

## **R392. Health, Disease Control and Prevention, Environmental Services.**

### **R392-303. Public Geothermal Pools and Bathing Places.**

#### **R392-303-1. Authority and Purpose.**

- (1) This rule is authorized under Sections 26-15-2, 26-1-5, and Subsection 26-1-30(23)(t).
- (2) This rule establishes minimum standards for the design, construction, operation, and maintenance of public geothermal pools and public geothermal bathing places, as defined by this rule, and provides for the prevention and control of hazards associated with public geothermal pools and bathing places that are likely to adversely affect public health and wellness including risk factors contributing to injury, sickness, death, disability, and the spread of disease.

#### **R392-303-2. Applicability.**

- (1) Unless exempted in Subsection R392-303-2(2), this rule applies to:
  - (a) any person who owns or operates a geothermal pool or geothermal bathing place that is made available for public use; or
  - (b) a geothermal pool or geothermal bathing place that:
    - (i) is partially or completely filled with geothermal water that has a source temperature of at least 70 degrees Fahrenheit; and
    - (ii) is offered to the public for bathing or recreation.
- (2) This rule does not apply to:
  - (a) a natural bathing place;
  - (b) an unsupervised geothermal bathing place that the owner explicitly or tacitly allows anyone at any time to use without a fee;
  - (c) a geothermal pool or geothermal bathing place that is used only by a single household or only by a single group of multiple living units of four or fewer households; or
  - (d) a facility, institution, location, or place whose primary purpose or intent is already regulated by another rule promulgated under Title R392, Health, Disease Control and Prevention, Environmental Services.

#### **R392-303-3. Definitions.**

The following definitions apply in this rule:

- (1) "Bather" means a person at a geothermal pool or geothermal bathing place who has contact with water either through spray or partial or total immersion. The term bather as defined, also includes staff members, and refers to those users who can be exposed to contaminated water as well as potentially contaminate the water.
- (2) "Bather load" means the number of persons allowed by the operator to use a geothermal pool or geothermal bathing place at any one time or specified period of time.
- (3) "Flow-through" means water that is fed by a continuous supply into a geothermal pool or bathing place that causes an equal rate of flow to discharge from the pool or bathing place to waste.
- (4) "Geothermal bathing place" means a natural bathing place or semi-artificial bathing place with an impoundment of geothermal water.
- (5) "Geothermal pool" means a man-made basin, chamber, receptacle, tank, or tub that is filled with geothermal water or a mixture of geothermal and non-geothermal water that creates an artificial body of water.
- (6) "Geothermal water" means ground water that is heated in the earth by the earth's interior.
- (7) "Imminent health hazard" means a significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstance, or event creates a situation that can cause infection, disease transmission, pest infestation, or hazardous condition that requires immediate correction or cessation of operation to prevent injury, illness, or death.
- (8)(a) "Living unit" means one or more rooms or spaces that are, or can be, occupied by an individual, group of individuals, or a family, temporarily or permanently for residential or overnight lodging purposes.
  - (b) A living unit may include:
    - (i) a room in a public lodging facility;
    - (ii) a condominium unit;
    - (iii) a recreational vehicle;
    - (iv) a manufactured home;
    - (v) a single family home; or
    - (vi) an individual unit in a multiple unit housing complex.
- (9) "Local health department" has the same meaning as provided in Subsection 26A-1-102(5).
- (10) "Local health officer" means the health officer of the local health department having jurisdiction, or a designated representative.
- (11) "Natural bathing place" means a lake, pond, river, stream, swimming hole, or hot springs that has not been modified by man.
- (12) "Operator" means a person who owns, manages, or controls a public geothermal pool or bathing place or a designated representative.
- (13) "Plumbing Code" means International Plumbing Code as incorporated and amended in Title 15A, State Construction and Fire Codes Act.

(14) "Renovation or remodeling" means the replacement or modification of equipment that may affect the ability of a geothermal pool or a geothermal bathing place to meet the safety and water quality standards of this rule.

(15) "SCUBA diving" means a mode of underwater diving where the diver uses an apparatus that is completely independent of surface air supply to breathe underwater.

(16) "Soaking pool" means a geothermal pool or geothermal bathing place that is less than or equal to four feet deep, and is designed exclusively for sitting or reclining.

(17) "Soaking tub" means a geothermal pool or geothermal bathing place that has a depth of two feet or less and a volume of 300 gallons or less and is designed exclusively for sitting or reclining.

**R392-303-4. General Requirements.**

(1) Except as specified in Subsection (4), this rule does not require an owner or operator to modify any portion of an existing geothermal pool facility or existing geothermal bathing place.

(2) If an owner or operator modifies any system or part of a geothermal pool or geothermal bathing place, the modified system or part must meet the requirements of this rule.

(3) A facility that is newly established more than 90 days after the enactment date of this rule shall operate in full compliance with this rule.

(4) If the local health officer determines that any facility creates an imminent health hazard the local health officer may order modifications consistent with the requirements of this rule.

**R392-303-5. Drinking Water Supply.**

The operator shall ensure that:

(1) each plumbing fixture including drinking fountains, lavatories, and showers is designed, installed, and operated according to the requirements set forth by:

(a) Plumbing code;

(b) the Utah Department of Environmental Quality, Division of Drinking Water under Title R309; and

(c) local health department regulations.

(2) the drinking water system is protected against backflow contamination and backflow of water from the geothermal water source.

**R392-303-6. Geothermal Source Water Quality.**

(1) The operator shall:

(a) install a tap or sampling point to sample the geothermal source water before it enters the geothermal pool or geothermal bathing place impoundment;

(b) collect a sample of the geothermal source water and any other water source used to fill the pool that is not approved for drinking water by Utah Department of Environmental Quality, Division of Drinking Water; and

(c) collect a sample of water directly from the geothermal pool or geothermal bathing place according to the following conditions if it is impractical to directly sample the geothermal source water:

(i) at least 16 hours have passed since a bather has been in the geothermal pool or geothermal bathing place; and

(ii) the sample is taken as close to the geothermal source water inlet as practical;

(d) submit the samples for analysis to a laboratory certified under Rule R444-14, Certification of Environmental Laboratories;

(e) have laboratory analysis performed initially and each five-year time period thereafter to determine the levels of constituents listed in Table 1; and

(f) ensure the sample collection and analysis frequency is as follows:

(i) the initial source water analysis report is submitted to the local health department prior to obtaining a permit to operate; and

(ii) submit five-year samples to the local health department within six-months prior to the end of the five-year period.

(2) If the geothermal source water analysis report required in Subsection (1)(e) indicates that a contaminant or constituent fails any of the standards in Table 1, the operator shall either:

(a) discontinue use of the source water;

(b) implement an ongoing treatment process approved by the local health officer to provide source water that meets the requirements in Table 1; or

(c) post a caution sign with the requirements outlined in Subsection R392-303-29(1)(a) and Subsection R392-303-29(4).

(3) The local health officer may require the operator to post signs in addition to those described in Section R392-303-29 and Section R392-303-31 including:

(a) the maximum recommended bathing period; or

(b) other technically based recommended restrictions.

TABLE 1	
Geothermal Source Water Contaminants and Constituents	
Contaminant	Maximum Contaminant Level

1. Fluoride	4.0 mg/L	
2. Nitrate	10 mg/L	
3. Nitrite	1 mg/L	
4. Antimony	0.006 mg/L	
5. Arsenic	0.010 mg/L	
6. Barium	2 mg/L	
7. Beryllium	0.004 mg/L	
8. Cadmium	0.005 mg/L	
9. Chromium	0.1 mg/L	
10. Copper	1.3 mg/L	
11. Cyanide, as free cyanide	0.2 mg/L	
12. Lead	0.015 mg/L	
13. Mercury	0.002 mg/L	
14. Selenium	0.05 mg/L	
15. Thallium	0.002 mg/L	
Constituent	Maximum	Minimum
pH	8.0	7.0

**R392-303-7. General Safety Requirements.**

(1) The operator shall ensure that a geothermal pool or geothermal bathing place meets Section R392-302-14, Fencing and Barriers.

(2) The local health officer may grant exceptions to the height requirements in Section R392-302-14 for fences or barriers in consideration of natural features for a geothermal pool or geothermal bathing place.

(3) The operator shall ensure that a geothermal pool or geothermal bathing place meets Section R392-302-22 Safety Requirements and Lifesaving Equipment.

(4) A geothermal bathing place under five feet deep is exempt from Section R392-302-22 except for Subsection R392-302-22(3).

(5) The operator shall ensure that a geothermal pool or bathing place meets Section R392-302-23 Lighting, Ventilation and Electrical Requirements.

(6) A soaking tub is exempt from the underwater lighting requirements of Section R392-302-23 when used at night but shall have at least five horizontal foot candles of light per square foot over the surface of the tub from overhead luminaries.

(7) The operator shall ensure that a geothermal pool or bathing place meets Section R392-302-30 Supervision of Bathers.

(8) Soaking pools and soaking tubs are exempt from the requirements of Subsections R392-302-30(4) through R392-302-30(6), but the lifeguard may not allow any person to use a soaking pool or soaking tub unless there is another bather in attendance capable of alerting the lifeguard if the lifeguard's help is needed and the lifeguard must always be on the premises and no more than a minute away if needed at any time.

**R392-303-8. SCUBA diving.**

(1) A geothermal pool or geothermal bathing place used only for SCUBA diving or snorkeling is exempt from the requirements of Subsections R392-302-30(4) through R392-302-30(6).

(2) A geothermal pool or geothermal bathing place used only for SCUBA diving or snorkeling is exempt from requirements of Sections R392-303-11 through R392-302-15, and Section R392-303-24 if each bather signs a document acknowledging that the bather has read the list of inherent physical and environmental dangers that the geothermal pool or geothermal bathing place has, which are not in compliance with Sections R392-303-11 through R392-303-15, and Section R392-303-19, and to which the bather may be exposed upon entering or using the geothermal pool or geothermal bathing place.

(3) The operator shall ensure that:

(a) a lifeguard is not more than a one-minute walk away from the area that is being used for SCUBA diving or snorkeling;

(b) a person that is SCUBA diving or snorkeling has another bather in attendance capable of alerting a lifeguard;

(c) bathers sign a form that explains:

(i) constant lifeguard surveillance will not be provided; and

(ii) the bather must be accompanied by another bather at all times; and

(d) a sign is placed where no head-first diving is allowed, that states "NO HEAD-FIRST ENTRY" in accordance with Sections R392-303-29, R392-303-30 and R392-303-31.

**R392-303-9. Diving Areas.**

(1) The operator shall ensure that:

(a) a geothermal pool or geothermal bathing place meets the requirements of Section R392-302-11 Diving Areas; and

(b) head-first entry is not permitted at a geothermal pool or geothermal bathing place except where the operator has demonstrated to the local health officer that the water depth and underwater obstructions at the entire geothermal pool or geothermal bathing place pose no greater risk than at a diving-permitted section of a swimming pool as allowed in Section R392-302-11.

**R392-303-10. Bather Facilities.**

The operator shall ensure that a geothermal pool or geothermal bathing place meets the following sections of Rule R392-302:

- (1) Section R392-302-24 Dressing Rooms;
- (2) Section R392-302-25 Restroom and Shower Facilities; and
- (3) Section R392-302-26 Visitor and Spectator Areas.

**R392-303-11. Construction Materials.**

(1) The operator shall ensure that a geothermal pool or geothermal bathing place meets the requirements of Section R392-302-6.

(2) A geothermal pool or geothermal bathing place is exempt from Subsection R392-302-6(5) if the volume is less than or equal to 3,000 gallons and the maximum depth is less than or equal to four feet.

**R392-303-12. Bather Load.**

(1) The operator shall ensure that a geothermal pool or geothermal bathing place meets the bather load requirements in Section R392-302-7.

(2) The bather load may be reduced to meet the requirements in Section R392-303-19, if a geothermal pool or geothermal bathing place is unable to meet bacteriological water quality by other means.

**R392-303-13. Plan Approval and Structural Stability.**

(1) With the exception of Subsection R392-302-8(3) and Subsection R392-302-8(5), the operator shall ensure that a geothermal pool or geothermal bathing place meet Section R392-302-8.

(2) The operator shall submit plans to the local health department for approval of any new geothermal pool or geothermal bathing place or the renovation or remodeling of a geothermal pool or a geothermal bathing place.

**R392-303-14. Depths and Geothermal Pool Floor Slopes.**

The operator shall ensure that:

(1) a geothermal pool or geothermal bathing place meets the requirements of Section R392-302-9; and  
(2) bathers are aware of and safeguarded from hazards such as uneven geothermal pool floor areas, sudden changes in depth, and other pool floor anomalies by:

- (a) altering the geothermal pool floor;
- (b) posting signs about the hazards;
- (c) providing barrier around hazards; or
- (d) roping off hazardous areas.

**R392-303-15. Walls.**

The operator shall ensure that:

(1) a geothermal pool or geothermal bathing place meets the requirements of Section R392-302-10; and  
(2) bathers are aware of and guarded against hazards such as uneven walls, submerged projections, or submerged ledges by:

- (a) posting signs notifying patrons of the hazards;
- (b) providing barriers around hazards; or
- (c) roping off hazardous areas.

**R392-303-16. Ladders, Recessed Steps, and Stairs.**

The operator shall ensure that:

(1) a geothermal pool or geothermal bathing place meets the requirements of Section R392-302-12; and  
(2) there is a means of entrance into and exit from the water including handholds and steps where needed to provide for bather safety.

**R392-303-17. Decks and Walkways.**

(1) The operator shall ensure that:

(a) except a soaking pool or soaking tub, a geothermal pool or geothermal bathing place meets the requirements of Section R392-302-13;

(b) a walkway leading to a geothermal pool or geothermal bathing place is provided that is:

- (i) free of trip hazards; and

(ii) provides handholds where there are ramps or steps; and (c) a soaking pool or soaking tub meets the decking requirements of a spa pool in Subsection R392-302-31(7).

(2) The pool curb of a soaking tub may be any width, and the rim of a soaking tub may be up to 24 inches, above the deck level.

#### **R392-303-18. Depth Markings and Safety Ropes.**

The operator shall ensure that:

- (1) a geothermal pool or geothermal bathing place meets the requirements of Section R392-302-15;
- (2) bathers are guarded from unexpected deep water by:
  - (a) posting geothermal pool depth signs;
  - (b) providing barriers around deep water areas; or
  - (c) roping off deep water areas.

#### **R392-303-19. Circulation Systems.**

(1) The operator shall ensure that:

(a) a geothermal pool or geothermal bathing place that transports source, pool, or discharge water through pipes meets the requirements of Section R392-302-16 for piping, pipe labeling, velocity in pipes, adequate space in equipment areas, valves, and air induction systems;

(b) a geothermal pool or geothermal bathing place meets the requirements of Section R392-302-16 for normal water level and vacuum cleaning systems except a vacuum cleaning system is not required if an operator keeps the pool clean by draining the pool and cleaning it while it is empty; and

(c) a geothermal pool or geothermal bathing place maintains flow-through 24 hours a day during the operating season, except for periods of maintenance.

(2) If the geothermal pool or geothermal bathing place is drained and cleaned each day prior to use, flow-through is only required during the period that the geothermal pool or geothermal bathing place is in use.

(3) The operator shall ensure that:

(a) a geothermal pool or geothermal bathing place with a volume greater than 3,000 gallons has a flow-through rate greater than or equal to 1/4 the pool volume every hour;

(b) a geothermal pool or geothermal bathing place with a volume less than or equal to 3,000 gallons has a flow-through rate greater than or equal to the complete pool volume every 30 minutes;

(c) a geothermal pool or geothermal bathing place has a method to determine accurate rate of flow in gallons per minute;

(i) if the rate of flow method is a rate of flow indicator manufactured by a third party, it is properly installed and located according to the manufacturer's recommendations; or

(ii) if a field-fabricated rate of flow indicator such as a calibrated weir or flume is used, it is designed and calibrated under the direction of a licensed professional engineer; and

(d) the rate of flow indicator is located and positioned in a place where it can be easily read by the operator as required in Subsection R392-302-16(6).

(4) If the operator of a geothermal pool or geothermal bathing place maintains the disinfectant levels, chloramine levels, and pH levels within the values allowed in Table 6 of Rule R392-302 and operates a recirculation system in the pool in compliance with the requirements of Section R392-302-16, the pool is exempt from the flow-through rate requirements of Subsection R392-303-19(1).

(5) The local health officer may:

(a) approve a reduced flow rate if the operator can demonstrate that the required bacteriological level can be maintained at the reduced flow rate; or

(b) exempt a geothermal pool or geothermal bathing place from the requirement for a rate of flow indicator if the rate of flow is not adjustable or if there is no practical way to measure flow.

(6) If the operator of a geothermal bathing place is unable to control the flow-through rate, the operator may meet the bacteriologic water quality standards in Section R392-303-26 by controlling bather load.

(7) Except the operator shall maintain a flow-through with a maximum turnover time of 48 hours, and shall meet the bacteriologic requirements of Subsection R392-302-27(6)(d).

#### **R392-303-20. Inlets.**

(1) The operator shall ensure that a geothermal pool or geothermal bathing place that has pumped flow meets the inlet requirements of Section R392-302-17.

(2)(a) If a geothermal pool or geothermal bathing place that has gravity flow inlets cannot meet the requirements of Section R392-302-17, the operator shall demonstrate to a local health officer that the inlet system provides uniform distribution of fresh water throughout the geothermal pool or geothermal bathing place.

(b) The operator may demonstrate uniform distribution by either:

(i) computer simulation; or

(ii) a dye test witnessed by a local health officer.

**R392-303-21. Drains and Skimming Devices.**

The operator shall ensure that:

- (1) a geothermal pool or geothermal bathing place has a drain that allows complete emptying of the pool;
- (2) a geothermal pool or geothermal bathing place with a submerged drain grate or cover meets the requirements of Section R392-302-18;
- (3) a geothermal pool or geothermal bathing place with a submerged drain meets the anti-entrapment requirements of Section R392-302-18; and
- (4) a geothermal pool or geothermal bathing place has overflow gutters or skimming devices that meet the applicable requirements of Section R392-302-19.

**R392-303-22. Filtration.**

- (1) The operator of a flow-through geothermal pool or geothermal bathing place is not required to mechanically filter the water in the geothermal pool or geothermal bathing place, except as may be necessary to meet the safety and water quality requirements of this rule.
- (2) If mechanical filtration is used, the operator shall ensure that filters meet the requirements of Section R392-302-20.

**R392-303-23. Disinfectant and Chemical Feeders.**

- (1) Chemical feeders or disinfectant residuals are not required in a geothermal pool or geothermal bathing place, except as may be necessary to meet water quality requirements of this rule.
- (2) If the operator uses any chemical to treat the geothermal pool or geothermal bathing place water, the operator shall ensure that the chemical feeder meets the requirements of Section R392-302-21 for that particular chemical.

**R392-303-24. Pool Water Clarity.**

- (1) The operator shall ensure that:
  - (a) the water in a geothermal pool or geothermal bathing place has sufficient clarity any time it is open to a bather so that a black disc six inches in diameter is readily visible if placed on a white field at the deepest point of the pool, or at 12 feet deep for a pool deeper than 12 feet; and
  - (b) the geothermal pool or geothermal bathing place is closed immediately if Subsection (1)(a) is not met.
- (2) A soaking tub is exempt from Subsection (1).

**R392-303-25. Pool Water Temperature.**

- (1) The operator shall ensure that:
  - (a) a geothermal pool or geothermal bathing place has a temperature measuring device that is:
    - (i) accurate to within one degree Fahrenheit; and
    - (ii) calibrated in accordance with the manufacturer's specifications as necessary to ensure its accuracy;
  - (b) the geothermal pool water temperature is measured at the warmest point;
  - (c) the geothermal pool water temperature is maintained at a maximum of 104 degrees Fahrenheit; and
  - (d) a geothermal pool or geothermal bathing place that exceeds 104 degrees Fahrenheit at the minimum required turnover rate has, and employs when necessary, one or more of the following approved methods of temperature reduction in the pool or bathing place that maintains the minimum flow-through rate required under Subsection R392-303-19(1):
    - (i) introduction of cool water from a source that has been analyzed and approved according to Section R392-303-6, or approved for drinking water by the Utah Division of Drinking Water;
    - (ii) direct cooling of the geothermal source water by a heat exchanger; or
    - (iii) the diversion of the geothermal source water to allow it to cool prior to entering the pool or impoundment; and
  - (e) the temperature reduction method is capable of reducing the temperature of the pool within two hours of activation from the maximum anticipated temperature to below 104 degrees Fahrenheit.
- (2) If the temperature of the source water or cooling rate of the geothermal pool is difficult to control, a temperature drift of up to four degrees Fahrenheit is allowed if temperature reduction measures in Subsection (1)(d) have been activated; and the temperature is not above 108 degrees Fahrenheit.
- (3) If a soaking tub or similar fixture with a volume of 70 gallons or less is used, the water temperature shall not exceed 110 degrees Fahrenheit.

**R392-303-26. Geothermal Pool Water Bacteriological Quality.**

- (1) The local health officer shall:
  - (a) collect routine bacteriological samples of the pool water at least once per month and at least two weeks apart, and collect additional samples for investigative purposes or as a follow-up of unsatisfactory samples, if necessary;
  - (b) choose or approve the dates and times that the samples are collected based on when a representative level of bacteria would likely be found;
  - (c) submit the bacteriological samples to a laboratory approved by Rule R444-14 to perform E. coli or fecal coliform testing; and
  - (d) have the laboratory analyze the sample for either E. coli or fecal coliform and request that the laboratory report sample results within five working days to the local health department and the operator.

- (2) The operator shall review the laboratory results and take corrective action if the following standards are not met:
- (a) if the E. coli or fecal coliform levels are found to be greater than the maximum level of 63 CFU per 50 milliliters, the operator shall close the geothermal pool until sample results show the level is below 63 CFU;
  - (b) If the results of any three of the last five E. Coli or fecal coliform samples taken from the geothermal pool exceed 63 CFU per 50 milliliters, the operator shall:
    - (i) increase the rate of flow-through;
    - (ii) reduce bather load as provided in Subsection R392-303-9(2); or
    - (iii) both increase the flow rate and reduce the bather load.
  - (3) The operator shall make adjustments as specified in Subsection (2)(b) until the lab report specified in Subsection (1)(d) consistently shows E. Coli or fecal coliform results of less than 63 CFU per 50 milliliters in collected samples.
  - (4) As an alternative to closing the geothermal pool until sample results show acceptable bacteriological levels, the operator may temporarily close the pool and commence feeding a disinfectant to the pool water, meeting the requirements of Subsection R392-303-23(2) and the disinfectant concentration and pH requirements of Section R392-302-27, and then reopen the pool at least 45 minutes after the required disinfectant level has been achieved.
  - (5) The disinfectant feeding to the geothermal pool must continue until pool water samples and the source water samples pass the bacteriological standards required for disinfected pools in Subsection R392-302-27(6)(d).
  - (6) the operator shall post the reported level as required in Subsection R392-303-29(2).

#### **R392-303-27. Cleaning Geothermal Pools.**

The operator shall:

- (1) remove any visible dirt on the bottom of the geothermal pool at least once every 24 hours or more frequently as needed to keep the pool free of dirt and debris;
- (2) clean the water surface of the geothermal pool as often as needed to keep the pool free of scum or floating matter;
- (3) keep geothermal pool surfaces, decks, handrails, floors, walls, and ceilings of rooms enclosing pools, dressing rooms and equipment rooms clean, sanitary, and in good repair; and
- (4) keep handholds, handrails, entrance points, walkways, dressing rooms, and equipment rooms clean and in good repair.

#### **R392-303-28. Supervision and Record Keeping.**

- (1) The operator shall ensure that:
  - (a) a geothermal pool or geothermal bathing place meets the supervision requirements of Subsection R392-302-29(1);
  - (b) a record of the flow-through rate and pool temperature is collected daily, prior to opening the pool or bathing place;
  - (c) the number of bathers at the geothermal pool or bathing place is recorded every four hours that the geothermal pool or bathing place is open for use, or the time of day is recorded that each bather checks in, to verify bather load; and
  - (d) If a geothermal pool or geothermal bathing place uses disinfection or filtration, the disinfection and filtration records required in Section R392-302-29 are:
    - (i) maintained;
    - (ii) available for inspection at the request of the local health officer; and
    - (iii) retained for at least three years.
- (3) The local health officer may reduce the requirement for the frequency of record keeping if a decreased frequency is more reasonable considering the unlikelihood of a change in the values recorded.

#### **R392-303-29. Caution and Warning Sign Content.**

- (1) If the requirements of Table 6 in Section R392-302-27 are not met for disinfectant residual, the operator shall post a caution sign with the following bulleted points:
  - (a) "water in this pool contains no disinfectant";
  - (b) "bathing in this pool may increase your risk of infectious disease";
  - (c) "persons suffering from a communicable disease transmissible by water shall not enter the water"; and
  - (d) "keep pool water out of your mouth and nose".
- (2) If the lab report specified in Subsection R392-302-26(1)(d) indicates that E. coli or fecal coliform levels are greater than one CFU per 50 milliliters, the operator shall post an additional sign, or an addition to the sign required in Subsection (1) that describes the results of the sample using a changeable element such as a white board or attachable digits with the following bullet points:
  - (a) "the most recent bacteriological sample result of water from this geothermal pool was", at which point the operator includes the changeable element on the sign; and
  - (b) "for comparison, a non-geothermal pool cannot exceed 1 CFU per 50 milliliters".
- (3) If ozone or ultraviolet light is used to treat the geothermal pool or geothermal bathing place water, the operator may add the following statement verbatim to the sign stating the method of treatment:
  - (a) "treated with:
    - (i) "UV light or ozone"; or
    - (ii) "UV light and ozone" if both are used; and
  - (b) "provides short-term disinfection only".

(4) If a geothermal pool or geothermal bathing place is operated at a temperature greater than or equal to 100 degrees Fahrenheit, the operator shall post a separate caution sign that includes the following bulleted points:

- (a) "pool water may exceed 100 degrees F";
- (b) "consult a physician if you:
  - (i) are elderly;
  - (ii) are pregnant;
  - (iii) have heart disease;
  - (iv) have diabetes;
  - (v) have high blood pressure; or
  - (vi) use prescription medication";
- (c) "do not use pool if alone or under the influence of any impairing substance";
- (d) "do not use pool for more than 15 minutes at a time";
- (e) "children under five are prohibited"; and
- (f) "children under 14 must be with a person who is over 18".

(5) Except at a geothermal pool or a geothermal bathing place where head-first entry is permitted, the operator shall post a warning sign that states, "no head-first entry" in accordance with Sections R392-303-30 and R392-303-31.

(6) If the geothermal pool or bathing place source water fails any of the standards found in Table 1, the operator shall post a warning sign that states the following:

- (a) "pool water does not meet EPA drinking water standards for", the operator then lists any failed constituent listed in Table 1 along with the analytical result of each failed constituent and the value of the Table 1 standard that has not been met;
- (c) "there may be health risks associated with bathing in this water"; and
- (d) "use at your own risk".

#### **R392-303-30. Sign Placement.**

(1) The operator shall:  
(a) post a caution and warning sign that meets the requirements of this rule in conspicuous locations that are in the line of sight of:

(i) a bather using the premises and readily visible so that any bather is alerted to potential hazards and informed before using the geothermal pool or geothermal bathing place; and

(ii) potential bathers before they pay for entry or pass the reception or sales counter; and

(b) place the caution sign required in Subsection R392-303-29(1) at the reception or sales counter and no more than ten feet from where a bather checks in or pays for the use of the pool.

(2) If there are multiple geothermal pools or geothermal bathing places at the facility, the operator shall display on the caution sign at the reception or sales counter the bacterial count of the geothermal pool or geothermal bathing place in the facility that had the highest level of E. coli or fecal coliform found in the most recent sampling event.

(3) The operator shall place any caution sign required in Subsection R392-303-29(3) either:

(a) next to the sign required in Subsection R392-303-29(1) if any geothermal pool may exceed 100 degrees Fahrenheit;

or

(b) within ten feet of each entrance to any geothermal pool that is operated at a temperature greater than or equal to 100 degrees Fahrenheit.

(4) The operator shall place any warning sign required in Subsection R392-303-29(4) either:

(a) next to the sign or signs required in Subsection R392-303-29(1) if the pool or any pools do not permit head-first entry; or

(b) within ten feet of the entrance or entrances to each pool that does not permit head-first entry.

(5) The operator shall place any warning sign required in Subsection R392-303-29(5) either:

(a) next to the sign required in Subsection R392-303-29(1); or

(b) within ten feet of the entrance or entrances to each pool.

(6) In lieu of meeting the signage requirements listed in Section R392-303-29 and Subsection R392-303 30(1), the operator may have a bather sign a disclosure document that contains the same language as required for the signs required in Section R392-303-29, and includes the most recent bacteriologic analysis results.

(7) The operator shall:

(a) provide a copy of the document described in Subsection (6) to each bather upon request;

(b) retain a copy of each signed document for at least one year; and

(c) make the documents available for inspection by the local health officer.

#### **R392-303-31. Caution and Warning Sign Format Requirements.**

(1) The operator shall ensure that the caution sign required by Subsections R392-303-29(1), R392-303-29(2), R392-303-29(3), and R392-303-29(4) meet the following requirements:

(a) the sign is at least 24 inches by 18 inches on a white background, and if the sign is larger than 24 inches by 18 inches, the sizes of the other elements of the sign shall be proportionally larger;

(b) lettering is in one of the following fonts with proportional thickness to height so as to be easily readable:

(i) san serif:

- (ii) arial bold;
  - (iii) folio medium;
  - (iv) franklin gothic;
  - (v) helvetica;
  - (vi) helvetica bold;
  - (vii) meta bold;
  - (viii) news gothic bold;
  - (ix) poster gothic; or
  - (x) universe;
  - (c) the letters are:
    - (i) black in color;
    - (ii) capitalized; and
    - (iii) legible;
  - (d) the sign includes a panel at the top of the sign with a safety yellow background that:
    - (i) is at least 1-1/2 inches high, and 18 inches wide, including a black line border that is 1/16 of an inch wide surrounding the safety yellow background;
    - (ii) has the word "caution" in capital letters that is one inch high; and
    - (iii) has an internationally recognized safety alert symbol that is one inch high and placed immediately to the left of the word "caution";
    - (e) the safety alert symbol is black with a yellow background field;
    - (f) the word "caution" and the symbol are vertically and horizontally centered within the yellow panel;
    - (g) letters in the body of the sign are legible, at least 1/2 inch high, and clearly visible;
    - (h) the body of the sign required in Subsection R392-303-29(1) lists the bulleted statements required in that section;
- and
- (i) the body of the sign required in Subsection R392-303-29(3) lists the bulleted statements required in that section.
  - (2) The operator shall ensure that the warning sign required by Subsections R392-303-29(4) and R392-303-29(5) meet the following requirements:
    - (a) the sign is least 17 inches by 11 inches on a white background, and if the sign is larger than 17 inches by 11 inches, the sizes of the other elements of the sign are proportionally larger;
    - (b) lettering is in one of the following fonts with proportional thickness to height so as to be easily readable:
      - (i) san serif;
      - (ii) arial bold;
      - (iii) folio medium;
      - (iv) franklin gothic;
      - (v) helvetica;
      - (vi) helvetica bold;
      - (vii) meta bold;
      - (viii) news gothic bold;
      - (ix) poster gothic; or
      - (x) universe;
    - (c) the letters are:
      - (i) black in color;
      - (ii) capitalized; and
      - (iii) legible;
    - (e) the sign includes a panel at the top of the sign with a safety orange background that:
      - (i) is at least 1-1/2 inches high and 16 inches wide, including a black line border that is 1/16 of an inch wide surrounding the safety orange background;
      - (ii) has the word "warning" in capital letters that is one inch high; and
      - (iii) has an internationally recognized safety alert symbol that is one inch high and placed immediately to the left of the word "warning"
      - (f) the safety alert symbol is black with a safety orange field;
      - (g) the word "warning" and the symbol are vertically and horizontally centered within the orange panel;
      - (h) letters in the body of the sign are legible, at least 1/2 inch high, and clearly visible;
      - (i) the body of the sign required in Subsection R392-303-24(4) displays the text "no head-first entry" and the text on the body is centered vertically and horizontally in the space below the orange panel with "no head-first" on one line and "entry" on the line below; and
      - (j) the body of the sign required in Subsection R392-303-29(5) lists the bulleted statements required in that section.

**R392-303-32. Enforcement and Penalties.**

An operator who violates this rule may be subject to criminal and civil penalties as provided in Section 26-23-6.

**KEY: geothermal pools, geothermal natural bathing places, hot springs, geothermal spas**

**Date of Last Change: January 3, 2022**

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**Authorizing, and Implemented or Interpreted Law: 26-15-2**