

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

To: Decade 90 Facility Management Ltd
3279 114 Avenue SE
Calgary, Alberta T2Y 3C7

Somerset Residents Association
999 Somerset Drive SW
Calgary, Alberta T2Y 3G9
(the "Owner")

**Re: The Swimming Pool located in Calgary, Alberta and municipally described as:
Somerset Water Park, 11 Somerset Square SW, Calgary, Alberta T2Y 3C7**

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 chlorine residual measured less than 0.5 ppm.
- b. The pH measured greater than 8.0.
- c. The automated controller is not maintaining adequate chlorine or pH levels.
- d. The flow meter was not operational.
- e. Inadequate water quality records, missing dates, missing alkalinity, as well as, decisions regarding chemical additions to maintain water quality.
- f. There are no written response procedures developed for fecal, blood or chemical contamination of the water. Also, there are no procedures when free available chlorine, combine chlorine, total alkalinity and pH are out of balance.
- g. Could not provide any documentation that any of the current pool maintenance staff have taken an approved pool operator's course.

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 exist in and about the above noted swimming pool, namely:

- a. The free chlorine residual measured less than 0.5 ppm. This is in contravention of Section 11(1)(c) of the Swimming Pool Regulation.
- b. The pH measured greater than 8.0. This is in contravention of Section 11(3) of the

Swimming Pool Regulation.

- c. The automated controller is not maintaining adequate chlorine or pH levels. This is in contravention of Section 12(2) of the Swimming Pool Regulation.
- d. The flow meter was not operational. This is in contravention of Section 18 of the Swimming Pool Regulation.
- e. Inadequate water quality records, missing dates, missing alkalinity, as well as, decisions regarding chemical additions to maintain water quality. This is in contravention to Section 14(1) of the Swimming Pool Regulation.
- f. There are no written response procedures developed for fecal, blood or chemical contamination of the water. Also, there are no procedures when free available chlorine, combine chlorine, total alkalinity and pH are out of balance. This is in contravention to Section 20(1) of the Swimming Pool Regulation.
- g. Could not provide any documentation that any of the current pool maintenance staff have taken an approved pool operator's course. This is in contravention to Section 7(2)(a) of the Swimming Pool Regulation.

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. Ensure that the free available chlorine is maintained above 2.0 mg/L at all times.
 - b. Ensure that the PH is maintained between 6.8 and 7.6.
 - c. Ensure that the automated controller is maintained in proper operating condition. Provide supporting documentation for this requirement.
 - d. Ensure that the flow meter is repaired or replaced.
 - e. Ensure that the pool operator is maintaining proper records which include recording water temperature, chlorine residuals, PH, alkalinity and all actions taken pertaining to the swimming pool i.e. backwashing, adding chemicals, fecal contamination etc.
 - f. Ensure that the pool operator is maintaining proper response procedures for fecal, blood or chemical contamination of the water and procedures when free available chlorine, combine chlorine, total alkalinity and pH are out of balance
 - g. Pool operator must provide documentation indicating successful completion of a pool operator's course approved by the Executive Officer.
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 swimming pool shall remain closed and secured from unauthorized entry.

Somerset Water Park, located in Calgary, Alberta and municipality described as 11 Somerset Square, SW, T2Y 3C7

Dated at Calgary, Alberta, this 26th day of July, 2011, following a verbal order issued on the 25th day of July, 2011.

Katarina Arendas
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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Calgary/Mountain View/Rocky View

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