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## Summary of TRC Email Agenda for 7/1

The following is a summary of email-based discussions for Change Requests (CRs) addressed by the Technical Review Committee (TRC) for the week of 7/1/20. These CRs were discussed by email, with votes being cast 7/8 to 7/13.

Due to the number of CRs to be evaluated, the TRC decided on the 6/8 call to return some CRs to an email agenda. CRs addressed in this summary were CRs moved from a call schedule to this email agenda and are generally considered by the TRC as non-substantive.

To ensure that all CRs are adequately reviewed, the TRC reserves the right to revisit any CR reviewed via email, even if a vote has been cast. The TRC will also examine all Abstain votes to ensure that proper attention has been given to each CR. Additionally, any TRC member can initiate the revisiting of a CR reviewed via email without a consensus vote. In this occurrence, the CR in question will be revisited by the TRC during the normal call schedule and a new vote cast

### **4.8.7.6-0001**

*Champion Comments:* This is the same as CR #s 4.11.2.2-0001, 5.4.2.2.4.1-0001, and similar to 5.7.3.1.1.1-0001, all of which were voted YES as part of the consent agenda during our first call. There may be concerns over the use of extension cords, but that is already addressed in the MAHC and any changes in that direction should be addressed in a separate CR. This CR only concerns itself with the non-substantive change, "should" to "shall". This is a best practice for all rule/code writers.

*The TRC recommends a Yes vote on this CR.*

### **3.2-0025**

*Champion Comments:* On 5-11 review/vote, CR#s 4.2.1.8-0001, 4.5.16.1-0001, 4.8.1.4.2.1-0001, 4.10.3.1.1-0001, and 4.12.10.10.1-0001 were recommended a YES vote by the TRC. These CRs removed reference to the ANSI standard. Though there is a clear need for a definition, adding this would seem to conflict with the arguments in favor of removing it in the previous CRs. On the other hand, a YES vote for this CR would just simplify the current MAHC language by putting reference to the ANSI standard in one place, in the definitions.

*The TRC was unable to come to a consensus and abstains from this CR.*

### **4.1.2.2.3-0001**

*Champion Comments:* Makes standard the use of the term "slip-resistant".

*The TRC recommends a Yes vote for this CR.*

#### **4.8.2.2.2-0001**

*Champion Comments:* Makes standard the use of the term "slip-resistant".

*The TRC recommends a Yes vote for this CR.*

#### **3.2-0026 and 3.2-0028**

Both of these edit the definition of Aquatic Venue, addressing the use of the term "general public". One would use the term "people", the other "human". As a compromise, both submitters were contacted to propose using "patron", which is already a defined term in the MAHC. Both submitters agreed to the following language, for the first part of the definition:

"Aquatic Venue" means an artificially constructed structure or modified natural structure where a patron~~the general public~~ is exposed to water intended for ..."

#### 3.2-0026 as submitted

"Aquatic Venue" means an artificially constructed structure or modified natural structure where a person or people are~~the general public~~ is exposed to water intended for recreational or therapeutic purpose and where the primary intended use is not watering livestock, irrigation, water storage, fishing, or habitat for aquatic life. Such structures do not necessarily contain standing water, so water exposure may occur via contact, ingestion, or aerosolization. Examples include swimming pools, wave pools, lazy rivers, surf pools, spas (including spa pools and hot tubs), therapy pools, waterslide landing pools, spray pads, and other interactive water venues.

*The TRC recommends a Yes vote for this CR.*

#### 3.2-0028 as submitted (also edits the Annex)

"Aquatic Venue" means an artificially constructed structure or modified natural structure where ~~the general public~~ is humans are exposed to water intended for recreational or therapeutic purpose and where the primary intended use is not watering livestock, irrigation, water storage, fishing, or habitat for aquatic life, and excludes structures that are exempted by AHJ. Such structures do not necessarily contain standing water, so water exposure may occur via contact, ingestion, or aerosolization. Examples include swimming pools, wave pools, lazy rivers, surf pools, spas (*including spa pools and hot tubs*), therapy pools, waterslide landing pools, spray pads, and other interactive water venues.

*Champion Comments:* Recommend a NO vote on 3.2-0028, and a YES vote on 3.2-0026 with the change from "person or people" to "patron".

*The TRC recommends a No vote for this CR.*

### **3.2-0030**

“Pool” means a subset of aquatic venues designed to have ~~standing~~ water for total or partial bather immersion. This does not include spas.

- “Activity Pool” means a water attraction designed primarily for play activity that uses constructed features and devices including pad walks, flotation devices, and similar attractions.
- “Diving Pool” means a pool used exclusively for diving.
- “Landing Pool” means an aquatic venue or designated section of an aquatic venue located at the exit of one or more waterslide flumes. The body of water is intended and designed to receive a bather emerging from the flume for the purpose of terminating the slide action and providing a means of exit to a deck or walkway area.
- “Lazy River” means a channeled flow of water of near-constant depth in which the water is moved by pumps or other means of propulsion to provide a river-like flow that transports bathers over a defined path. A lazy river may include play features and devices. A lazy river may also be referred to as a tubing pool, leisure river, leisure pool or a current channel.
- “Skimmer Pool” means a pool using a skimmer system.
- “Surf Pool” means any pool designed to generate waves dedicated to the activity of surfing on a surfboard or analogous surfing device commonly used in the ocean and intended for sport as opposed to general play intent for wave pools.
- “Swimming Pool” means any pool used primarily for swimming and other recreational activities such as floating, relaxation, bathing, and diving, and the water depth in the deepest part of the pool exceeds 2 feet (0.6 m).
- “Therapy Pool” means a pool used exclusively for aquatic therapy, physical therapy, and/or rehabilitation to treat a diagnosed injury, illness, or medical condition, wherein the therapy is provided under the direct supervision of a licensed physical therapist, occupational therapist, or athletic trainer. This could include wound patients or immunocompromised patients whose health could be impacted if there is not additional water quality protection.
- “Wading Pool” means any pool used exclusively for wading and intended for use by young children where the depth does not exceed 2 feet (0.6 m).
- “Wave Pools” means any pool designed to simulate breaking or cyclic waves for purposes of general play. A wave pool is not the same as a surf pool, which generates waves dedicated to the activity of surfing on a surfboard or analogous surfing device commonly used in the ocean and intended for sport as opposed to general play intent for wave pools.

*Champion comments:* The submitter argues “The current definition of “pool” states: “have standing water.” “Standing water” is not defined, and it seems misleading. Many would say that water in surf pools and wave pools is not “standing”, yet surf pools and wave pools are listed as examples of “pool.” If surf pools and wave pools are examples of pools, why are lazy rivers not part of pools? Because these are all similar structures containing water that are used in similar ways, it seems to make sense to put them all under the category of “pool”, which is a subset of aquatic venues. Also “swimming pool” is not defined anywhere though the phrase “swimming pool” is used multiple times.”

*TRC note:* Lazy river is already defined as a specific type of aquatic venue in the aquatic venue definition, so this proposed definition would repeat the same entry under the “pool” definition.

*The TRC was unable to come to a consensus and abstains from this CR.*

#### **4.7.3.2.1.3-0001**

For all new or SUBSTANTIALLY RENOVATED AQUATIC VENUES and within three (3) years ~~1-year~~ of adoption of this CODE for existing facilities, all chemical control and feed systems shall be provided with an automatic means to disable all chemical feeders for each VENUE or portion of a VENUE in the event of a low flow or no flow condition. This shall be accomplished through an electrical interlock consisting of at least two of the following: 1) Recirculation pump power MONITOR, 2) Flow meter/flow switch in the return line, 3) Flow meter/flow switch at the chemical controller.

*Member comment summary:* DISAGREEMENT: The sooner we can encourage functional interlocks on all pools the better.

*Champion comments:* Keep in mind this is a model code, and not enforceable unless adopted as part of a local code. This time frame could/should be edited during adoption to meet local needs and concerns.

*The TRC was recommends a No vote on this CR.*

#### **4.7.3.2.8.1.1-0001**

For existing AQUATIC FACILITIES, AUTOMATED CONTROLLERS shall be required within three (3) years ~~1-year~~ from adoption of this CODE.

*Champion comments:* Keep in mind this is a model code, and not enforceable unless adopted as part of a local code. This time frame could/should be edited during adoption to meet local needs and concerns.

*The TRC was recommends a No vote on this CR.*

#### **5.7.3.7.1.1-0001**

An AUTOMATED CONTROLLER shall be required within three (3) years ~~1-year~~ from time of adoption of this CODE.

*Champion comments:* Keep in mind this is a model code, and not enforceable unless adopted as part of a local code. This time frame could/should be edited during adoption to meet local needs and concerns.

*The TRC recommends a No vote on this CR.*

#### **4.7.3.3.1.1-0001**

SECONDARY DISINFECTION SYSTEMS shall be CERTIFIED, LISTED, AND LABELED to ANSI/NSF 50 by an ANSI-accredited certification organization ~~approved by the AHJ.~~

*The TRC recommends a No vote for this CR.*

#### **4.7.3.3.1.1-0002**

SECONDARY DISINFECTION SYSTEMS shall be CERTIFIED, LISTED, AND LABELED to ANSI/NSF 50 by an ANSI-accredited certification organization or approved by the AHJ with proper engineering justification.

Champion comments: there may be an issue with what "proper engineering justification" may entail, but does seem to clarify the intent of the original text and allows the local jurisdictions to be the regulatory authority for their jurisdiction.

*The TRC recommends a Yes vote for this CR.*

#### **4.9.2-0001**

##### **4.9.2-0001 Chemical Storage Spaces**

~~Nothing in this section shall be construed as providing relief from applicable requirements of fire CODES, mechanical CODES, electrical CODES, etc.~~

*Submitter's rationale:* If this type of statement is included in the MAHC it should only occur once at the beginning of the MAHC. When placed in a specific section it appears that other sections that do not include this statement are intended to provide relief from requirements of other codes which is not the intent

*Champion comments:* There should be consistency, but having this statement included doesn't hurt anything. These statements serve as a reminder that there are other codes/laws specific to chemical storage.

*The TRC recommends a No vote for this CR.*

#### **4.8.1.5.1.4-0001**

~~4.8.1.5.1.4 Refer to MAHC 4.6.10 for more information on spectator areas.~~

*Champion comments:* It may be useful to keep as a reference but doesn't serve a purpose as a standalone section of code.

*The TRC was unable to come to a consensus and abstains from this CR.*

#### **6.6.3.1.2-0001**

6.6.3.2 Required Closing An AQUATIC FACILITY owner, QUALIFIED OPERATOR, or RESPONSIBLE SUPERVISOR of an AQUATIC FACILITY shall close an AQUATIC VENUE for any of the IMMEDIATE HEALTH HAZARDS in MAHC 6.6.3.1.

*Champion comments:* I agree with the rationale given by the submitter. Though it does require a closure, it also makes clear to operators that they can close without waiting for AHJ approval or inspection.

*The TRC recommends a Yes vote for this CR.*

#### **5.9.1.1-0001**

~~CHEMICAL STORAGE shall be in compliance with local building and fire CODES.~~

Submitter's rationale: This is unnecessary and confusing. Is this intended to imply that other sections not have to comply with local building and fire codes? If other sections also must comply with local building and fire codes it should only be stated once at the beginning of the code.

*Champion comments:* There should be consistency, but having this statement included doesn't hurt anything. These statements serve as a reminder that there are other codes/laws specific to chemical storage.

*The TRC recommends a No vote for this CR.*

#### **5.9.1.2-0001**

~~Chemical handling shall be in compliance with OSHA and EPA regulations.~~

Submitter's rationale: This is unnecessary and confusing. Do other sections of the code not have to comply with the requirements of OSHA and EPA. Say it once at the beginning if it is said at all. OSHA and EPA are federal programs enforced outside of state or local pool programs.

*Champion comments:* There should be consistency, but having this statement included doesn't hurt anything. These statements serve as a reminder that there are other codes/laws specific to chemical storage.

*The TRC recommends a No vote for this CR.*

#### **4.5.4.3-0001**

~~4.5.4.3A Deep Water~~ Where stairs are provided in POOL water depths greater than 5 feet (1.5 m), they shall be recessed and not protrude into the swimming area of the POOL.

*Submitter's Rationale:* Deep water is currently undefined in the code. A common use definition of deep is "extending far down". I believe deep water was intentional not defined and the use of deep water avoided as it can obscure the risks associated with water depths of 3 ft to 5 ft where the majority of

drowning incident at pools occur. Deep water to a young child is different than what is deep water to an adult.

*TRC Champion* – Deep Water is used in a non-definition form throughout the MAHC. Deep Water is just used as a heading in this case. This section does not rely on a definition of deep water, but rather defines it in the section specifically for the section, not as a general definition.

*The TRC recommends a No vote for this CR.*

### **3.2-0008**

“Certified, Listed, and Labeled” means equipment, materials, products, or services included in a list published by an ANSI accredited certification organization where said equipment, material, product, or service is evaluated against specific criteria and whose listing either states that it meets identified standards or has been tested and found suitable for a specified purpose. ~~In sections of this code where equipment, materials, products, or services are referred to with terms such as "approved", "verified" or similar terms to a referenced standard, these terms also mean "certified, listed, and labeled."~~

*Submitter's Rationale:* In regulations we should be consistent in our use of words and the code should not and does not appear to use "approved" or "verified" or other similar terms where the code intends "certified, listed, and labeled" This added sentence appears to be unnecessary and adds confusion and length to the code

*TRC Champion* – “Approved” is used consistently throughout the MAHC. All mentions of approved pertaining to this definition would need to be edited.

*The TRC recommends a No vote on this CR.*

### **4.7.3.4.1.2-0001**

~~SUPPLEMENTAL TREATMENT SYSTEMS shall not be required on any AQUATIC VENUES.~~

*Submitter's Rationale:* Previous section already listed as optional and noted aquatic venues may install. I think it is already clear that they are not required

*TRC Champion:* This is editorial and it does seem to be a redundant section.

*The TRC was unable to come to a consensus and abstains from this CR.*

### **3.2-0015**

“Interior Space” means any substantially enclosed space having a roof and having a wall or walls, ~~which might reduce the free flow of outdoor air. Ventilation openings, fans, blowers, windows, doors, etc., shall not be construed as allowing free flow of outdoor air.~~

*Submitter justification:* The definition is confusing as written. As I understand the definition, if a space is covered by a roof and has a wall or multiple walls it an interior space. The rest of the sentence and additional sentence appear unnecessary as the ventilation of the space or lack there of does not change whether or not it is classified as an interior space.

*Champion comments:* I think it helps to have the additional wording. A venue with a roof and surrounded by sliding glass doors would be an interior space even though the doors could all be left open.

*The TRC recommends a No vote for this CR.*

#### **5.4.1.1.2-0002**

Where the AQUATIC VENUE does not have a BARRIER enclosing it per MAHC 4.8.6 and other parts of the AQUATIC FACILITY are open to the public: 1) The water shall be recirculated and treated to meet the criteria of this CODE and the AQUATIC VENUE shall be staffed to keep BATHERS out; or 2) ~~The water shall be drained, and the AQUATIC VENUE shall be staffed to keep BATHERS out; or 3)~~ A temporary BARRIER enclosing the AQUATIC VENUE shall be installed to keep bathers out, and routine checks of the integrity of the temporary AQUATIC VENUE BARRIER shall be made; or 4) 3) An approved SAFETY cover that is CERTIFIED, LISTED, AND LABELED to ASTM F1346-91 by an ANSI-accredited certification organization shall be installed.

*Submitter justification:* When the water is drained from an aquatic venue there is a much more significant fall hazard from the deck into the pool. If no barrier was in place is would be difficult for staff to protect against a fall. In those cases if the pool is drained a temporary barrier or appropriate safety cover must be in place.

*Champion comments:* The wording for #2 and #3 was inserted into the MAHC in 2018. I don't have a copy of the TRC or TSC evaluation forms at the time, but my memory of the justification for the change was that it should be up to the facility to decide whether it makes more sense for them to install a barrier or to provide sufficient staffing to keep bathers out. Depending on the aquatic venue type, facility lay-out and the closure time (e.g. spa draining) it may make more sense for a facility to use staff to prevent entry rather than erecting a barrier.

*The TRC recommends a No vote for this CR.*