



STATE OF WASHINGTON

DEPARTMENT OF HEALTH

DIVISION OF ENVIRONMENTAL PUBLIC HEALTH

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January 29, 2014

TO: Michelle A. Davis, Executive Director  
Washington State Board of Health  
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FROM: Maryanne Guichard, Assistant Secretary

SUBJECT: PETITION RESPONSE RECOMMENDATION FOR CHAPTER 246-260 WAC, WATER RECREATION FACILITIES

The Department of Health's Water Recreation Program staff has reviewed a rule-making petition from Crystal Carlson at Ladywell's Vitality Spa and Sauna to amend the Water Recreation Facility rules, Chapter 246-260 WAC. The petition requests the rules be modified to reduce required levels of lighting over the surface of pools. Based on staff research, I recommend this request be denied for the following reasons:

1. Reducing lighting levels is not in the best interest of safety at water recreation facilities. Our current lighting levels are meant to provide good visibility into pool vessels that may be quite deep. Excellent visibility into and around pools is imperative to recognize and respond to a drowning or injury scenario; administer emergency medical assistance; and to help ensure high quality maintenance of pools (most pool water test kits require good light conditions for accurate use).
2. Although the International Swimming Pool and Spa Code referenced in Ms. Carlson's request does specify lower lighting levels than our code, our existing code requirement is consistent with the current draft of the Centers for Disease Control Model Aquatic Health Code. This is the most current regulatory effort to update and standardize water recreation codes on a national level.

The Water Recreation Facilities rules provide a route to address situations that could deviate from code prescriptions such as lighting levels without compromising the safety and health of bathers. Chapter 246-260 WAC has a provision to request variance from specific code requirements when adequate justification can be provided for allowing the variance. Ms. Carlson may apply for a variance with the Seattle-King County Public Health Department, the local water recreating facility permitting agency, and they may grant a variance for lower lighting levels if presented with a plan that reasonably addresses the safety and health issues of concern.

Cc: Nancy Napolilli, Office Director, Environmental Health, Safety, and Toxicology