



STATE OF WASHINGTON
DEPARTMENT OF HEALTH

OFFICE OF ENVIRONMENTAL HEALTH AND SAFETY

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March 3, 2023

TO: Michelle Davis, Executive Director, Washington State Board of Health

FROM: Todd Phillips, Office Director

SUBJECT: ANNUAL REPORT OF VARIANCES IN WATER RECREATION PROGRAM

As required in WAC 246-260-201(2), attached is our annual report on variances granted during 2022. The materials provided are a summary of the variances. If more details are requested by you or the board, we will do our best to provide the details.



2022 Variance Report

Summary of Variances to WAC 246-260

This is the annual report to the State Board of Health providing a summary of the variances processed in 2022 as stipulated in WAC 246-260-201(2). Under this authority, the Department of Health (DOH) and local health officers review and approve or deny variances to the design, construction, and operation requirements related to water recreation facilities. The approved variances reflect applicant's ability to provide adequate documentation that the variance to the rule is consistent with overall intent of the chapter and our goal of providing a safe environment for users.

Variance approvals were submitted to us from three local health jurisdictions: Tacoma-Pierce County Health Department (TPCHD), Seattle King County (PHSKC) and Spokane Regional Health District (SRHD) in addition to those processed by DOH. There were 28 variances that were either approved or conditionally approved in 2022. TPCHD granted 1 variance; PHSKC granted 3; SRHD granted 8; and DOH granted 16.

The most common variance is for dog swim events. In Spokane County, six dog swim events were held, for which variances were granted. These events are generally held at the end of the pool season, and no people are allowed in the pools to be with the dogs. The restriction on animals in WAC 246-260 is virtually the same as the requirement in the Model Aquatic Health Code.

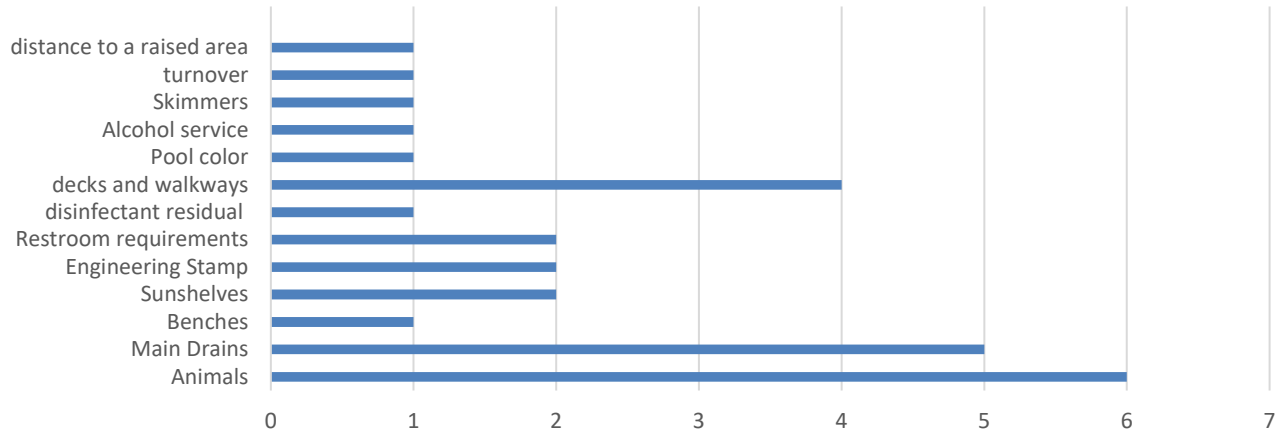
Main Drain variances in 2022 were the second most common (WAC 246-260-031(8)(e)). These variances were not all for the same main drain requirement, however, some were due to the update to the federal main drain standard (APSP-16). This new standard was not recognized in Chapter 246-260 WAC and a variance was necessary until the rule language could be updated through expedited rule making.

Two other kinds of variances granted this year worth mentioning are:

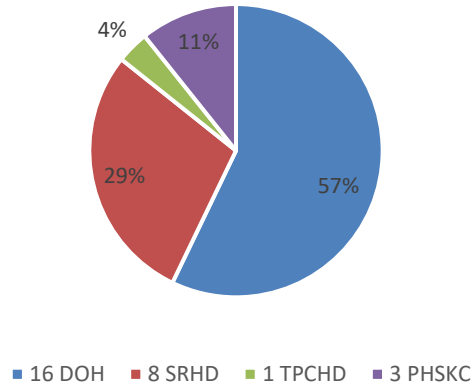
1. sunshelves and
2. alcohol service at general use pools.

Chapter 246-260 WAC does not recognize sunshelves nor does it allow alcohol service at general use pools. These variances foreshadow the need for the current rule making process to address these issues. The MAHC has language that allows sunshelves and alcohol service. The MAHC language for sunshelves may be too permissive to adopt without modification, because these rules allow for a sunshelf to be a "wading area" with a potential drop off from an area just inches deep to an area that may be as deep as 5 feet. Alcohol service requirements may also need careful consideration to ensure that swimming under the influence or supervising children under the influence are minimized.

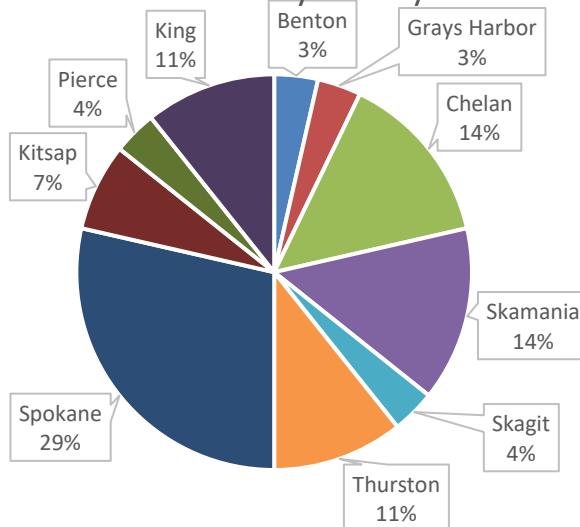
Variences by Type 2022



Variences by Granting Entity



Variences by County



Variance Data Sheet 2022

County	Granting Entity	Name	WAC	Descriptor	Mitigation Proposed	Action
Thurston	DOH	Steamboat Tennis & Athletic Club	246-260-031(8)(e)(iv)(B)	Main Drains separated by 3 feet.	Drains in the spa are spaced 34 inches apart. Each spa pump equipped with an SVRS device.	Approved
Kitsap	DOH	Hazel Creek Montessori	246-260-031(21)(i)	Showers designed for showering in the nude.	Rinse Showers provided on Deck. Education to staff and parents.	Approved
Chelan	DOH	Enzian Inn	246-260-091(2)	Bench size and number limitation.		Approved
Chelan	DOH	Der Ritterhof Motor Inn	246-260-041(4)	dimensional design for safety - sun shelf requested	Shelf is designed as the top step of a staircase. Additional postings for enhanced supervision of children.	Conditionally Approved
Chelan	DOH	Lincoln Park Splash Pad	246-260-081(4)(c)(iii)	two or more drains manifolded with a junction fitting placed in the middle of branch line piping between outlets.	Drains are not fully submerged.	Approved
Skagit	DOH	Grandy Creek	WAC 246-260-031(8)(e)	Main Drains must be 3 feet apart.	Drains are 32 inches apart. Each drain cover is an un-blockable channel drain.	Approved
Kitsap	DOH	The Reserve at Bucklin Hill	246-260-021(1)(b) & 246-260-021(6)(b)	Requirements for engineer stamp/signature.	Project is a fence replacement. The fence design, construction, and installation are standard, well described in the code and does not require the expertise of an engineer for a barrier that meets safety requirements.	Approved
Chelan	DOH	Marina's Edge Resort	WAC 246-260-041(3)(a)	Owners shall ensure floor and wall designs provide for safety	Redesign shelf so that it does not have a drop-off into deep water.	Approved

Benton	DOH	Clipper Ridge	246-260-021(1)(b) & 246-2	Plans are required to be prepared and signed by an architect or engineer.	Simple project - replacement of a chlorinator.	Denied
Grays Harbor	DOH	Seabrook Sunrise Pool	246-260-031(8)(e)(iv)(C)	Main drain covers must meet APSP-16 2011 standard.	Covers meet APSP-16, 2017 standard.	Approved
Thurston	DOH	Lions Park Sprayground	246-260-031(21)(f)	Distance to restrooms	Complies with MAHC. Supplemental UV disinfection. redesign walking path to be as straight and short as possible.	Approved
Thurston	DOH	Nouvelle Apartments	246-260-031(8)(e)(iv)(C)	Main drain covers must comply with APSP-16 2011 standard.	covers comply with APSP-16 2017 standard.	Approved
Skamania	DOH	Tenzen	246-260-031(17)(a)(i)	Residual disinfectant requirements	Partial flow through, UV system, bacteriological testing, no children, shower requirements, frequent draining, and cleaning, occasional hyperchlorination	Approved
Skamania	DOH	Tenzen	246-260-031(3)(b)	Minimum deck slope of 1/4 inch per foot to drain	1% minimum slope with smooth finish. Compliance with MAHC. Proper maintenance.	Approved
Skamania	DOH	Tenzen	246-260-051(1)	Perimeter deck provided	shallow and narrow spas, local EMS ok, emergency action plan developed	Approved
Skamania	DOH	Tenzen	246-260-051(2)(a)	Spa surface color white or light if greater than 100 square feet	shallow spa, plenty of light, no hydrotherapy jets, frequent draining, and cleaning.	Approved
Spokane	SRHD	Historic Davenport Hotel	246-260-031(3)	Walking surfaces - carpet	Signage to towel off. Carpet care specified.	Approved

Spokane	SRHD	Cannon Pool-City of Spokane Parks	246-260-151	Restrictions on Animals - dog swim	1) provide lifeguards at the event, 2) humans are prohibited from entering the water, 3) disinfection residuals must conform to WAC 246-260, 4) the recirculation system must remain on throughout the event, 5) dogs must be evaluated by a veterinarian for aggression and health issues before entering the pool area, 6) dogs must be bathed before entering the water, 7) all dogs must be older than six months and currently vaccinated against rabies.	Approved
Spokane	SRHD	Comstock Pool-City of Spokane Parks	246-260-151	Restrictions on Animals - dog swim	see above	Approved
Spokane	SRHD	Hillyard Pool-City of Spokane Parks	246-260-151	Restrictions on Animals - dog swim	see above	Approved
Spokane	SRHD	Liberty Pool-City of Spokane Parks	246-260-151	Restrictions on Animals - dog swim	see above	Approved
Spokane	SRHD	Shadle Pool-City of Spokane Parks	246-260-151	Restrictions on Animals - dog swim	see above	Approved
Spokane	SRHD	Mission Pool City of Spokane Valley	246-260-152	Restrictions on Animals - dog swim	see above	Approved
Spokane	SRHD	Wellness Center at Central Park	246-260-031(20)	Locker Rooms - carpeting	Signage to towel off. Carpet care specified. Maintain non-slip mats on tile near the carpet.	Approved

Pierce	TPCHD	Tacoma Lawn Tennis Club	246-260-131(3)(a),(d)	Alcohol prohibited at general use pools	Written operations plan required including additional staff training on alcohol impairment; food/alcohol only allowed at certain areas of the pool deck, pool deck must be clearly marked with painted lines showing this area; required deck surface area must still be provided (no food/alcohol in this space); additional signage and member correspondence required; no glass allowed; 6 month assessment required after starting.	Conditional Approval
King	PHSKC	Fox Run	(WAC) 246-260-031(8)(d)(iii)	skimmers to be equipped with a device such as an equalizer line to prevent air lock in the recirculation suction line.	operator will monitor water levels to prevent pump cavitation	Approved
King	PHSKC	Boren Towers	WAC 246-260-051 (4)	Turnover rate and bather load	Turnover 30-60 minute turnover rate, bather load limited to 25 people, maximum temp $\leq 93^{\circ}\text{F}$	Approved; note: constructed before plan review approval
King	PHSKC	Ovation	WAC 246-260-041 (1)	Location. Owners shall ensure pump houses, planters, balconies, landscape features, trees, and structures are located fifteen feet or more horizontally away from any swimming pool or provide barriers or other means to prevent diving or ready access to a pool from the structures.	signage posted in pool area prohibiting jumping from cabana. Added to lease agreement pool rules notification that are signed annually.	Approved