

1 15A NCAC 18A .2508 is amended with changes as published in 34:23 NCR 2177–2181 as follows:

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3 **15A NCAC 18A .2508 DEFINITIONS**

4 The following definitions apply throughout this Section:

5 (1) "Department" means North Carolina Department of Health and Human Services.

6 ~~(+)(2)~~ "Equipment replacement" means replacement of individual components of the hydraulic and
7 disinfection systems such as pumps, filters, and automatic chemical feeders.

8 ~~(2)(3)~~ "Public swimming pool" means public swimming pool as defined in G.S. 130A-280. Public
9 swimming pools are divided into five types:

10 (a) "Swimming pools" are public swimming pools used primarily for swimming.

11 (b) "Spas" are public swimming pools designed for recreational and therapeutic use that are
12 not drained, cleaned, or refilled after each individual use. Spas may include units designed
13 for hydrojet circulation, hot water, cold water mineral bath, air induction bubbles, or any
14 combination thereof. Common terminology for spas includes "therapeutic pool,"
15 "hydrotherapy pool," "whirlpool," "hot spa," and "hot tub."

16 (c) "Wading pools" are public swimming pools designed for use by children, including wading
17 pools for toddlers and children's activity pools designed for casual water play ranging from
18 splashing activity to the use of interactive water features placed in the pool.

19 ~~(d) "Specialized water "~~ "Water recreation attractions" are pools designed for special purposes
20 that differentiate them from swimming pools, wading **pools pools**, and spas. They include:

21 (i) water slide plunge pools and run out lanes, which transfer the kinetic energy of
22 the users' velocity through friction to the slide;

23 (ii) wave pools;

24 (iii) rapid rides;

25 (iv) lazy rivers;

26 (v) interactive play attractions that incorporate devices using sprayed, jetted, or other
27 water sources contacting the users and that do not incorporate standing or captured
28 water as part of the user activity ~~area; and area;~~

29 (vi) training pools deeper than a 24 inch deep wading pool and shallower than a 36
30 inch deep swimming ~~pool; pool; and~~

31 (vii) artificial swimming lagoons as defined in G.S. 130A-280.

32 (e) "Special purpose and therapy pools" are pools designed and used for therapeutic treatments
33 or physical training and fitness outside of a licensed medical facility or practice of a
34 licensed physical therapist. They include:

35 (i) float tanks used for float therapy in a salt brine solution;

36 (ii) swim spa training pools which use jetted water for stationary swimming against a
37 water current;

- 1 (iii) exercise therapy and treadmill pools equipped for water resistance exercise
2 therapy; and
- 3 (iv) scuba pools designed and used for training swimmers to use self-contained
4 underwater breathing apparatus.
- 5 ~~(3)~~(4) "Registered Design Professional" means an individual who is registered or licensed to practice
6 engineering as defined by G.S. 89C or architecture as defined by G.S. 83A.
- 7 ~~(4)~~(5) "Remodeled" means renovated in a manner requiring disruption of the majority of the pool shell or
8 deck, changes in the pool profile, or redesign of the pool hydraulic system.
- 9 ~~(5)~~(6) "Repair" means returning existing equipment to working order, replastering or repainting of the pool
10 interior, replacement of tiles or ~~ceping~~ coping, and similar maintenance activities. This term
11 includes replacement of pool decks where the Department has determined that no changes are
12 needed to underlying pipes or other pool structures.
- 13 ~~(6)~~(7) "Safety vacuum release system" means a system or device capable of providing vacuum release at
14 a suction outlet caused by a high vacuum occurrence due to suction outlet flow blockage.
- 15 ~~(7)~~(8) "Splash zone" means the area of an interactive play attraction that sheds water to a surge tank or
16 container to be recirculated.
- 17 ~~(8)~~(9) "Unblockable drain" means a drain of any size and shape that a human body cannot sufficiently
18 block to create a suction entrapment hazard.
- 19 (10) "Water feature" means any component within a public swimming pool that pumps, jets, or sprays
20 water above the waterline.

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23 *History Note: Authority G.S. 130A-280; 130A-282; S.L. 2019-88;*
24 *Eff. May 1, 1991;*
25 *Temporary Amendment Eff. June 1, 1994 for a period of 180 days or until the permanent rule*
26 *becomes effective, whichever is sooner;*
27 *Amended Eff. April, 1, 2013; May 1, 2010; March 1, 2004; April 1, 1999; January 1, 1996; October*
28 *1, 1994.*
29 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20,*
30 *2019;*
31 *Temporary Amendment Eff. December 3, 2019; ~~2019~~.*
32 *Amended Eff. October 1, 2020.*

1 15A NCAC 18A .2543 is amended with changes as published in 34:23 NCR 2177–2181 as follows:

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3 **15A NCAC 18A .2543 WATER RECREATION ATTRACTIONS**

4 (a) Upon written request and approval by the Department, water ~~Water~~ recreation attractions including water slides,
5 wave pools, rapid rides, lazy ~~rivers~~ rivers, artificial swimming lagoons, and other similar features may ~~can~~ deviate
6 from the requirements of this Section with respect to pool profile, depth, freeboard, flow dynamics and surface
7 skimming systems. The Department shall approve the request upon a showing ~~designing engineer or equipment~~
8 ~~manufacturer shall provide the Department with information~~ [design plans and technical specifications] that such
9 deviation performs in a manner equally to or more protective of public health than the requirements of this Section
10 based upon design plans and technical specifications by the designing engineer or equipment manufacturer. ~~to justify~~
11 ~~such deviation~~ [deviation.] ~~as necessary for the proper function of the attraction.~~ Water recreation attractions shall
12 meet all other requirements of this Section.

13 (b) Water slide landing pools with a capacity of less than 60,000 gallons shall have a circulation and filtration system
14 capable of turning over the entire pool capacity every two hours. Where automatic chemical controllers are used the
15 turnover time shall be no more than three hours. Landing pool dimensions shall be consistent with the slide
16 manufacturer's recommendation.

17 (c) When waterfalls are incorporated in water recreation attractions, they shall be constructed with no handholds or
18 footholds to a height of four feet to discourage climbing.

19 (d) Interactive play attractions shall be constructed and operated in accordance with the ~~rules of this section~~ Rules of
20 this Section and shall comply with the following:

21 (1) The recirculation system shall contain a water capacity equal to at least three minutes of maximum
22 flow of all feature pumps and filter circulation pumps combined and shall not be less than 1,000
23 gallons. Where the water capacity exceeds 10,000 gallons, the minimum capacity shall be based on
24 the lesser of three minutes of maximum feature flow or 7.5 gallons per square foot of splash zone
25 watershed drained to the surge container.

26 (2) Access shall be provided to the surge water container.

27 (3) A filter circulation system shall be provided and shall be separate from the feature pump system
28 except that both systems can draw water from a common drain pipe if the drain and pipe are sized
29 to handle the flow of all pumps without exceeding the flow velocities specified in Rule .2518 of this
30 Section.

31 (4) The filter circulation system shall draw water from the surge container through a variable height
32 surface skimmer and a bottom drain located no more than 6 inches from the bottom of the container.
33 ~~Custom skimming systems that do not comply with ANSI/NSF Standard 50 shall be approved where~~
34 ~~the operational requirements make it necessary to deviate from that standard.~~

35 (5) The filter circulation system shall filter and return the entire water capacity in no more than 30
36 minutes and shall operate 24 hours a day.

- 1 (6) Automatic chemical controllers shall be provided to monitor and adjust the disinfectant residual and
2 pH of the water contained in the system.
- 3 (7) The disinfectant residual in interactive play attractions shall be maintained at a level of at least two
4 parts per million of free chlorine. Chlorine feeders shall be capable of producing 12 parts per million
5 of free chlorine in the filter circulation piping.
- 6 (8) Valves shall be provided to control water flow to the features in accordance with the manufacturers'
7 specifications.
- 8 (9) Splash zones shall be sloped to drains sized and located to remove all feature water to the surge tank
9 without water accumulating on the surface.
- 10 (10) Deck or walkway space is not required outside the splash zone.
- 11 (11) Dressing and sanitary facilities shall not be provided, required.
- 12 (12) Interactive play features shall not be required to have a fence except the wading pool fence
13 requirements shall apply to interactive play features located inside a swimming pool enclosure.
- 14 (13) The safety provisions of Rule .2530 of this Section shall not apply except a sign shall be posted
15 prohibiting pets and glass containers.
- 16 (14) Interactive play attractions built prior to April 1, 2004, that do not comply with these design and
17 construction requirements shall be permitted to operate as built if no water quality or safety
18 violations ~~occur.~~ occur under Rules .2535 and .2537 of this Section.

19 (e) Training pools shall meet the requirements for swimming pools with the following exceptions:

- 20 (1) Training pools shall be equipped with a filter circulation system that filters and returns the entire
21 pool capacity in no more than two hours.
- 22 (2) The free chlorine residual in training pools shall be maintained at no less than two parts per million.

23 (f) Artificial swimming lagoons shall meet the requirements for public swimming pools except as specified in this

24 Rule:

- 25 (1) Pool shells shall not be required. Liners shall meet the requirements of Rule .2514 of this Section.
- 26 (2) Underwater components of the artificial swimming lagoon or float lines with openings greater than
27 one-half inch shall not be allowed in swimming zones.
- 28 (3) All swimming zone float rope components shall be a color contrasting with the pool liner. Artificial
29 swimming lagoons are not required to meet [The location of] the float rope location [may vary from
30 the] requirements of Rule .2523(e) of this Section regarding breakpoint and slope. A contrasting
31 color band shall not be required on the liner under the rope.
- 32 (4) Each swimming zone and water feature shall meet water quality standards as required in Rule .2535
33 of this Section. If the water quality of a swimming zone or water feature does not meet the
34 requirements of Rule .2535 of this Section, the operator shall close the swimming zone or water
35 feature and post a sign at the entrance of the swimming zone with legible letters of at least four
36 inches (10 cm) in height stating "ATTENTION: THE SWIMMING ZONE IS CLOSED.
37 SWIMMING IN THIS AREA IS NOT PERMITTED AT THIS TIME." The swimming zone or

1 water feature shall remain closed until the water quality in the swimming zone or water feature
2 complies with the requirements of Rule .2535 of this Section.

3 (5) All non-swimming zones shall be maintained so the bottom of the lagoon is visible in all areas.

4 (6) A sign shall be posted at all entrances ~~to the artificial swimming lagoon~~ with legible letters of at
5 least four inches (10 cm) in height stating “NOTICE – NO SWIMMING ALLOWED OUTSIDE
6 OF DESIGNATED SWIMMING ZONES.”

7 (7) Signage shall be posted ~~provided~~ indicating swimming zones.

8 (8) Depth markings and no diving markers shall be provided on decks in swimming zones as required
9 in Rule .2523 of this Section. Signs shall be posted at all entrances to swimming zones with legible
10 letters of at least four inches (10cm) in height stating “NO DIVING” and stating the maximum depth
11 of the swimming zone in Arabic numerals and shall include the word “feet” or the symbol “ft” to
12 indicate the unit of measure.

13 (9) Decks ~~may vary from the minimum deck area requirements in Rule .2522 of this Section~~ at zero
14 entry areas located within swimming ~~zones.~~ zones are not required to meet the minimum deck area
15 requirements in Rule .2522 of this Section. Access to swimming zones shall be provided for
16 emergency vehicles and personnel. No decks shall be required in non-swimming zones. The
17 requirements of Rule .2515(g)(1) of this Section shall not apply to swimming zones and Rule
18 .2515(g) of this Section shall not apply to non-swimming zones.

19 (10) Swimming zones shall meet all safety provisions as set out in Rule .2530 of this Section. Where
20 swimming zones are separated by more than 75 feet, each swimming zone shall separately meet all
21 safety provisions. Non-swimming zones are exempt from the requirements in Rule .2530 of this
22 Section.

23 (11) A water treatment system that does not meet the requirements of Rules .2518 and .2519 of this
24 Section shall be approved by the Environmental Health Section of the Department’s Division of
25 Public Health when the treatment system performs in a manner equal or superior to the systems
26 described in Rules .2518 and .2519 of this Section in terms of water clarification, disinfection, and
27 removal of debris, and results in a disinfectant residual and pH level as required in subparagraph
28 (f)(4) of this Rule.

29 (12) The requirements of Rule .2529 of this Section and Rule .2526(e)–(h) of this Section shall not apply.
30 Sanitary facility requirements shall comply with the 2018 North Carolina State Building Code:
31 Plumbing Code, which is incorporated by reference, including any subsequent amendments or
32 editions and available free of charge at: <https://codes.iccsafe.org/content/NCPC2018>.

33 (13) Bacteriological samples shall be collected by the operator in non-swimming zones and tested
34 weekly. One sample shall be collected for every 250 feet of shoreline, with no more than 300 feet
35 and no less than 25 feet between any two sampling locations. The samples shall be collected at least
36 one foot below the surface, in at least three feet of water. The samples shall be analyzed by a
37 laboratory accredited by the North Carolina Drinking Water Laboratory Certification Program, the

1 North Carolina Wastewater/Groundwater Laboratory Certification Program, or the National
2 Environmental Laboratory Accreditation Program. The test results shall be maintained as part of the
3 records required in Rule .2535(11) of this Section.

4 (14) When the result of any test required by subparagraph (f)(13) of this Rule exceeds the standards in
5 Rule .3402(a) of this Subchapter, the operator shall:

6 (A) notify the local health department that permitted the artificial swimming lagoon [permitting
7 agency] and resample the water within 24 hours of receipt of the result from the laboratory;
8 and

9 (B) close all non-swimming zones and post a sign at all non-swimming zone entrances with
10 legible letters of at least four inches (10 cm) in height stating “ATTENTION: ALL NON-
11 SWIMMING ZONES ARE CLOSED. RECREATIONAL ACTIVITIES IN THIS AREA
12 ARE NOT PERMITTED AT THIS TIME.” This sign shall remain posted until resampling
13 determines that bacterial levels do not exceed the standards in Rule .3402(a) of this
14 Subchapter.

15 (15) Non-swimming zones shall not be required to comply with the lighting requirements of Rule .2524
16 of this Section. When night swimming is allowed, the operator shall provide lighting in swimming
17 zones as required for public swimming pools.

18 (16) The requirements of Rule .2537(b)(16) of this Section shall not apply. Submersible pumps or
19 mechanical pool cleaning equipment shall not be used in swimming zones or within 25 feet of
20 swimming zones when a swimming zone is open to bathers. If submersible pumps or mechanical
21 pool cleaning equipment are used in non-swimming zones when a non-swimming zone is open to
22 users, the following conditions shall apply:

23 (A) A registered design professional shall provide design plans or technical specifications that
24 demonstrate that any underwater suction outlets perform in a manner that is equally
25 protective or more protective than the Pool and Hot Tub Alliance’s ANSI/APSP/ICC-7
26 2013 Standard for Suction Entrapment Avoidance in Swimming Pools, which is
27 incorporated by reference, including any subsequent amendments or editions, and available
28 for a fee of one hundred sixty-five dollars (\$165.00) at <https://www.apsp.org/store1>; and

29 (B) All floating components of submersible pumps or mechanical pool cleaning equipment
30 shall be labeled with a sign above the water line with legible letters of at least four inches
31 (10 cm) in a contrasting color stating: “DANGER: MECHANICAL EQUIPMENT IN
32 USE. STAY BACK 25 FEET.”

33 (17) The requirements of [Rule] Rules .2521 and .2516(f)(1) of this Section shall not apply to non-
34 swimming zones.

36 *History Note: Authority G.S. 130A-280; 130A-282; SL 2011-39; S.L. 2019-88;*
37 *Eff. April 1, 1999;*

1 *Amended Eff. March 1, 2004.*
2 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20,*
3 *2019;*
4 *Temporary Amendment Eff. December 3, 2019; ~~2019~~.*
5 *Amended Eff. October 1, 2020.*