

CR 91-149

CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPARTMENT OF HEALTH AND SOCIAL SERVICES)

I, Gerald Whitburn, Secretary of the Department of Health and Social Services and custodian of the official records of the Department, do hereby certify that the annexed rules relating to the safety, maintenance and operation of swimming pools, including whirlpools, were duly approved and adopted by this Department on May 11, 1992.

I further certify that this copy has been compared by me with the original on file in the Department and that this copy is a true copy of the original, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the State Office Building, 1 W. Wilson Street, in the city of Madison, this 11th day of May, 1992.

Gerald Whitburn

Gerald Whitburn, Secretary
Department of Health and Social Services

SEAL:

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MAY 11 1992

ORDER OF THE
DEPARTMENT OF HEALTH AND SOCIAL SERVICES
REPEALING AND RECREATING RULES

Revisor of Statutes
Bureau

To repeal and recreate HSS 172, relating to the safety, maintenance and operation of public swimming pools including whirlpools.

Analysis Prepared by the Department of Health and Social Services

This order repeals and recreates ch. HSS 172, the Department's rules for the safety, maintenance and operation of swimming pools, including whirlpools, that are open to the public. The rules are repealed and recreated in order to update them (they have not been generally revised since 1978), to clarify them where concerns have arisen about the meaning of particular requirements, to remove unnecessary language from the chapter, to bring the rules into compliance with current drafting standards, to bring them into compliance with methods for examining water samples set out in a publication of the American Public Health Association, and to make the rules consistent with nationally recognized criteria for the operation of swimming pools drawn from recommended standards developed by the American Public Health Association, the National Swimming Pool Institute, and the 10-state Great Lakes and Upper Mississippi Board of State Sanitary Engineers.

Chapter HSS 172 consists of standards for the operation of pools. The standards cover supervision and safety, including lifeguards, safety equipment and pool rules; use of a swimming pool; operation of the recirculation system; equipment for feeding chemical disinfectants and filter aid into the pool water, and chlorine gas equipment; chemicals used to disinfect pool water, their proper concentrations and testing of the water to maintain proper concentrations; pool water quality standards, including standards for temperature, clarity and microbiological quality; collection of pool water samples for bacteriological analysis; monthly reports and records; maintenance; solid waste disposal; reasons for closing a pool; and enforcement of the chapter.

The Department's authority to adopt these rules is found in s. 140.05 (3), Stats. The rules interpret s. 140.05 (1) and (17), Stats.

SECTION 1. HSS 172 is repealed and recreated to read:

SECTION 1. HSS 172.03 (6) is repealed and recreated to read:

HSS 172.03 (6) "Lifeguard" means a person holding the following certifications:

(a) Lifeguard certification, limited to one of the following:

1. A current American Red Cross Lifeguard Training certificate;
2. An American Red Cross Basic Lifeguarding certificate;
3. A Young Men's Christian Association (YMCA) Lifeguarding certificate;
4. A National Pool and Waterpark Lifeguard Training (NPWLT) program

certificate; or

5. Other lifeguard certification approved by the department;

(b) First aid certification, limited to one of the following:

1. A current standard first aid certificate from the American Red Cross;

or

2. Other first aid certification approved by the department; and

(c) Cardiopulmonary resuscitation (CPR), limited to one of the

following:

1. A current cardiopulmonary resuscitation (CPR) certificate for adult, children and infant skills from the American Red Cross;

2. A current cardiopulmonary resuscitation (CPR) certificate for adult, children and infant skills from the American Heart Association; or

3. Other CPR certification approved by the department.

SECTION 2. HSS 172.03 (16) to (18) are renumbered HSS 172.03 (17) to (19).

SECTION 3. HSS 172.03 (16) is created to read:

HSS 172.03 (16) "Wading pool" means a shallow pool used primarily by children.

SECTION 4. HSS 172.05 (2)(a) 3 is amended to read:

HSS 172.05 (2)(a) 3. Every lifeguard shall hold a current American Red Cross Lifeguard Training certificate, an American Red Cross Basic Lifeguarding certificate, a Young Men's Christian Association (YMCA) Lifeguarding certificate, a National Pool and Waterpark Lifeguard Training (NPWLT) program certificate or ~~another certificate of training which is shown to be equivalent to Red Cross or YMCA training~~ other lifeguard certification approved by the department. In addition, every lifeguard shall hold a current ~~Standard First Aid~~ standard first aid certificate from the American Red Cross or other first aid certification approved by the department and a current certificate from the American Red Cross or the American Heart Association or other certification approved by the department for the completion of a course in cardiopulmonary resuscitation (CPR) for adults, children and infants.

SECTION 5. HSS 172.05 (2)(b) 4 is repealed.

SECTION 6. HSS 172.05 (2)(c), (4)(d) and (h) and (5)(c) 2 are amended to read:

HSS 172.05 (2)(c) When a pool is used for instructional purposes, an instructor or other person holding a current American Red Cross Water Safety Instructor certificate, a current Standard First Aid certificate from the American Red Cross or other first aid certification approved by the department and a current cardiopulmonary resuscitation CPR certificate from the American Red Cross or the American Heart Association or other CPR certification approved by the department may substitute for the lifeguard requirements in this subsection. Required certification shall be obtained before September 1, 1993.

(4)(d) First aid equipment. An approved 24-unit first aid kit, and 2 durable blankets ~~and at least one spine board~~ shall be available at each pool area. In addition, a spine board shall be available at a pool where a lifeguard is required.

(h) Telephone. For outdoor pools a working telephone shall be available in the pool area. For indoor pools a working telephone shall be available within the enclosed area around a pool. The department may approve under s. HSS 172.02 (2) an alternate location for a telephone or another system of communication. A current list of emergency numbers shall be attached to or posted near the telephone.

(5)(c) 2. Do not bring food, drink, gum or tobacco into the pool ~~or onto the deck;~~

SECTION 7. HSS 172.06 is repealed and recreated to read:

HSS 172.06 FOOD AND DRINK CONTAINERS. Glass and shatterable plastic items are prohibited in the pool area. The pool area shall be maintained in a clean and sanitary condition.

SECTION 8. HSS 172.08 (2)(c) 3 is amended to read:

HSS 172.08 (2)(c) 3. A self-contained breathing apparatus designed for use in a chlorine gas atmosphere shall be provided and stored ~~outside of the chlorine gas storage room~~ where it is immediately accessible to personnel who enter the chlorine gas storage room. The ~~apparatus facility~~ shall comply with 29 CFR 1910.134 on respiratory protection, including but not limited to the required provision of a written operating procedure governing the selection and use of respirators and the required training of users. The apparatus shall be continuously usable and readily accessible, and replacement parts shall be readily accessible.

SECTION 9. HSS 172.09 (2)(a), (b) and (c) and (3)(b) 2 are amended to read:

HSS 172.09 (2) CHEMICAL CONCENTRATIONS. (a) Chlorine residual. The free available chlorine residual in pool water shall be a minimum of 1.0 ppm ~~of free available chlorine~~ except that in whirlpools the minimum shall be 3.0 ppm and in wading pools, waterslide plunge pools and wave pools the minimum shall be 2.0 ppm. When a waterslide plunge pool or a wave pool is equipped with approved and properly functioning electronic monitoring devices to control the chlorine residual and pH level, the free available chlorine residual may be a minimum of 1.0 ppm.

(b) Cyanurates. When cyanuric acid or a chlorinated isocyanurate is used, the free available chlorine in pool water shall be a minimum of 1.5 ppm, except that in wading pools, in waterslide plunge pools and in wave pools the free available chlorine shall be a minimum of 3.0 ppm and in outdoor

whirlpools the free available chlorine shall be a minimum of 4.0 ppm. The cyanuric acid concentration in the pool water shall range between 25 and 100 ppm.

(c) Bromine residual. The bromine residual in pool water shall be a minimum of 3.0 ppm except that in wading pools the bromine residual shall be a minimum of 4.0 ppm and in whirlpools the bromine residual shall be a minimum of 5.0 ppm. Bromine may not be used in waterslide plunge pools or wave pools unless the department's prior approval is obtained.

(3)(b) 2. Whirlpool water shall be tested for pH and disinfectant residual at least 4 times daily. At least 2 of these times the testing shall be done when the pool is in use. Whirlpool water shall be tested at least once daily for combined chlorine, when chlorine is used, and at least once daily a week for total alkalinity.

SECTION 10. HSS 172.09 (3)(b) 3 is created to read:

HSS 172.09 (3)(b) 3. When a properly functioning electronic monitoring device is installed to control pH and disinfectant residual in pool or whirlpool water, testing shall be done at least once a day for pH and disinfectant residual.

SECTION 11. HSS 172.10 (2)(a) and (4)(b) 2 are amended to read:

HSS 172.10 (2) POOL WATER TEMPERATURE. (a) Pools except whirlpools. The water temperature of indoor pools, except whirlpools, shall be between 72°F. (25°C.) and 90°F. (32°C.). The air temperature at an indoor pool shall be ~~higher than the water temperature~~ at least 72°F. The minimum water

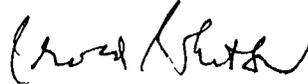
temperature for outdoor pools shall be 65°F. (18°C.). An accurate thermometer shall be located in the pool water return line and shall be accessible for observation by the pool operator.

(4)(b) 2. When bacteriological analysis is done for the heterotrophic plate count, the total count may not exceed ~~more than~~ 200 colonies per one milliliter of water sample.

The repeals and rules contained in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, as provided in s. 227.22(2), Stats.

Wisconsin Department of Health
and Social Services

DATED: May 11, 1992

By: 
Gerald Whitburn
Secretary

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Tommy G. Thompson
Governor
Gerald Whitburn
Secretary



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1 West Wilson Street
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State of Wisconsin
Department of Health and Social Services

May 11, 1992

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Revisor of Statutes
Bureau

Mr. Bruce E. Munson
Revisor of Statutes
119 Martin Luther King, Jr., Blvd.
Madison, WI 53703

Dear Mr. Munson:

As provided in s. 227.20, Stats., there is hereby submitted a certified copy of HSS 172, administrative rules relating to the safety, maintenance and operation of swimming pools, including whirlpools.

These rules are also being submitted to the Secretary of State as required by s. 227.20, Stats.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gerald Whitburn".

Gerald Whitburn
Secretary

Enclosure