to people entering the wading pool. Submerged suction outlets shall be prohibited in wading pools in accordance with ANSI/PHTA/ICC-7 2020 American National Standard for Suction Entrapment Avoidance in Swimming Pools, Wading Pools, Spas, Hot Tubs, and Catch Basins, which is incorporated by reference, including any subsequent amendments or editions, and available at <https://webstore.ansi.org/> at a cost of one hundred and sixty five dollars (\$165.00)(hereinafter referred to as "ANSI/PHTA/ICC-7").

(b) All submerged suction outlets in public swimming pools other than vacuum ports shall be protected by a cover in compliance with ANSI/APSP/ICC-16 2017 (PA 2021) American National Standard for Suction Outlet Fitting Assemblies (SOFA) for Use in Pools, Spas, and Hot Tubs, which is hereby incorporated by reference, including any subsequent amendments or editions, and available at <https://webstore.ansi.org/> at a cost of one hundred and sixty five dollars (\$165.00)(hereinafter referred to as "ANSI/APSP/ICC-16"). All submerged suction fittings shall be installed in accordance with the manufacturer's instructions.

(c) Public swimming pools that have a single main drain or single submerged suction outlet other than an unblockable drain, or that have multiple outlets in the same plane separated by less than three feet, measured from the centers of the covers, shall have one or more secondary methods of preventing bather entrapment. Secondary methods of preventing bather entrapment include:

- (1) A safety vacuum release system which ceases operation of the water pump, reverses the circulation flow, or otherwise provides a vacuum release at the suction outlet when a blockage has been detected, and that has been tested by a third party and found to conform with ANSI/PHTA/ICC-7. The operator of the public swimming pool shall test an installed safety vacuum release system using the methodology and at the frequency recommended by the manufacturer, and the test dates and results shall be recorded in the written records required by Rule .2535(11) of this Section. Safety vacuum release systems installed or replaced after the effective date of this Rule shall have a shut off valve for testing the device, if recommended by the manufacturer;
- (2) A suction-limiting vent system with an atmospheric opening inaccessible to the public;
- (3) A gravity drainage system that utilizes a surge tank;
- (4) An automatic pump shut-off system;
- (5) Disabling the submerged suction outlet; or
- (6) Any other system that complies with ANSI/PHTA/ICC-7.

(d) Owners of all public swimming pools shall provide documentation to the Department, as part of the application for an operation permit under Rule .2510(c) of this Section, to verify suction outlet safety compliance. This documentation shall include:

- (1) Documentation of the maximum possible flow rate for each [pump] with a submerged suction outlet. This shall be the pump's maximum flow shown on the manufacturer's pump performance curve except where flow reductions are justified with total dynamic head measurements or calculations. Flow reduction measurement documentation shall include photographs taken within two hours of backwashing or replacing the filter with all valves in the fully open position that show the levels of all the gauges used in the public swimming pool. All systems using a flow reduction to comply with this rule shall have a flow meter installed in accordance with manufacturer's instructions confirming that the water flow does not exceed the gallon per minute flow rating of the drain covers or a sealed statement from a Registered Design Professional showing calculations used to justify the reduction;