

IN THE MATTER OF THE PUBLIC HEALTH ACT - ALBERTA
ORDER OF AN EXECUTIVE OFFICER

To: Lonny & Fiona Middleton
705 Benchlands Trail
Canmore, AB T1W 3G9

Re: The Swimming Pool located in Canmore, Alberta and municipally described as:
A Bear & Bison Country Inn Whirlpool
705 Benchlands Trail
Canmore, Alberta

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted swimming pool pursuant to the provisions of the **Public Health Act**, RSA 2000, c. P-37, as amended;

AND WHEREAS such inspection disclosed that the following conditions exist in and about the above noted swimming pool which are or may become injurious or dangerous to the public health or which might hinder the prevention or suppression of disease, namely:

- a. The free available chlorine level in the pool water was 16ppm.
- b. The pH of the pool water was below 6.8.
- c. The alkalinity level of the pool water could not be determined due to a high free available chlorine level.
- d. The combined chlorine level in the pool was 1.5ppm.
- e. No contrasting step line in the pool basin.
- f. The containers of open hydrochloric (muriatic) acid and sodium hypochlorite are being stored next to each other.
- g. Pool signage was missing information as to the removal of street shoes in wet traffic areas, persons with diarrhea or a history of diarrhea over the previous 2 weeks must not use the pool and children 35 months and under, and anyone who is incontinent must wear water-resistant swimwear.
- h. Lacking written policies regarding actions to be taken when standards for free chlorine, combined chlorine, and PH are not being met, when blood, food, chemicals, fecal material or vomitus foul the pool, as well as a general sanitation plan.
- i. Suction outlets/drains were less than 3 feet apart and no safety vacuum release system or other approved anti-entrapment device installed.
- j. There was no temperature regulator on the pool recirculation system.
- k. Amount of water being re-circulated from the pool surface can not be adjusted to 80% or more.
- l. Flow rate is 66gpm/250 LPM. Maximum flow rate based on filter size is 22gpm/83 LPM.
- m. Main drain covers do not meet ANSI/ASME 112.19.8 (2007).

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Swimming Pool, Wading Pool and Water Spray Park Regulation, Alberta Regulation 293/2006 and the Pool Standards (2006) for the Swimming Pool, Wading Pool and Water Spray Park Regulation (Alberta) exist in and about the above noted swimming pool, namely:

- a. The free available chlorine level in the pool water was 16ppm. This is in contravention of Section 8 of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- b. The pH of the pool water was below 6.8. This is in contravention of Section 11(3) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- c. The alkalinity level of the whirlpool water could not be determined due to a high free available chlorine level. This is in contravention of Part 3, Section 3(3) of the Pool Standards.
- d. The combined chlorine level in the pool was 1.5ppm. This is in contravention of Section 8 of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- e. No contrasting step line in the pool basin. This is in contravention of Section 8 of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- f. The containers of open hydrochloric (muriatic) acid and sodium hypochlorite are being stored next to each other. This is in contravention of Section 22(c) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- g. Pool signage was missing information as to the removal of street shoes in wet traffic areas, persons with diarrhea or a history of diarrhea over the previous 2 weeks must not use the pool and children 35 months and under, and anyone who is incontinent must wear water-resistant swimwear. This is in contravention of Part 4, Section 2 and 3 of the Pool Standards.
- h. Lacking written policies regarding actions to be taken when standards for free chlorine, combined chlorine, and PH are not being met, when blood, food, chemicals, fecal material or vomitus foul the pool, as well as a general sanitation plan. This is in contravention of Part 4, Sections 4 and 5 of the Pool Standards.
- i. Suction outlets/drains were less than 3 feet apart and no safety vacuum release system or other approved anti-entrapment device installed. This is in contravention of Part 3, Section 7(1) of the Pool Standards.
- j. There was no temperature regulator on the pool recirculation system. This is in contravention of Part 5, Section 2 of the Pool Standards.
- k. Amount of water being re-circulated from the pool surface can not be adjusted to 80% or more. This is in contravention of Part 3, Section 2(3) of the Pool Standards.
- l. Flow rate is 66gpm/250 LPM. Maximum flow rate based on filter size is 22gpm/83 LPM. This is in contravention of Part 3, Section 2(5) of the Pool Standards.
- m. Main drain covers do not meet ANSI/ASME 112.19.8 (2007). This is in contravention of Part 3, Section 7(1)(b) of the Pool Standards.

AND WHEREAS by virtue of the foregoing, the above noted premises are hereby declared to be **closed**;

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner **immediately close** the above noted swimming pool and secure it from unauthorized entry.

2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted swimming pool, namely:
 - a. Adjust the free available chlorine level of the pool water to at least 2.0ppm but not to such a high level as to create a potential hazard for bathers.
 - b. Adjust the pH of the pool water to between 6.8 and 7.6.
 - c. Ensure the free available chlorine level in the pool water is not at a level that interferes with the testing of total alkalinity and maintain the alkalinity of the whirlpool water between 80 and 120 ppm.
 - d. Maintain the combined chlorine level in the pool water at 1.0 ppm or less.
 - e. Paint a contrasting step line in the pool basin.
 - f. Store the hydrochloric (muriatic) acid and chlorine such that they do not pose a safety hazard.
 - g. Place signage in the pool area which meets all the requirements of the Pool Standards, 2006 (Alberta).
 - h. Develop a written response plan for water quality issues and a general sanitation plan which meets the requirements of the Pool Standards, 2006 (Alberta).
 - i. Install an approved safety vacuum release system or other approved anti-entrapment device on the pool recirculation system.
 - j. Install a temperature regulator on the whirlpool recirculation system.
 - k. Modify the outlet lines from the pool basin so that the amount of water being re-circulated from the pool surface can be adjusted to at least 80%.
 - l. Install a filter of sufficient size such that the flow rate through the filter does not exceed 12.5gpm/sq ft, while maintaining a minimum flow rate of 35gpm(133LPM)
 - m. Install main drain covers which meet ANSI/ASME 112.19.8 (2007).
3. That until such time as the work referred to in paragraph 2, items a through d, is completed to the satisfaction of the undersigned, or an executive officer of Alberta Health Services, the above noted swimming pool shall remain closed and secured from unauthorized entry.
4. The work referred to in paragraph 2, items e through i, is to be completed by October 31, 2009.
5. The work referred to in paragraph 2, items j through m, is to be completed by October 31, 2010.

Dated at Canmore, Alberta, this 7th day of October, 2009 confirming verbal order given on the 6th day of October, 2009.

Diane Luka
Executive Officer
Alberta Health Services

Section 5(2) of the Public Health Act provides that a person who is directly affected by this Order and considers himself or herself aggrieved hereby may appeal the same to the Public Health Appeal Board, 24th Floor, Telus Plaza North Tower, 10025 Jasper Avenue, Edmonton AB T5J 2N3, within ten (10) days. The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal.

The Owner is advised that the Public Health Act empowers Alberta Health Services to carry out the terms of this Order on the Owner's behalf and at the Owner's expense should the Owner fail to comply with the terms hereof.

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