Requirements For Obtaining A Variance To R392-302-29
(Design, Construction and Operation of Public Pools - Supervision of Pools)

1. A variance only applies to R392-302-29(4)(a) to reduce the minimum number of required pool water tests from four times daily to once daily
   a. A properly installed and operating oxidation reduction potential controller (ORP) eliminates the need to apply for a variance in order to reduce the frequency of testing

2. A variance is only available to a limited use pool
   a. A limited use pool is a pool in a planned unit development, home owners association or other non-transient community where: i. Access fees are not charged for the use of the pool
      ii. Access to the pool is limited to the persons living or residing at the facility and their guests
      iii. The average daily use of the pool is less than fifty percent (50%) of the pools maximum bather load as determined by R392-302-7
   b. Owner refers to the individual(s), board, corporation, or other entity having responsibility for the limited use pool facilities

3. Each limited use pool owner must have a contract with a qualified pool operator (QPO), approved under R392-302-29(1), to maintain their pool. a. The QPO must inspect the limited use pool three (3) times each week
   i. At least one day must pass between each inspection by the QPO
   ii. No more than two (2) days may pass between each inspection by the QPO
   b. During each inspection of the limited use pool the QPO shall observe and record the following:
      i. Disinfectant residual (free and total) vii. Filter maintenance
      ii. pH viii. Amounts of chemicals added
      iii. Total Alkalinity ix. Water temperature
      iv. iv. Cyanuric Acid x. Water clarity
      v. Calcium hardness xi. General appearance
      vi. Flow gauges xii. Total number of bathers using the pool.
   c. Additionally the QPO shall be responsible for ensuring that all other requirements of R392-302 are being met by the limited use pool. The QPO shall report any uncorrected violations to Southeast Utah Public Health Department (SEUHD)

4. Each limited use pool owner shall be responsible for coordinating with their contracted QPO to develop a pool maintenance plan
   a. The plan shall be submitted to SEUHD for approval.
   b. The QPO, limited use pool representative, and a SEUHD environmental health scientist must all sign the plan for the plan to be valid.
      i. The valid plan must be on file at SEUHD.
      ii. The limited use pool must maintain a copy of the valid plan at the pool for review.
   c. The plan shall include current contact information for
      i. The ownership of the limited use pool
      ii. Designated pool monitoring person(s) for the limited use pool
      iii. Any property management company for the limited use pool
      iv. The contracted QPO
   d. The plan shall include
      i. Type(s) of pool(s) at the limited use pool facility
      ii. A pool monitoring schedule detailing when the QPO will monitor the pool, and when the limited use pool will be responsible for monitoring the pool.

5. Each limited use pool owner shall designate person(s) who shall be responsible for monitoring the pool(s) on all days that the QPO does not inspect the pool.

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Health Director

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Nursing Director

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Environmental Health Director

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a. The designated pool monitoring person(s) of the limited use pool shall observe and record the following:
   i. Disinfectant residual (free)  iv. Water clarity
   ii. pH  v. General appearance
   iii. Flow gauges vi. Total number of bathers using the pool
b. The designated pool monitoring person(s) of the limited use pool shall notify the QPO immediately of any observed problems.

6. Both the designated pool monitoring person(s) and the QPO shall keep an up to date daily pool log
   a. This log shall be kept at the limited use pool facility and be readily available for inspection by SEUHD

7. A variance may be revoked by SEUHD if the limited use pool does not meet the standards of R392-302 for:
   a. Disinfectant residual  e. Alkalinity
   b. pH  f. Calcium harness
c. Water clarity  g. Cyanuric acid
d. Flow rate
   h. Failure to review the plan and re-submit changes when
      I. The contracted QPO changes
      II. The designated pool monitoring person(s) for the limited use pool changes
      III. The ownership of the limited use pool changes

8. Any limited use pool that does not comply with any portion of these requirements may be required to meet the full current requirements of R392-302-29.
9. All pool plans expire on December 31st of the year that the plan is submitted.