

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

To: Delta Calgary South
135 Southland Drive SE
Calgary, Alberta T2J 5X5
(the "Owner")

Re: The Whirlpool located in Calgary, Alberta and municipally described as:

Delta Calgary South Atrium Whirlpool
135 Southland Drive SE
Calgary, Alberta T2J 5X5

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted whirlpool 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 whirlpool 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 residual was less than 0.5ppm chlorine at the time of inspection.
- b. Chemical parameter readings from the automation system were not accurate with readings taken from the whirlpool basin at the time of inspection.
- c. The total alkalinity reading was 40ppm at the time of inspection.
- d. Pool maintenance company personnel state that the acid solution for lowering pH is not of proper concentration, which is leading to the over application of chlorine to the whirlpool.

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 Alberta Pool Standards, 2006 exist in and about the above noted whirlpool, namely:

- a. The free available chlorine residual was less than 0.5 ppm at the time of inspection. This is in contravention of Section 11 of the Swimming Pool, Wading Pool and Water Spray Park Regulation, Alberta Regulation 293/2006.
- b. Chemical parameter readings from the automation system were not accurate with readings taken from the whirlpool basin at the time of inspection. This is in contravention of Section 10(4) of the Swimming Pool, Wading Pool and Water Spray Park Regulation, Alberta Regulation 293/2006.

- c. The total alkalinity reading was 40ppm at the time of inspection. This is in contravention of Part 3, Section 3(3) of the Pool Standards.
- d. Pool maintenance company personnel indicate that the acid solution for lowering pH is not of proper concentration, which is leading to the over application of chlorine to the whirlpool. This is in contravention of Section 8 of the Swimming Pool, Wading Pool and Water Spray Park Regulation, Alberta Regulation 293/2006.

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 whirlpool 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 whirlpool, namely:
 - a. Ensure the whirlpool water chemistry meets and is maintained at the parameters required by the Swimming Pool, Wading Pool, and Water Spray Park Regulation, AR 293/2006 and The Alberta Pool Standards 2006.
 - b. Ensure the automated chemical feeding and monitoring equipment is calibrated and serviced by a qualified person to ensure it is in good working condition.
 - c. Adjust the concentration of the acid solution.
 - d. Provide a written protocol for ensuring that the whirlpool is maintained according to the Swimming Pool, Wading Pool, and Water Spray Park Regulation, AR 293/2006 and The Alberta Pool Standards 2006 at all times.
3. That until such time as the work referred to in paragraph 2 is completed to the satisfaction of the undersigned, or an executive officer of Alberta Health Services, the above noted whirlpool shall remain closed and secured from unauthorized entry.

Dated at Calgary, Alberta, this 19th day of November, 2010, confirming the verbal order issued on November 17, 2010.

Dana East, B.Sc., B.Tech, CPHI(C)
Executive Officer
Alberta Health Services

ORDER OF AN EXECUTIVE OFFICER

Re: The Delta South Atrium Whirlpool located at 135 Southland Drive SE, Calgary, Alberta, T2J 5X5

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.

Airdrie

Airdrie Public Health Centre
604 Main Street South
Airdrie, AB T4B 3K7
Phone: 403-912-8400
Fax: 403-912-8410

Banff

Banff Health Centre
303 Lynx Street
PO Box 1266
Banff, AB T1L 1B3
Phone: 403-762-2990
Fax: 403-762-5570

Calgary/Mountain View/Rocky View

Alberta Health Services, *Southport*
10101 Southport Rd SW
Calgary, AB T2W 3N2
Phone: 403-943-2288
Fax: 403-943-8056

Canmore

Canmore Public Health
#104, 800 Railway Avenue
Canmore, AB T1W 1P1
Phone: 403-678-5656
Fax: 403-678-5068

Claresholm

Claresholm Public Health
5221 2nd Street W
PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403-625-4061
Fax: 403-625-4062

Didsbury

Didsbury Health Unit
PO Box 130
1210 -20th Avenue
Didsbury, AB T0M 0W0
Phone: 403-335-7292
Fax: 403-335-7610

Okotoks

Okotoks Public Health Centre
11 Cimarron Commons
Okotoks, AB T1S 2E9
Phone: 403-995-2600
Fax: 403-995-2639

Strathmore

Public Health Building
650 Westchester Road
Strathmore, AB T1P 1H8
Phone: 403-361-7200
Fax: 403-361-7244