



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

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Division of Public Health

POSITION STATEMENT: Regulatory Guidance for Public Swimming Pools

PURSUANT TO: 15A NCAC 18A .2533 and .2534

SOURCE: Alice Isley, Pools Tattoos and State Institution Programs

QUESTION: Can the equipment room and/or the chemical storage room for a public swimming pool be subterranean vaults?

DISCUSSION AND RATIONALE: We have received several questions asking if the equipment room and/or the chemical storage room may be in a subterranean vault? Subterranean vaults may be classified as a confined space, a potentially dangerous work environment requiring specific training and possibly additional equipment as required by OSHA.

RESPONSE AND INTERPRETATION:

A vault for the equipment and/or chemical storage room may be defined as a confined space which requires a permit and specialized training to enter.

According to the US Department of Labor's OSHA.gov website, *CFR 1910.146(d)* "Confined space" means a space that:

- (1) Is large enough and so configured that an employee can bodily enter and perform assigned work; and
- (2) Has limited or restricted means for entry or exit (for example, tanks, vessels, silos, storage bins, hoppers, vaults, and pits are spaces that may have limited means of entry.); and
- (3) Is not designed for continuous employee occupancy.

"Permit-required confined space (permit space)" means a confined space that has one or more of the following characteristics: (1) Contains or has a potential to contain a hazardous atmosphere; (2) Contains a material that has the potential for engulfing an entrant; (3) Has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls or by a floor which slopes downward and tapers to a smaller cross-section; or (4) Contains any other recognized serious safety or health hazard.

Any confined space is a potentially dangerous work environment. In addition to the conditions listed above, there is no way to check the bonding wire, pump information, or other equipment that is required to be checked without fully entering the confined space.

Entering a confined space requires specialized training that most Environmental Health Specialist's (EHS's) do not have. Obtaining this training would put an unnecessary financial burden on both the county and the state.

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The equipment and/or chemical storage room would also have to meet Rules.2533 and .2534 which includes lighting, ceiling height, ventilation, and drainage. Meeting these requirements in a vault would be difficult if not impossible in the case of a complete power outage during a severe weather event.

Effective immediately, program guidance is to not approve subterranean vaults during public pool plan review. It may be possible to approve a walk-out, partially buried room for equipment and/or chemical storage. If you receive plans where the entry into the equipment and/or chemical storage rooms is through a hatch or requires the use of a ladder, contact your Environmental Health Regional Specialist for guidance on a response to the proposed plans.

This position statement shall not require the entire floor of the equipment room to be at the same elevation or prohibit the use of a basement when it is part of the structure enclosing the entire pool.

Subterranean vaults which have been permitted in the past may still be permitted annually by the local health department. However, in such cases, it is the responsibility of the local health department to ensure their staff entering these vaults are properly trained and comply with applicable state and federal requirements.

Most of the pool plans proposing subterranean vaults have been for use with Interactive Play Attractions (IPAs). The IPA owner would have the option to allow the water to run to waste which does not require a permit and would not need our approval.

This guidance replaces any guidance given in previous written or verbal communications.

NOTE: Position statements are policy documents to clarify how to interpret or enforce a law or rule. They are not enforceable on their own but are intended to promote uniform interpretation and enforcement of the underlying law or rule.