

Alert: Pool and Spa Program Overhaul (January 2020)

The NHDES Public Pool and Spa Program (RSA 485-A:26-27) was revised significantly by the state legislature in 2019. The revisions to the program were undertaken for the express purposes of increasing the public's health and safety. At last count, the program has over 1,300 registered public bathing facilities (PBF) (includes pools, spas, water parks, etc.) scattered around the state that are operated by towns, campgrounds, recreational camps, hotels, and condominium complexes. The revised program is designed to ensure that existing and future facilities are properly maintained, constructed, and operated by expanding the state's ability to provide support to their owners and the public. Changes to the Pool and Spa Program will be part of a phased implementation which is scheduled to occur from 2020 to 2022. Major changes to the program include:

- **Updated Design Review Fee Structure**
EFFECTIVE JANUARY 1, 2020. A non-refundable fee of \$100 for one pool equal to or less than 400 square feet plus \$25 for every additional 100 square feet will be charged to complete design review and approval for construction. The previous fee was \$100 regardless of pool size.
- **Lifetime Registration**
EFFECTIVE JANUARY 1, 2020. A one-time registration form is required to be submitted that includes contact information, physical specifications, safety measures, and operational details for each "pool." There is NO FEE associated with the registration. A follow-up registration is required if changes to registered information change. This is a NEW requirement of the program.
- **Annual Compliance Self-Certification**
EFFECTIVE JANUARY 1, 2021. A fee-based annual compliance self-certification is required for each "pool" every year. The self-certification will include documentation of water quality testing, presence of critical safety equipment, and operational and maintenance records. The fee structure will be \$250 per "pool" (regardless of size) up to a maximum of \$1,500 annually for any facility greater than 6 or more "pools." This is a NEW requirement of the program.
- **Certified Operator Training**
EFFECTIVE JANUARY 1, 2022. The revised program requires that each facility must be operated under the supervision of an individual that holds a current certification from an approved training program dedicated specifically to the operation of public bathing facilities. Examples of such programs include those offered by the Association of Pool and Spa Professionals or the National Swimming Pool Foundation. This is a NEW requirement of the program.