

## Public Comments and Responses for Lifeguarding and Bather Supervision Module Code and Annex after the First 60-day Review Period

### Informational Copy: NOT Open for Public Comment

**NOTE:** The MAHC was created by a coalition of public health, academic, and aquatics sector personnel with CDC taking ultimate ownership and responsibility for the content. The MAHC is intended to be guidance for state and local health departments in creating, revising or updating their pool codes and as such is not regulatory in nature: CDC is not a regulatory agency. CDC agreed to early and preliminary posting of the MAHC modules to truly maximize the impact of public comment on the committee thinking and direction. The large number of first round public comments was extremely useful in considering the content of this module. As a result of the public comments, the Lifeguarding and Bather Supervision module has been extensively revised and re-written, which appears to have addressed most comments in this document. CDC has also built in another public comment period to review revised content in the context of the complete MAHC document. We look forward to more constructive comments and improvements and ultimate release of the MAHC 1<sup>st</sup> Edition. The MAHC believes that this is the true intent and purpose of public comment period.

- **Vicki Russo, City of Pacifica (Pacifica, CA)**
- **Corey Federle, National City Municipal Pool (National City, CA)**
- **Comment:**

**4.6.5.3** – *The use of these items is not standard industry practice. Without knowledge of victims allergies and possible drug reactions, these medications should be applied by medical professionals and not lifeguards.* -- Remove item #5, 6, & 10 – **REFERENCE:** American Red Cross Lifeguarding does not include the use of antibiotic treatments or in caring for burns does not include applications of any kind.

#### **Changes to Code/Annex:**

Agree. 2. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**
- 4.8.5.2.5** – *Purchasing polarized sunglasses on a Lifeguard salary might be an unrealistic demand.* -- Remove that Lifeguards wear polarized glasses and change wording to encourage Lifeguards to wear polarized glasses, but must wear sunglasses that are 100% UVA and UVB protected. – **REFERENCE:** Online search shows polarized sunglasses to average about \$70 a pair while UVA & UVB sunglasses can be purchased for about \$25.

#### **Changes to Code/Annex:**

Disagree. Note: Erroneous code section reference-this comment is relative to Section

5.8.5.2.5. Polarized sunglasses can be found for similar price as regular sunglasses. The requirement is to address glare as it affects patron surveillance. Code revised to clarify intent.

- **Comment:**

**6.2.3.9.1** – *Streamline so that all certifications match up.* -- The length of a valid certification shall be a maximum of two years for Lifeguarding, First Aid & CPR/AED – **REFERENCE:** American Red Cross and American Heart Association all have certification programs in CPR/AED with a certification of 2 years. Most recently the ARC has changed their certification for Lifeguarding to a 2-year validity period for all requirements. It only makes sense to follow their recommendations.

**Changes to Code/Annex:**

Disagree. Statistically/scientifically it has been shown that skills begin to erode after only 3 months. The AHA Guidelines for CPR states: "Education and Implementation: The quality of rescuer education and frequency of retraining are critical factors in improving the effectiveness of resuscitation. Ideally retraining should not be limited to 2-year intervals. More frequent renewal of skills is needed, with a commitment to maintenance of certification..." The Resuscitation Council of the UK states: "For guidance, skills should be refreshed at least once a year, but preferably more often." There are many other studies that reflect this.

**Comment:**

**6.3.2.2** – *A response time would be beneficial in the training of guards.* -- The time element should be at least 30 seconds – **REFERENCE:** Current research on this topic is on-going. The ARC identifies 30 seconds for response in your zone. Ellis & Associates uses the 10/20 rule which is a total of 30 seconds

**Changes to Code/Annex:**

Disagree with comment - this code does not take into account detection it just deals with response time which is extremely important to positive outcomes.

- **Comment:**

**6.3.4.1.8.1** – *Consistency* -- This would need to change to be compatible with 6.3.22

**Changes to Code/Annex:**

**Disagree - it is consistent at 20 seconds for response time.**

- **Gerald Dworkin, Lifesaving Resources, LLC (Kennebunkport, ME)**

- **Comment:**

**Glossary** – The definition of “qualified lifeguard” is excellent, but there is no mention of the word “certified” within that definition. Suggest you change definition to: an individual who is certified as having successfully completed a lifeguard training course which was offered by a training agency and has met the site-specific pre-service training requirements of the aquatic venue according to this code, and who continues to participate in site-specific in-

service training. The other issue is that according to the original definition, the individual would not be qualified until he participates in continuing in-service training. The individual needs to be “qualified” at the start of the season.

**Changes to Code/Annex:**

Agree. Definition revised.

- **Comment:**

**4.6.5.4** – *Bag-valve-mask resuscitators come in 3 sizes and one size does not fit all.* -- Reference is made in item 5, resuscitation equipment, to include a bag and pocket mask. Suggest that be changed to Adult, Child, and Infant Bag-Valve-Mask Resuscitators and Personal Resuscitation Masks.

**Changes to Code/Annex:**

Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.8.5.2.3** – Regardless of the number of lifeguards on staff, the mechanism should be in place to perform a shore-based rescue. Therefore, regardless of the number of lifeguards, there should be one, or several, approved aquatic rescue throwing device. Also, who “approves” the throwing device. And, can a rescue throw bag meet this requirement?

**Changes to Code/Annex:**

The code has been revised. A rescue tube is required for lifeguards. Throw devices are required for non-guarded facilities. The Coast Guard approves the throw device.

- **Comment:**

**4.8.5.2.4** – Same as above, regardless of the number of lifeguards, the mechanism should be in place to perform a shore-based rescue using an appropriate reaching pole. Also, why can’t the pole be adjustable/telescopic?

**Changes to Code/Annex:**

Partially agree. The code has been revised to clarify and specify equipment necessary for guarded and unguarded facilities. The Annex provides rationale regarding restrictions on adjustable/telescopic poles.

- **Comment:**

**4.8.5.2.5** – This should be expanded to require the posting of a sign appropriately identifying the emergency telephone or communication device. And, a sign should also be posed that includes the address and phone number for that phone so this information can be provided to the emergency dispatcher.

**Changes to Code/Annex:**

Agree. Code has been revised to require signage in Section 5.8.5.2.2.3.2.

- **Comment:**

**5.8.5.2.3** – The “rescue tube” should be changed to “rescue buoy”. A rescue buoy can be a rescue tube or a rescue can. Both devices have pros and cons for use depending upon the venue and it should be up to the AHJ to determine which is best for that particular venue.

**Changes to Code/Annex:**

Disagree. Rescue tube is typically used for pool vs. open water environments.

- **Comment:**

**5.8.5.2.3.1** – The “rescue tube” should be changed to “rescue buoy”. A rescue buoy can be a rescue tube or a rescue can. Both devices have pros and cons for use depending upon the venue and it should be up to the AHJ to determine which is best for that particular venue.

**Changes to Code/Annex:**

Disagree. Rescue tube is typically used for pool vs. open water environments.

- **Comment:**

**5.8.5.3.3.2** – This is listed for “aquatic facilities without lifeguards”, but should be included for aquatic facilities with lifeguards as well.

**Changes to Code/Annex:**

Agree. Changes made.

- **Comment:**

**5.8.5.3.4.2** – Again, there is no reason why the reaching pole cannot be adjustable or telescopic.

**Changes to Code/Annex:**

The Annex provides rationale regarding restrictions on adjustable/telescopic poles.

- **Comment:**

**6.2.1.1** – This definition of “qualified lifeguard” is different from the definition listed within the Glossary.

**Changes to Code/Annex:**

Agree. This has been resolved.

- **Comment:**

**6.2.3.9.1** – EMT certifications in many states are valid for 3 years. If the facility is required to conduct pre- and in-service training programs in order to “qualify” their lifeguards, then why should this code address the certification validity period. If the certifying agency certifies the course graduates for 3-years, then that should be sufficient, as long as the facility maintains their pre- and in-service training. Also, the American Heart Association is the leading certification agency for CPR training. They certify their course graduates for 2-years, and the American Red Cross is now doing the same for professional rescuers. I do

not feel this standard should address the validity periods of the certifying agencies.

**Changes to Code/Annex:**

Disagree. Statistically/scientifically it has been shown that skills begin to erode after only 3 months. The AHA Guidelines for CPR states: "Education and Implementation:- The quality of rescuer education and frequency of retraining are critical factors in improving the effectiveness of resuscitation. Ideally retraining should not be limited to 2-year intervals. More frequent renewal of skills is needed, with a commitment to maintenance of certification..." The Resuscitation Council of the UK states: "For guidance, skills should be refreshed at least once a year, but preferably more often." There are many other studies that reflect this.

- **Comment:**

**6.3.2.1** – This standard should also address the maximum length of time required for the lifeguard to "view the entire area of the zone...."

**Changes to Code/Annex:**

Disagree. No recommendation with supporting data provided for a change.

- **Curtis Barnahrt, Georgia Dept. of Health**

- **Comment:**

**General** -- Many counties and states have the rules "No Solo Swimming" and "Children under a certain age of \_\_\_ have to be accompanied by an parent or guardian" all in an attempt to provide safety / aid in case of an emergency. But I've found in the last 5 or so years the new pool designs have made these rules useless or not as helpful as they once were with our old square pools. In recent years we have had pools in "L" shapes wrapping around buildings or "U" shapes with concessions or gazebo in the center or huge play apparatuses in the middle of the pool. These new designs or structure additions have created blind spots where partners or children can be lost, they'll be on the other side of the building or other side of the "U". I would like to suggest that pools be required to have guards if "designed such that the entire pool surface can not be viewed from all required pool deck areas (Example: The view is blocked by slides, landscaping, cabañas, covered areas, etc.). This would prevent parents from having to run around the entire pool because their child went to the other side of the play device or "U" or around the building . Or prevent the parent from having to choose between which child to watch because the one leg of the pool goes around the build. You know having to decide which child the five year old or the six year old swims the best. A lot of times these problems can be worked out in the beginning before construction begin. But if not the owner needs to know this protection must be supplied.

**Changes to Code/Annex:**

This comment is related to section 6.3.3.1. Partially agree. However proposed change not incorporated. The potential impact of the proposal on aquatic facilities without data to support the change could be significant. The code and annex have been revised and restructured. The conditions requiring lifeguards address the need for parental supervision for children under the age of 14 years. Also included is venue size and configuration as it

impacts ability of an untrained individual to provide assistance and components that pose a risk to the users, as explained in the annex.

- **Jason Amos, North Clackamas Parks and Rec (Milwaukie, OR)**

- **Comment:**

**6.2.3.9.1** -- *American Red Cross standards have changed* -- Length of Valid Certification shall be a maximum of two years for lifeguarding and first aid, and a maximum of two years for Cardiopulmonary Resuscitation (CPR/AED). – **REFERENCE:** American Red Cross “Lifeguarding” program <http://www.redcross.org>

**Changes to Code/Annex:**

Disagree. Statistically/scientifically it has been shown that skills begin to erode after only 3 months. The AHA Guidelines for CPR states: “Education and Implementation:- The quality of rescuer education and frequency of retraining are critical factors in improving the effectiveness of resuscitation. Ideally retraining should not be limited to 2-year intervals. More frequent renewal of skills is needed, with a commitment to maintenance of certification...” The Resuscitation Council of the UK states: "For guidance, skills should be refreshed at least once a year, but preferably more often." There are many other studies that reflect this.

- **Comment:**

**6.3.5.1.1.4** -- *Financial burden to many organizations that require a single opening lifeguard shift.* -- The Lifeguard rotation plan shall contain a change of lifeguard station for each lifeguard with no lifeguard at the same station for more than 120 minutes.

**Changes to Code/Annex:**

Agree with comment - “Single lifeguard facilities shall have a rotation plan that indicates a minimum of 10 minutes per hour of non-patron surveillance time for the lifeguard. Rotation Plan should address procedure for accomplishing this without compromising patron surveillance during this time.”

- **David Bell, Volunteer at Amer. Red Cross and Boy Scouts (Ponca City, OK)**

- **Comment:**

**4.8.5.2.3** – *Evolving best practice and equipment design. Some lifeguard training manuals advocate use of a loose wrist loop to avoid the awkwardness of stepping on the line. However, an even better option, which avoids the problem with tangled coils, may be to store the line in a rescue bag or a plastic container with a handle that is wedged within the buoy for easy storage and access. I have not seen such devices used in pools in the USA, but have seen them deployed at Norway harbors. Check [www.safety-marine.co.uk](http://www.safety-marine.co.uk) for an “encapsulated floating life buoy line” for a photo of the plastic container. Other web sites sell “ring buoy rope bags”. See “Lifebuoy” on Wikipedia for a photo of a line bag and ring buoy on the Coast Guard training vessel Eagle.* -- A rescue throwing device is a buoyant life ring, torpedo buoy or or other easily thrown buoyant device that is designed for such use. Fifty feet (15.24 m) of ¼ inch (6.35 mm) minimum rope securely attached to the device is required. The device must be kept ready for use. The rope may be stored using a tangle-

free coil, but use of a ring buoy rope bag or a purpose-built plastic container with a handle facilitates use. At least one such device must be provided at any pool allowed to have only one lifeguard on duty. To use the device, remove the buoy and line from the hanger, and move to the edge of the pool in line with the person in need. Hold the line in one hand and throw the buoy underhand. An accurate toss is difficult without practice. It is best to throw the buoy well past the swimmer and then draw the device back for them to grab. This allows the rescuer the flexibility to direct the device to the swimmer by moving back and forth along the pool edge while drawing in the excess rope. If the line is stored in a coil with a knot or ball on the end, uncoil enough rope to step on the end to secure the line. (Note: many pools with a single lifeguard are 35 ft or less in width. Therefore 50 ft is more than needed.) – **REFERENCE:** None found in quick look. Current RLSS UK texts show ring buoys without lines.

#### **Changes to Code/Annex:**

The code has been revised. A rescue tube is required for lifeguards. Throw devices are required for non-guarded facilities. The Coast Guard approves the throw device.

- **4.8.5.2.4 – Possible clarification.** *Current Red Cross LG training videos do not show the use of a reach pole. In the 2007 version, a pole without a hook is extended straight toward the victim’s chest. Hence the caution against “stabbing”. Sweeping the pole from the side into contact with the victim’s arms means the technique is potentially useful for active victims other than distressed swimmers. The suggested edits also downplay concerns in the current copy about the difficulty of moving the victim in an arc and the strength of the pole. That may be true for a large victim at the far reach of the pole when the lifeguard cannot generate torque by sliding his hands apart, but a general prohibition seems anecdotal. Should be changed back if confirmed by studies for several likely situations. --* The pole is intended to reach out to a swimmer in distress to allow them to grab hold of the pole. The end of the pole should be submerged slightly and swept to the swimmer from the side to prevent injury, as opposed to “stabbing” the pole at the swimmer. In some cases the “hook” can be used to encircle non-responsive swimmers to draw them to the side. Do not hook the bather’s neck; submerge the hook and encircle their chest or even buttocks Use of the device involves reaching out to the swimmer and then pulling the pole straight back to the side, along with the swimmer. Swinging the pole and the swimmer to the side is generally more difficult than pulling the pole straight back, but either technique may be used depending on the size and position of the swimmer and obstructions the interfere with pole movement.

#### **Changes to Code/Annex:**

No suggested changes included.

- **Comment:**  
**5.8.5.3.4.1** – Repeated discussion on “throwing device”, hence duplicate change to that suggested above.

#### **Changes to Code/Annex:**

The code has been revised. A rescue tube is required for lifeguards. Throw devices are required for non-guarded facilities. The Coast Guard approves the throw device.

- **Comment:**  
**5.8.5.3.4.3** – repeat of item above

**Changes to Code/Annex:**

Agree. Change made.

- **Amanda Roswell, Parks and Rec (Oceanside, CA)**
- **Comment:**  
**6.2.3.9.1** – the Red Cross recently moved away from the one year validation of CPR certification to a two year validation. Does this mean they would have to go back to a one year validation?

**Changes to Code/Annex:**

A CPR certificate will only be accepted for 1 year from the date of certification. This does not preclude agencies from validating for a longer period.

- **Comment:**  
**6.3.1.1** – I am considered the lifeguard supervisor at me facility. When the document is referring to have a lifeguard supervisor on at all times is it intend to mean the someone who is in what we call a lead lifeguard position who is in charge of the staff that day?

**Changes to Code/Annex:**

Response to question- The requirements for Aquatic Supervisor training and staffing have been revised . Details regarding staffing are included in the Staff Management section.

- **Comment:**  
**6.3.3.1** – we are a facility that requires 2 certified lifeguards on at all times. We have had the local high schools that use our facility try and get the City to let them have the pool without lifeguards. We are strongly against this but just for clarification would they fall into the complete swimming category? It was also noticed while there is reference made to competitive swimming there is none made to water polo. Also in this section if there was more clear separation of having one guard vs. having two guards. This is another area where the high schools have tried to use the coaches' certifications as being sufficient to take care of any problem that may arise with their swimmers or water polo players.

**Changes to Code/Annex:**

Agree with comment – the MAHC intent is for any use of the pool and this is clarified in 6.3.1.1

- **Pamela Scully, CT – Dept. of Public Health (Hartford, CT)**
- **Comment:**  
**4.8.5.1.1** – Chairs/stands, **minimum 4 feet in height**, shall be venue appropriate... --  
REFERENCE: CT Public Health Code Section 19-13-B33b(c)(2).

**Changes to Code/Annex:**

Section 4.8.5 is related to the design of chairs and stands. This section was reworded to clarify the design of the locations of chairs and stands to follow the plan for zones of patron surveillance, to provide unobstructed view per the plan, and to provide UV protection. It is also clarified to indicate only when elevated chairs are used so as not to presume an elevated chair would always be used.

- **Comment:**

**4.8.5.2.2** – *If this board is left out it will be used as a recreational device. Also untrained persons should not have access to use this board.* -- Add the following sentence to the end of this section: "When not in use, the board shall be kept in a secured storage area."

**Changes to Code/Annex:**

Disagree with this comment as it suggests by "secure" that it may not be readily available in the event of an emergency. The same argument could be made by any safety equipment around the pool (ring buoys, reaching poles, rescue tubes, etc.). Facilities should monitor that equipment is only used properly without a requirement to "secure".

- **Comment:**

**4.8.5.2.2** -- (NO suggested wording....Spinal Injury Boards are a huge concern if they are not properly used. Only trained EMT persons should operate them. These boards should not be provided on site as untrained persons may try to use them. Ambulances typically are equipped with a board, so there is no need to provide one on site. In addition if this board is left unattended, it is a temptation for children to use as a toy, "surf board", which could lead to injury in the pool. If the MAHC does feel the need to keep the requirement of this board in the regulations then wording should be added that "the board be keep locked away so that it is only available when needed".

**Changes to Code/Annex:**

Disagree with this comment as it suggests that it may not be readily available in the event of an emergency. The same argument could be made by any safety equipment around the pool (ring buoys, reaching poles, rescue tubes, etc.). Facilities should monitor that equipment is only used properly without a requirement to "secure".

- **Comment:**

**5.8.5** – Add a section regarding *signage*: **Aquatic venues not required to have lifeguards shall post a warning sign in plain view that shall state "Warning – No Lifeguard on Duty" with legible letters, at least 4 inches high. – REFERENCE:** CT Public Health Code Section 19-13-B33b(b)(14).

**Changes to Code/Annex:**

Agree. Signage indicating "No Lifeguard on Duty" with corresponding use rules has been added.

- **Tyler Stetson, City Palo Alto – BAPPOA (Palo Alto, CA)**

- **Tom Hellman, Cosumnes Community Services District (Elk Grove, CA)**  
**ALSO SEE Document “Lifeguard-Bather Supervision Letter Hellmann” at the end of this document**
- **Korey Riley, Pleasant Hill Rec & Park District (Pleasant Hill, CA)**
- **Jill Wynn, City of Benicia (Benicia, CA)**

• **Comment:**

**GLOSSARY “Aquatic Venue”** – *The definition should be clear which type venues this applies to. By including “river” it’s not clear we don’t mean a waterfront river area. Also, most lakefront water areas managed by an agency & intended for water recreation are “modified natural structures” so it is confusing whether this section is intended for those type facilities or not. Specifically indicating waterfront facilities are not included after the examples is necessary.* -- Aquatic Venue means and artificially constructed structure where the general public is exposed to water intended for recreational or therapeutic purpose. Such structures do not necessarily contain standing water, so water exposure may occur via contact, ingestion, or aerosolization. Examples include swimming pools, wave pool, “lazy river”, spas (including spa pools and hot tubs), interactive fountains, therapeutic pools, and spray pads. It does not include modified natural waterfront areas using untreated water for recreational purposes

**Changes to Code/Annex:**

Agree. Definition revised

• **Comment:**

**4.6.5.2** – *No need to have aquatic venue manager’s contact information on a first aid sign. Too many numbers is confusing and difficult to decipher in an emergency.* -- The first aid station shall contain functioning emergency communication equipment with posted emergency contact phone numbers.

**Changes to Code/Annex:**

Agree. Removed the requirement for contacting management during an emergency and state to call EMS.

• **Comment:**

**4.6.5.3** – *This reads like it is a first aid kit for lifeguards to use on the public. It’s not intended as a workplace first aid kit. The use of these items is not an industry practice for all public pools as it creates possible allergic and other medical reactions on site. These should be used by medical professionals or lay first aid responders with no duty to act and not by Lifeguards who have a duty to act within a tight scope of practice given by their training.* -- The first aid supplies shall include, at a minimum, the supplies listed below. Remove item # 1, 5, 6, & 10 – **REFERENCE:** American Red Cross Lifeguarding Textbook page 223: Care of External Bleeding does not include use of antibiotic treatments, but cleaning the wound with warm soapy water. Page 228 Caring for Burns does not use an treatment applications in the care of burns.

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.4** – *The use of this item is not standard practice, given in any training for lifeguards.* -- Delete #3 or call it “flexible dressing” if that’s what is meant by it – **REFERENCE:** Not included in any basic lifeguard first aid reference material.

**Changes to Code/Annex:**

Agreed. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.6** – *Reads like it needs to be large enough to “accommodate the bather load” (ie everyone who is allowed into the pool.* -- Construction of new aquatic facilities shall include an area designated as a first aid station that can accommodate two patients, one lying and the other sitting. – **REFERENCE:** Minor first aids (cleaning minor wounds, giving out band aids) don’t necessarily need a room. For more significant injuries, you likely shouldn’t be moving the patient. If you have more than two patients that need a room at one time, they can likely be treated fine outside or in another make-shift area.

**Changes to Code/Annex:**

Agreed. Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station

- **Comment:**

**4.8.5.2.2** – *Many perfectly acceptable spinal boards don’t come with head immobilizers and body straps. To package the patient those things are needed but there are several very good immobilizers and strapping systems that work on various spinal boards.* -- A spinal injury board shall be constructed of impermeable material easily sanitized/disinfected and be capable of accommodating a head immobilizer and a minimum of 3 body straps

**Changes to Code/Annex:**

Disagree. The spinal injury board needs a readily available head immobilizer and straps to be used effectively. As long as the straps and immobilizer are there, then it complies. One does not need to buy a spinal injury board that comes from the factory with these items attached.

- **Comment:**

**4.8.5.2.5** – *Needs clarification to eliminate confusion* -- Please clarify this section. I read it to understand that a hard lined phone will be accessible at the facility capable of dialing EMS or 911 and not that simply picking up the phone would connect you to EMS or 911. It is a bit confusing and better to establish that a hard lined phone be at the facility for use to

contact all EMS providers.

**Changes to Code/Annex:**

Partially agree. Wording clarified and Annex provides information/clarification.

- **Comment:**

**5.8.5.2.3** – *Don't make a distinction about water depth. Just because water is deeper don't make the person wear it. In some facilities it is quicker to respond with a rescue board and wearing the tube you just have to take it off to respond. Goes along with recommendation to drop 5.8.5.2.3.1* -- Each lifeguard conducting patron surveillance with the responsibility of in-water rescue shall have a rescue tube immediately available for use.

**Changes to Code/Annex:**

Disagree. See annex for discussion. Also, rescue boards not typical equipment in pools, used in open water environments.

- **Comment:**

**5.8.5.2.3.1** – *See comment 5.8.5.2.3* – Delete – **REFERENCE:** See ARC waterfront training. Some wholly artificial zero depth entry facilities use waterfront techniques

**Changes to Code/Annex:**

No response. Unclear what is being commented on.

- **Comment:**

**5.8.5.2.3.2** – *See comments for 5.8.5.2.3 make it unnecessary, also it's too complex for little (if any) gain* – Delete

**Changes to Code/Annex:**

Agree. Code revised. Details regarding zones, # of guards, diagrams, etc. removed from this section and now included under Section 6.3 Aquatic Facility Management.

- **Comment:**

**5.8.5.2.5** – *Polarized sunglasses are very costly and while they are best for a water environment it is unrealistic that they are purchases and worn daily. It is better to mandate lesser glasses but encourage better glasses. The language is also too vague: how will we know the exact point when it's necessary to reduce impact of glare – it would presumably be anytime glare exists. Glare is sometimes created by pool lights at night* -- Remove that Lifeguards shall wear polarized glasses and change to encouraged to wear polarized glasses but must wear sunglasses that are 100% UVA and UVB protected. –

**REFERENCE:** A Google search finds polarized glasses priced at a minimum of \$69.00 while UVA & UVB glasses can be purchased for \$25.00. Since most lifeguard make just over minimum wage starting out it is a better practice to mandate the lesser glasses and encourage higher quality glasses.

**Changes to Code/Annex:**

Disagree. Polarized sunglasses can be found for similar price as regular sunglasses. The

requirement is to address glare as it affects patron surveillance. Code revised to clarify intent and when needed.

- **Comment:**

**5.8.5.2.7** – *Clarify what this means? Too vague. What is non-emergency information? Seems to me my voice will work? What qualifies? Is there an annex that goes along with this? What's the purpose? Is the intention that ever guard have a whistle immediately available? Maybe give examples of what type equipment qualifies? -- It's not clear what this means. Can't recommend new language.*

**Changes to Code/Annex:**

Agree. Code revised for clarity. There is now an Annex discussion.

- **Comment:**

**5.8.5.3.7** – *Not realistic time-frame. Also not clearly written. If they don't get notified they never have to respond? What's/who's management? -- Delete or modify to something like: The Aquatic Facility Safety Plan will address procedures for handling public complaints in a timely way*

**Changes to Code/Annex:**

Agree. Code revised- response to complaints/emergencies to be addressed in required Safety Plan.

- **Comment:**

**6.2.3.9.1** – *This should be streamlined so that all certifications match up. If necessary require in-service training to refresh -- The length of a Valid Certification shall be a maximum of 2 years for Lifeguarding and First Aid as well as CPR/AED – **REFERENCE:** The American Red Cross and American Heart Association all have certification programs in CPR/AED with a certification of 2 years. Most recently the American Red Cross changed their certification for Lifeguarding to a 2-year validity period for all requirements. It is best to follow their recommendations on this matter.*

**Changes to Code/Annex:**

Disagree. Statistically/scientifically it has been shown that skills begin to erode after only 3 months. The AHA Guidelines for CPR states: "Education and Implementation:- The quality of rescuer education and frequency of retraining are critical factors in improving the effectiveness of resuscitation. Ideally retraining should not be limited to 2-year intervals. More frequent renewal of skills is needed, with a commitment to maintenance of certification..." The Resuscitation Council of the UK states: "For guidance, skills should be refreshed at least once a year, but preferably more often." There are many other studies that reflect this.

- **Comment:**

**6.3.2.2** – *In our professional opinion with over 190 years of public pool operation there is no research to dictate that any time requirement is better than another. However, looking at*

*the realism of Lifeguarding we agree that including a time is needed so that operators can test their lifeguards. We strongly advocate for that time to be changed. If we set a time standard the testing conditions should be defined too. i.e. in conditions without public interference.* -- The time element should be increased to 30 seconds. Why is 20 seconds designated as the length of time? – **REFERENCE:** Current research on this topic is ongoing and there are lifeguard companies that have certain time requirements that are different. Currently the American Red Cross Lifeguard Program identifies 30 seconds for response in your zone of coverage. Page #45. Ellis & Associates uses the 10/20 rule but this is a total of 30 seconds to respond to an emergency in your zone.

**Changes to Code/Annex:**

Disagree with comment -the 20 second response only time (does not include detection time) is important to successful outcomes. We are talking about operational requirements and this does not involve lifeguard training agencies.

- **Comment:**

**6.3.3.1.1** – *By definition of an aquatic venue it could include spray pads in a park. I don't think that's the intention.* -- Any aquatic venue with water depths three feet or greater which allows for unescorted children under the age of 14 years.

**Changes to Code/Annex:**

Agreed. Wording has been modified to include “standing water” so that some venues without standing water maybe excluded from this code requirement by the AHJ. Disagree with the recommendation for the depth of 3 feet.

- **Comment:**

**6.3.4.2.4** – *The previous version is too vague. Can they require it at any time? How many skills? What is the AHJ's qualification to determine skill competency? By who's standard? ARC, Ellis, Y, etc. Also where is the “grade” recommendation on this?* -- The AHJ shall have discretion to check aquatic facility lifeguards and aquatic safety team members required certifications and in-service training records

**Changes to Code/Annex:**

Disagree - it saying in the annex that the AHJ has the ability to review that the venue or facility is in compliance with the code.

- **Comment:**

**6.3.4.1.8.1** – *Consistency with the time change* -- Will need modification should the time change from section 6.3.2.2

**Changes to Code/Annex:**

Disagree - Current ANSI Standard - leave as is - 20 second response only time (does not include detection time) is important to successful outcomes.

- **Comment:**

**6.3.4.1.9** – *How do we define “require corrective lenses” what if the corrective lenses are*

*just for seeing close (like reading glasses). What is the correction standard ie, even corrective lenses don't always achieve 20/20 vision. Is that required? This is a potentially significant ADA issue – needs science/data behind it...more than level C. Drop if can't clarify.* -- The aquatic supervisor shall ensure that any lifeguard that normally wears corrective lenses for distance sight must wear corrective lenses while on duty.

**Changes to Code/Annex:**

Disagree with comment - Not an ADA issue when it comes to the safety of those you are assigned to watch.

- **Stephen Neill, Arlington Heights Park Districts (Arlington Heights, IL)**
- **Kara Moss, Kenakakee Valley Park District (Kenakakee, IL)**
- **Ron Sutula, Schlitterbahn Galveston Island Waterpark (Galveston, TX)**
- **Connor Cahill, Berwyn Park District (Berwyn, IL)**
- **Michael Lushniak, Park District of Oak Park (Oak Park, IL)**
- **Louis Cirigliano, Casino Beach Pier, LLC (Seaside Heights, NJ)**
- **Caryl Chase, City of Casa Grande Parks and Rec (Casa Grande, AZ)**
- **Michael Hays, JW Marriott San Antonio Hill Country (San Antonio, TX)**
- **Frank Perez, NRH2O Water Park (North Richland Hills, TX)**
- **George Deines, City of Garland (Garland, TX)**
- **Pat VanGorp, Kiwanis Rec Center (Tempe, AZ)**
- **Holly Osborn, City of Surprise (Surprise, AZ)**
- **Amy Watson, Glenview Park District (Glenview, IL)**
- **Sasha Mateer, Lake County Parks Dept (Crown Point, IN)**
- **Chris Landgrave, Deep River Waterpark (Crown Point, IN)**
- **Tim Jaskiewicz, Arlington Heights Park District (Arlington Heights, IL)**
- **Phil Hagman, Aqua Adventure (Fremont, CA)**
- **Wesley Long, Raging Waters Sacramento (Sacramento, CA)**
- **Tim Carter, Rolling Meadows Park District (Rolling Meadows, IL)**
- **Nick Troy, Rolling Meadows Park District (Rolling Meadows, IL)**
- **Charlie Martin, Raging Waters Sacramento (Sacramento, CA)**
- **Andrew Chafatelli, Mega Funworks Inc (Fishkill, NY)**
- **Laura Whitman, Myrtle Waves Waterpark (Myrtle Beach, SC)**
- **Daniel Terrazas, Raging Waters Sacramento (Sacramento, CA)**
- **Luke Borowy, ROPA Associates LLC (Lake Harmony, PA)**
- **Kate Brill-Daley, CoCo Key Water Resort (Danvers, MA)**
- **Taryn Eisenman, CoCo Key Water Resort (Mount Laurel, NJ)**
- **Joe Stefanyak, Jeff Ellis & Associates, Inc. (Ocoee, FL) – ALSO SEE 2 PDFs “MAHC Lifeguard Bather Supervision... Red Cross Content”**
- **Jim Basala, Lake County Parks Dept/Deep River Waterpark (Crown Point, IN)**
- **James Walsh, The Ravine Waterpark (Paso Robles, CA)**
- **Becky Hulett, City of Phoenix, Parks and Rec (Phoenix, AZ)**

- **Comment:**

**ANNEX General Comment – Unacceptable Literature \*\*\*\*\* Unpracticed items listed as “A” Grade \*\*\*\*\* Due Process** -- The entire ANNEX did not follow the MAHC process for generation, discussion, and transparency with the entire Lifeguard/Bather Supervision Technical Committee. Only the Chairs of the committee wrote the Annex (which only represented the ARC and YMCA and no other agencies). The Annex was never discussed in an open forum in the sub groups or with the full group. The comments provided were never vetted, discussed, or responded to, prior to completion of the Annex. The CDC/SC requested that the Annex be submitted with full knowledge that the product was not discussed in any forum of the committee. The Annex is a perfect example of a “Proposed and directed timeline” to coincide with the start of the 2013 swim season and at no time has there been quality control for the actual product. As a result the Annex as a whole, is objectionable and must be properly vetted and discussed prior to public comment.

**Changes to Code/Annex:**

The code and annex have been revised and restructured.

- **Comment:**

**ANNEX General Comment – Unacceptable Literature \*\*\*\*\* Unpracticed items listed as “A” Grade** -- Multiple entries in the Annex are direct content and quotes from the USLSC (US Lifeguard Standard Coalition), which was an exclusive group of Lifeguard Agencies (USLA, ARC and YMCA) that produced an internal (non-peer-reviewed) collection of relatable studies/articles. The document produced also called upon individuals with long standing relationships (committee members, board members, advisory board members) of the aforementioned agencies as authors. This document and its contents have no place in this ANNEX and clearly represent the philosophy and content of the participating agencies. Ellis & Associates submitted comments during the posted USLSC comment period. The comment process stated that all comments would be addressed... To this day, and since their submission, E&A has not received any response or dialogue from the USLSC, with respect to our comments.

**Changes to Code/Annex:**

The code and annex have been revised and restructured. However, regarding the USLSC, it was evidence review process that followed a structured, validated and scientifically valid process which included both participant review and open comment period. As such these guidelines represent the first comprehensive evidence based review of the subject and are not only compliant with accepted evidence based processes but actuality exceed these for Evidence-Based Practice and scientific reviews. The review was published in the peer review journal International Journal of Aquatic Research and Education.

- **Comment:**

**Abstract: ¶ #1, point #4) – Incomplete entry - ability to scan each individual zone must be a consideration in determining proper staffing** -- 4) Determination of what constitutes proper staffing by the ability of the lifeguard to reach all areas of their zone of patron surveillance within a certain time frame, add: “...the lifeguard’s ability to provide proper Patron surveillance and scanning, and direct line of site requirements.”

**Changes to Code/Annex:**

Disagree. Think it is clear as written.

- **Comment:**

**Abstract: ¶ #2 – Misleading – makes it seem as though all decisions were made for this reason --** “It is developed in the interest of protecting the health and safety of patrons and employees of recreational aquatic venues.” Not 100% true. If this were the only driving force, we would not allow for any un-guarded recreational aquatic venues with standing water. Financial/Lobbyist considerations are also driving this code...

**Changes to Code/Annex:**

The abstract has been edited.

- **Comment:**

**Abstract: ¶ #2 – Irrelevant Unnecessary --** Most of paragraph 2 should be eliminated, as it serves no purpose.

**Changes to Code/Annex:**

The abstract has been edited.

- **Comment:**

**Abstract: ¶ #3 –** “Clearly, these are all correctable issues that would prevent avoidable drowning deaths with little additional effort.” Completely inaccurate - being a good lifeguard or a good Operator does require significant and continuous effort and diligence.

**Changes to Code/Annex:**

The abstract has been edited.

- **Comment:**

**4.6.5.1 –** Who will provide this “assistance” in unguarded facilities? Perhaps it should read: “...where first aid supplies can be obtained.”

**Changes to Code/Annex:**

The annex has been edited to reflect the changes in the code. The requirement is to post signage for patrons to contact EMS.

- **Comment:**

**4.6.5.1 –** Why can we not use “venue” and “facility” appropriately according to the definitions provided in the code? A “venue” is an attraction and “facility” is the term that should be used here. This must be cleaned up throughout both the Code itself and this Annex.

**Changes to Code/Annex:**

Agree. The code and annex have been reviewed and edited for the correct use of the

respective terms.

- **Comment:**

**4.6.5.4** – Chart for “*Pool Specific Items (additional required)*” requires BVM – this serves no purpose at a single or unguarded facility, as use requires 2 lifeguards. Suggest removing.

**Changes to Code/Annex:**

Agreed. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.6 & 4.6.5.7** – Staff training and requirements should also be taken into account. If no one able to use it, why have it? Suggest: “*Planning for new facilities should take into account the number of staff available, the level of training for available staff, the type of venues offered, and the expected number of patrons to help determine the size and number of first aid stations needed.*”

**Changes to Code/Annex:**

Wording clarified. Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station

- **Comment:**

**4.8.5.1.1** – This is ridiculous; many lifeguard positions must be moving (roving) positions in order to see the entirety of the zone of protection. Why require a chair/stand in these instances.

**Changes to Code/Annex:**

Section 4.8.5 is related to the design of chairs and stands. This section was reworded to clarify the design of the locations of chairs and stands to follow the plan for zones of patron surveillance, to provide unobstructed view per the plan, and to provide UV protection. It is also clarified to indicate only when elevated chairs are used so as not to presume an elevated chair would always be used.

- **Comment:**

**4.8.5.1.1 #2** – Fixed position elevated stands/chairs have been proven to be **not** the best choice for lifeguards in all situations. In many instances glare can be increased by an elevated position and the risk of injury to lifeguards may be increased. The industry has worked hard at getting this stricken from pool codes, why would we want it as a requirement here? It can only be an option.

**Changes to Code/Annex:**

Section 4.8.5 is related to the design of chairs and stands. This section was reworded to clarify the design of the locations of chairs and stands to follow the plan for zones of patron

surveillance, to provide unobstructed view per the plan, and to provide UV protection. It is also clarified to indicate only when elevated chairs are used so as not to presume an elevated chair would always be used.

- **Comment:**

**4.8.5.1.1** –*“The chairs/stands must be designed: To be safe...”* How do you define “safe” and can anything truly be ensured safe?

**Changes to Code/Annex:**

Wording altered to define requirements. Refer to the Annex for guidelines.

- **Comment:**

**4.8.5.1.1** –*“The chairs/stand must: Provide a raised observation area for the lifeguard...”* Again, Think about wave pools, sky ponds, in water "assistive" positions, and similar venues that would, by code, now require these.

**Changes to Code/Annex:**

Section 4.8.5 is related to the design of chairs and stands. This section was reworded to clarify the design of the locations of chairs and stands to follow the plan for zones of patron surveillance, to provide unobstructed view per the plan, and to provide UV protection. It is also clarified to indicate only when elevated chairs are used so as not to presume an elevated chair would always be used.

- **Comment:**

**4.8.5.1.1** –*“Minimize the effects of glare. Where glare is a problem the venue may want to consider higher stands to help reduce/minimize the effects of the glare.”* Higher chairs/stands may or may not help with glare issues and most definitely will result in increased risk to the lifeguards. Suggest deleting this and simply stating glare must be addressed.

**Changes to Code/Annex:**

Agreed. Annex wording modified.

- **Comment:**

**4.8.5.1.1** –*“The location of the chairs must give the lifeguards complete visibility to all parts of the pool area.”* Change pool area to: “zone of patron surveillance”

**Changes to Code/Annex:**

Section 4.8.5 is related to the design of chairs and stands. This section was reworded to clarify the design of the locations of chairs and stands to follow the plan for zones of patron surveillance, to provide unobstructed view per the plan, and to provide UV protection. It is also clarified to indicate only when elevated chairs are used so as not to presume an elevated chair would always be used.

- **Comment:**

**4.8.5.1.1 #1** – Lifeguard chairs should not be considered a “*base of operations*” this is in direct conflict to **6.3.4.1.7**

**Changes to Code/Annex:**

Wording modified. Refer to the Annex for guidelines.

- **Comment:**

**4.8.5.1.1** – “*Chairs/Stands MUST*” ...the **MUST** should be removed. Suggest replacing “*Chairs/Stands MUST*” with: “*When chairs or stands are used*”

**Changes to Code/Annex:**

Section 4.8.5 is related to the design of chairs and stands. This section was reworded to clarify the design of the locations of chairs and stands to follow the plan for zones of patron surveillance, to provide unobstructed view per the plan, and to provide UV protection. It is also clarified to indicate only when elevated chairs are used so as not to presume an elevated chair would always be used.

- **Comment:**

**4.8.5.1.1** – Remove ALL use of the word **MUST**...Shall or other objective words desired.

**Changes to Code/Annex:**

Annex is not code language but rationale, so the term **MUST** is not an issue.

- **Comment:**

**4.8.5.1.1** – *Lack of work by committee to present material agreed upon and congruent with the code -- “The number of chairs is determined by the water surface size, the anticipated bather load, and the ability to provide complete surveillance of the zone...”* This is neither true nor supported by the code. Number of chairs is determined by number of lifeguards, which is determined based upon the lifeguard’s ability to view the entire zone.

**Changes to Code/Annex:**

Wording modified. Refer to the Annex for guidelines.

- **Comment:**

**4.8.5.2.2** – *Creating standards by words and not practices or reality* -- The aquatic venue must provide boards that meet the standards of the local Emergency Medical Services provider. No such standard exists.

**Changes to Code/Annex:**

Please refer to the Annex. It has been edited for clarity.

- **Comment:**

**4.8.5.2.3** – This is overly broad and too prescriptive. Suggest adding: “**4.8.5.2.3.1** *When one lifeguard staffing is appropriate for aquatic venues within an Aquatic Facility having multiple venues, then at least one approved aquatic rescue throwing device shall be*

*required at the facility...”*

**Changes to Code/Annex:**

Partially agree. The code has been revised to specify facility vs. venue and restructured to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.3** – Does not address true need, which is at an unguarded venue. Suggest adding: *“4.8.5.2.3.. At least one such device must be provided at any aquatic venue that is unguarded.”*

**Changes to Code/Annex:**

Partially agree. The code has been revised and restructured to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.3** – This is overly broad, and too prescriptive for these types of facilities. Suggest adding: *“4.8.5.2.3 For aquatic venues with no standing water, as defined in this code, no throwing device shall be required.”*

**Changes to Code/Annex:**

Partially agree. The code and annex have been revised and restructured.

- **Comment:**

**4.8.5.2.3 & 4.8.5.2.4** – *“At least one such device must be provided at any pool allowed to have only one guard.”* Poorly written...implies that any pool (including a slide catch pool in a water park) that is staffed with a single guard is required to have a rescue throwing device.

**Changes to Code/Annex:**

The code does require a rescue throwing device as stated. However, the code has been revised and restructured to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.3 & 4.8.5.2.4** – In general this is poorly written as it suggests that a Lifeguard should opt to use rescue-throwing devices as opposed to entering the water to affect rescue skills. This could be a major exposure for a facility that reads this and applies to operation.

**Changes to Code/Annex:**

Disagree. Doesn't suggest lifeguards should opt to use, the intent is in a single guard facility if the guard is engaged in a rescue and another patron is in distress, the rescue throw device allows an untrained person to assist the distressed person.

- **Comment:**  
**4.8.5.2.3 & 4.8.5.2.4** – Remove both items from the annex as written.

**Changes to Code/Annex:**

Partially agree. Annex has been revised.

- **Comment:**  
**4.8.5.2.3 & 4.8.5.2.4** – The bulk of the text in these entries (how to use equipment) would benefit guests at an aquatic facility, but the Code/Annex is not intended for that group of individuals and thus provides no real benefit by its inclusion. It is text for the sake of text and should be removed.

**Changes to Code/Annex:**

Agree. Annex revised.

- **Comment:**  
**4.8.5.2.5** – The code as written also allows for an alternative device as written in: “**5.8.5.3.3** ...a comparable alternative emergency communication system...” “**5.8.5.3.3.1** The emergency communication system shall be capable of contacting the local emergency response organization.” And also in **5.5.3.8.3** of this annex, which also allows for non-hard wired devices... This section needs to be consistent with the others.

**Changes to Code/Annex:**

Agree. Code revised for consistency.

- **Comment:**  
**5.8.5.1.1** – Does not address portable chairs/stands and the need to insure they are in the proper location, as addressed in the code comments. Add: “...inspection of portable chairs/stands should confirm the location allows for unobstructed, direct line of sight, visual surveillance of the entire Zone, and matches the location as defined by the Zone of Protection documents for that position.”

**Changes to Code/Annex:**

Agree. Code revised and expanded with lifeguard locations addressed in the Policies and Management Section.

- **Comment:**  
**5.8.5.1.1** – “...and safe for lifeguards to use...” How do you define “safe” and can anything truly be insured safe? Delete this.

**Changes to Code/Annex:**

Partially agree. Code modified. Requirements for routine inspection of equipment already included in other modules.

- **Comment:**

**5.8.5.2.3** – *“Controversy exists as to whether the rescue tube is necessary for all shallow water rescues. There is always a risk that the victim can overwhelm a responding lifeguard, but the increase in response speed may offset that risk. In any case, the aquatic venue must follow the recommendations of the lifeguard-certifying agency.”* This is a totally irresponsible statement based on personal opinion. FACT- No lifeguard training agency trains lifeguards to conduct body contact rescues. The Rescue Tube is the rescue device trained by all agencies. There is no controversy...there is clearly universal training of this device. REMOVE THIS LANGUAGE.

**Changes to Code/Annex:**

Agree. Annex revised.

- **Comment:**

**5.8.5.2.4** – Provision in code as written only includes making lotion available and does not address the need for education and/or policies mandating its use. What is the point of requiring it be available if there is no mandate for training/use.

**Changes to Code/Annex:**

Agree. Note that code has been revised to also allow equivalent protection from the sun such as shading and requires training.

- **Comment:**

**5.8.5.2.4** – The last paragraph is confusing. Is the sunscreen lotion requirement in place as in the code language as written, or do physical barriers preclude the need for lotion. How are in-water lifeguards afforded adequate protection?

**Changes to Code/Annex:**

Agree. The code has been revised to allow for alternate means of sun protection that provide shading of the face, eyes and upper torso such as umbrellas, protective clothing or hats.

- **Comment:**

**5.8.5.2.5** – Tinted (or 'sunglasses") should be required not just polarization at an outdoor venue.

**Changes to Code/Annex:**

Agree. Code modified to specify polarized sunglasses.

- **Comment:**

**5.8.5.2.6** – There is some debate as to whether or not the job of a lifeguard falls under the definition of "Occupational Exposure" as defined by OSHA, and whether or not the BBP standards apply as a whole. Listing this OSHA reference opens up a whole can of worms potentially, the biggest of which is the need to provide the HBV Vaccination to all lifeguards within 10 days of the start of their employment... If this is referenced here, then there should be reference to the other parts of the OSHA BBP Standard, and employers had

better not only provide “*some*” emergency protective equipment as suggested here, but rather, must provide all required equipment. This reference opens both Operators and the Code Developers to a significant exposure by not adequately addressing all aspects of the OSHA standard...

**Changes to Code/Annex:**

Disagree. OSHA guidance now cited in the annex says lifeguards are considered to be under this standard. Code and annex revised.

- **Comment:**

**5.8.5.2.7** – Change “*venue*” to “*facility*”... For consistency sake, and lifeguard understanding of use, Communication Devices and their use should not change from one venue to another within a given facility, although their may be multiple devices employed...

**Changes to Code/Annex:**

Disagree. Annex comment. Venue is not necessarily incorrect . Facility management will determine appropriate signaling device-whether per venue or for the facility.

- **Comment:**

**5.8.5.2.7 last ¶** --“*Revised as needed.*” What does this mean?

**Changes to Code/Annex:**

This was an internal Annex comment. Annex has been revised.

- **Comment:**

**5.8.5.3.2** – There is no requirement for any person to be on-site at all times as the code is currently written, and therefore there may be no one to fulfill this duty. (Examples include home owners assoc. pools, apartment complexes, etc., that may not have anyone at the facility during some/all operating hours, simply someone who does the bare minimum maintenance checks. Also applies to pool management companies.)

**Changes to Code/Annex:**

Partially agree. The provisions in the code regarding facility management, staffing and safety plan have been reorganized and revised.

- **Comment:**

**5.8.5.3.2** – There is no requirement for lifeguard training for this person. How do we expect someone without lifeguard training to be responsible for responding to an aquatic emergency? “... *be the person expected to respond to emergencies...*”, needs removed.

**Changes to Code/Annex:**

Disagree. Annex comment. Response to an emergency can incorporate many different tasks, it does not mean performing as a lifeguard.

- **Comment:**

**5.8.5.3.2** – “...*the trained person should be the person most likely to be available and*

*accountable for the surveillance of the pool...*” The “*Pool*” is defined as Unguarded and therefore no legal duty is applied to surveillance. HOWEVER this line now adds a “duty” to the person, and inherently the Owner/Operator, to “*provide surveillance and accountability*”?

**Changes to Code/Annex:**

Agree. Annex comment. The meaning of “surveillance” in the context of the Annex was not intended to be the same as for lifeguard surveillance of a pool. The provisions in the code regarding facility management, staffing and safety plan have been reorganized and revised.

- **Comment:**

**5.8.5.3.3** – How can this say “*in no case...*” then follow that up with “*about 100 feet*”? How can anyone determine what that even means let alone enforce it? At a minimum remove the word “*about*”.

**Changes to Code/Annex:**

Agree. Annex comment. Annex revised.

- **Comment:**

**5.8.5.3.3** – “*...in a direct line of travel.*” Does this mean it can be on the outside of a fence within 20ft of the venue, even if you have to walk 1000 feet to get outside to use it?

**Changes to Code/Annex:**

This was an internal Annex comment. Annex has been revised.

- **Comment:**

**5.8.5.3.3** – “*hard wired phones*” constitute an unfunded mandate.

**Changes to Code/Annex:**

Code revised to accept alternate communication systems.

- **Comment:**

**5.8.5.3.4.1** – “At least one such device must be provided at any pool allowed to have only one guard.” Poorly written...implies that any pool (including a slide catch pool in a water park that is staffed with a single guard) is required to have a rescue-throwing device.

**Changes to Code/Annex:**

The code does require a rescue throwing device as stated. However, the code has been revised and restructured to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**5.8.5.3.4.1 & 5.8.5.3.4.2** – In general this is poorly written as it suggests that a Lifeguard should opt to use rescue-throwing devices as opposed to entering the water to affect rescue skills. This could be a major exposure for a facility that reads this and applies to operation.

**Changes to Code/Annex:**

Disagree. Doesn't suggest lifeguards should opt to use, the intent is in a single guard facility if the guard is engaged in a rescue and another patron is in distress, the rescue throw device allows an untrained person to assist the distressed person.

- **Comment:**

**5.8.5.3.6** – The process for reporting these closure items to the operator on-site should also be outlined on this sign.

**Changes to Code/Annex:**

Agree. Code revised.

- **Comment:**

**5.8.5.3.7.1** – What does this even mean? If I was interpreting this, this would mean someone had to be on site and available at all time during operation. Doesn't even address minimum ½-hour response as stated in code? This means as soon as possible, which could be more than ½-hour? How was ½-hour chosen as time standard?

**Changes to Code/Annex:**

Agree. Annex comment. Annex revised.

- **Comment:**

**6.2.1** – Is this the most current data available (5 year old data from 2007)? This will be 10 years old by the time of release. Suggest replacing with most recent data available.

**Changes to Code/Annex:**

Data updated with the most recent data up to 2009 that has become available after the module was posted.

- **Comment:**

**6.2.1** – If this statement is true, why allow for unguarded facilities at all if the *“health and safety of the public”* is the main concern of this Organization/Code? Present a conflict with provisions of Code.

**Changes to Code/Annex:**

Annex comment . No change proposed by commenters. Note-See Annex discussion on risk in revised code under Aquatic Facility Management.

- **Comment:**

**6.2.2.2** – USLSC References should be eliminated due to the fact the report was not a Peer-Reviewed and Open study.

**Changes to Code/Annex:**

Disagree with comment - this is annex information and not the code. However, the annex and code have been restructured and revised. In terms of the peer-reviewed USLSC it was

an evidence review process that followed a structured, validated and scientifically valid process which included both participant review and open comment period. As such these guidelines represent the first comprehensive evidence based review of the subject and are not only compliant with accepted evidence based processes but actually exceed these for Evidence-Based Practice and scientific reviews.

- **Comment:**

**6.2.2.4.1** – Why no mention of the ECCU as it is referenced in the Code.

**Changes to Code/Annex:**

Agree. Annex revised to include information regarding ECCU.

- **Comment:**

**6.2.2.4.1** – This requirement may be overly burdensome to local AHJ's, and to training agencies based on sheer number of potential reviews. As written this does not allow for acceptance based on higher-level AHJ review (i.e. state approves but county still must review).

**Changes to Code/Annex:**

Disagree. Changes made to the code, AHJ is not obligated to review courses, but must at least recognize/accept them. The training agency is obligated to make sure their course meets the established protocols and guidelines as specified.

- **Comment:**

**6.2.3.4.2** – How is this “*experience/training*” determined, and does working in a flat-water environment allow for instruction of waterpark or open water curriculum?

**Changes to Code/Annex:**

Agree. Experience in lifeguarding has been removed.

- **Comment:**

**6.2.3.4.3** – Being able to perform basic levels skills should also be addressed, as the ability for an instructor to demonstrate said skills is essential to being able to instruct beginners in the performance of said skills.

**Changes to Code/Annex:**

Disagree - there are exceptional instructors in all walks of life who can teach far better than most but cannot do basic skills that they previously could do . Someone else can demonstrate a skill and the instructor can explain it while it is being demonstrated.

- **Comment:**

**6.2.3.6.1** – “...*requiring the expiration date of the certification allows employers and the AHJ to be reasonably sure that the skills and knowledge of the lifeguard remain adequate.*”

Disagree, documented pre-service and regular in-service training is the only way to be reasonably sure...

**Changes to Code/Annex:**

Annex comment. Agree, annex revised so as not to suggest that skills "remain" adequate.

- **Comment:**

**6.2.3.6.6** – This should also include a signature, not just an identifier, to insure that the instructor is the one issuing the certification.

**Changes to Code/Annex:**

Disagree. Signatures may be hard to read and identify. Code has been revised to require identifier of instructor of record and the agency providing the certification.

- **Comment:**

**6.2.3.7** – Change this to *“Additional Education and Training”* as Continuing Education is used elsewhere in this code to delineate CEU's used to maintain/renew a certification. This could be confusing and is inconsistent.

**Changes to Code/Annex:**

Partially agree. The code has been revised and restructured and "Continuing Education" has been removed.

- **Comment:**

**6.2.3.8.2** – Suggest changing to: *“Training agencies should retain the right to devise alternative ways for a lifeguard to renew certification, but only if instructor course includes a test-out of skills and prerequisites.”*

**Changes to Code/Annex:**

Disagree. However, the code has been restructured and revised for clarity.

- **Comment:**

**6.2.3.8.4** – *“This demonstration is performed without prior review and/or instruction at the time of the challenge by the instructor.”* How does one gain particular agency skills and knowledge without prior review and/or instruction? This is ridiculous.

**Changes to Code/Annex:**

Annex comment. Disagree. The code and annex have been revised and restructured for clarity. This item addresses a candidate's option to "challenge" for recertification. As such it is not intended for the instructor to provide course review and/or instruction.

- **Comment:**

**6.2.3.9.1** – *“The time periods listed in this Code are acceptable only if ongoing in-service and pre-service standards are followed.”* The reality of the code is that there are no in-service standards as relates to frequency?

**Changes to Code/Annex:**

Agree. Code and annex have been revised and now address timing and/or frequency for training.

- **Comment:**

**6.2.4.1** – *“Although some of the duties are the same, these duties and decisions should not be considered equal to those of the lifeguard and should incorporate advanced knowledge and skills.”* In this passage the Annex states clearly that the level of Supervisor knowledge/skills should be advanced from that of Lifeguard. However the actual Code does not even require a minimum of lifeguard training.

**Changes to Code/Annex:**

Agree. Aquatic Supervisor training has been revised and now includes, among other elements, training, and previous experience as a lifeguard.

- **Comment:**

**6.2.4.2** – *“It is essential that aquatic supervisors have a working knowledge beyond the fundamentals taught in the typical lifeguard training course, including how to evaluate the performance of the lifeguard’s essential functions, to implement improvement strategies, and also to plan, prepare, and implement the necessary functions, duties, and responsibilities of the lifeguard.”* In this passage the annex once again contradicts the code in practical application

**Changes to Code/Annex:**

Agree. Aquatic Supervisor training has been revised and now includes, among other elements, training and previous experience as a lifeguard.

- **Comment:**

**6.3.1.2** – *“Lifeguard employers should screen candidates for untreated sleep apnea because these individuals have a decreased ability to maintain vigilance. This could be ascertained on applications for employment.”* Ugh, this is an awful requirement and poses all kinds of exposure... Opens up question of what else should be screened for ADHD, Vision, Seizures, Anxiety, High Blood Pressure, etc.... that all can have a negative impact on lifeguards.

**Changes to Code/Annex:**

Annex comment. This information has been deleted from annex.

- **Comment:**

**6.3.1.2** – USLSC References should be eliminated due to the fact the report was not a Peer-Reviewed and Open study.

**Changes to Code/Annex:**

Disagree. The report is published in a peer-reviewed journal. It used an evidence review process that followed a structured, validated and scientifically valid process which included both participant review and open comment period. As such these guidelines represent the first comprehensive evidence based review of the subject and are not only compliant with accepted evidence based processes but actuality exceed these for Evidence-Based Practice and scientific reviews.

- **Comment:**  
**6.3.1.7** – The Oregon Code reference is a good reference. However, the actual Module Draft places the duty on the AHJ were the Oregon Code properly places it on the Facility/Facility Supervisor

**Changes to Code/Annex:**

The Code has been revised and re-structured, this "Demonstrate Knowledge " item has been eliminated.

- **Comment:**  
**6.3.1.8** – Suggests that the poor code language in **6.3.1.8** would now be passed as an exposure to the Owner/Operator. Poor language and not congruent with Code entry

**Changes to Code/Annex:**

The Code has been revised and re-structured, this "Demonstrate Knowledge " item has been eliminated

- **Comment:**  
**6.3.3.1.8** –*“8) There should be absolutely no head first entries in the water in 5 feet (1.52 m) of water or less from the deck or any elevations without proper training and lifeguard supervision.”* Does this mean that a facility that allows headfirst entry from the deck shall be required to have lifeguards as defined in this code? **6.3.3.1** Code entry does not include this.

**Changes to Code/Annex:**

This would follow under the risk management section. Here we are saying if you have these items you need to be a guarded venue.

- **Comment:**  
**6.3.3.2 & 6.3.3.3** – For both **6.3.3.2** and **6.3.3.3**, this may have a significant impact on pool management companies who may not have any other personnel at the facility they guard (i.e. apartment complexes and home owners association pools.)

**Changes to Code/Annex:**

Agree. Code revised

- **Comment:**  
**6.3.3.2 & 6.3.3.3** – Minute response time sets a double standard, major exposure and liability. No standard exists here and the Code is now creating one out of the blue with no support/practices. Code also falsely represents the committee...there was NOT an agreement on this 1 minute response standard

**Changes to Code/Annex:**

Changed to 3 minutes to be in concert with physical time of CPR for 3 minutes from a single guard.

- **Comment:**  
**6.3.4.1.2** – Paragraph 1, ANSI/APSP 9-20.6 EAP, ANSI/NSPI-1 2003 sections should all be removed. They do not in any way relate to the Code language for section **6.3.4.1.2**, which talks about OSHA workplace safety training requirements. Delete it!

**Changes to Code/Annex:**

This is annex information and is related. Agree to take out the EAP information.

- **Comment:**  
**6.3.4.1.2, 6.3.4.1.4, & 6.3.4.1.5** – Delete all current text. This should address the need for documentation; get to the point of the section. Don't add text for the sake of filling space especially when it does not relate to the Code content. The Annex is already too wordy.

**Changes to Code/Annex:**

Text has been edited and modified.

- **Comment:**  
**6.3.4.1.6 & 6.3.4.1.7** – The RID Factor is NOT accepted by all lifeguard-training agencies. This is a direct lie on the part of the author...this appears in only one Lifeguard textbook-ARC.

**Changes to Code/Annex:**

Still referred to but clarified that it is accepted by "some" groups.

- **Comment:**  
**6.3.4.1.6 & 6.3.4.1.7** – The RID Factor is a committee member's concept and has no place in this Code when attached to a formal TERM. The author is also an Advisory Board member of the Red Cross.

**Changes to Code/Annex:**

Still referred to but clarified that it is accepted by "some" groups.

- **Comment:**  
**6.3.4.1.7** – Address the issue here; Distraction provided by non-emergency electronic devices. Perhaps cite driving and cell phone use research as it relates to distraction to emphasize point. That at least would be relevant.

**Changes to Code/Annex:**

Agree. Annex revised.

- **Comment:**  
**6.3.4.1.8** – USLSC references should be eliminated. The concept in this entry was NOT practiced anywhere, prior to the latest ARC lifeguard textbook in 2012. How can this be given a rating of a "Standard" within USLSC, and a grade of "A" in this Code when in fact it

had not even been implemented by any agency prior to 2012?

**Changes to Code/Annex:**

Disagree - the USLSC report was published in a peer reviewed publication. The largest lifeguarding agency in the world uses the protocol in their training as does the Boy Scouts of America.

- **Comment:**

**6.3.4.1.8** – This concept ignores the reality of Team management of skills and events. No single lifeguard would ever have to perform the sequence put forth. This sets lifeguarding back 20 years to “stud duck” type lifeguards.

**Changes to Code/Annex:**

Extensive re-wording of Annex has occurred.

- **Comment:**

**6.3.4.1.8** – The entry of this concept is unethical. It is a direct concept of the Vice Chairman of the committee, who authored the USLSC, (where this concept appears). Additionally, the author is an Advisory board member of the ARC and an author of the ARC manual.

**Changes to Code/Annex:**

Disagree - Extensive re-wording of Annex has occurred.

- **Comment:**

**6.3.4.1.8** – International Life Saving Federation Pool Lifeguard Requirements should also not be placed in Annex, as the organization does not even have a Lifeguard Training Program.

**Changes to Code/Annex:** Extensive re-wording of Annex has occurred.

- **Comment:**

**6.3.4.1.8.1** –The only thing needed here is: ***“ANSI/APSP 9 20.4.3.2 Reaching Victim Lifeguards, attendants, and staff assigned to maintain guest surveillance in aquatic facilities shall be positioned and provided equipment in order to reach the victim within 20 seconds of identification of a trauma or incident.”*** Delete existing content, as it is unrelated to Code content

**Changes to Code/Annex:**

Disagree - Current ANSI Standard - leave as is - 20 second response only time (does not include detection time) is important to successful outcomes.

- **Comment:**

**6.3.4.1.8.2** – USLSC References should be eliminated due to the fact the report was not a Peer Reviewed and Open study.

**Changes to Code/Annex:**

Incorrect. Reference is cited and was peer-reviewed.

- **Comment:**

**6.3.4.1.8.3** – Delete current content; it does not address section topic of included supplemental responders.

**Changes to Code/Annex:**

Agree to change to - "A lifeguard shall be able to extricate a victim from the aquatic venue according to the Emergency Action Plan."

- **Comment:**

**6.3.4.1.9** – USLSC References should be eliminated due to the fact the report was not a Peer Reviewed and Open study.

**Changes to Code/Annex:**

Incorrect. Peer-reviewed reference cited

- **Comment:**

**6.3.4.1.12** – Understanding closure issues and asking or inferring (by way of the Annex education) is different than stating lifeguards should be the ones to determine or identify such issues when the primary responsibility is swimmer protection. Suggesting otherwise is counterproductive and an exposure.

**Changes to Code/Annex:**

Disagree - swimmer protection can be improved by understanding closure issues.

- **Comment:**

**6.3.4.2** – USLSC References should be eliminated due to the fact the report was not a Peer Reviewed and Open study.

**Changes to Code/Annex:**

Incorrect. Peer-reviewed citation added

- **Comment:**

**6.3.5.1** – USLSC References should be eliminated due to the fact the report was not a Peer Reviewed and Open study.

**Changes to Code/Annex:**

Incorrect. Peer-reviewed citation added.

- **Comment:**

**6.3.5.1** – Agency specific items should not be quoted in the code. ARC recommendations should be removed. Speak to it generically.

**Changes to Code/Annex:**

Annex comment. Disagree. The annex provides background, rationale, data and references for code content.

- **Troy Spring, Splashway Family Waterpark (Sheridan, TX)**

- **Comment:**

**GLOSSARY “Aquatic Supervisor”** – *Unnecessary and does not define a supervisor.* -- Delete.

**Changes to Code/Annex:**

Partially agree. Definition revised.

- **Comment:**

**4.6.5.3** – *This requirement is too specific. Aquatic facilities carry those items which are vital for basic first aid of which they are certified. In life threatening situations, extended care is left to professionals who carry their own equipment.* -- Delete the section.

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.4** – *These items are not necessary at an aquatic venue.* -- Delete 1) 2) 3) 4)

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.8.5.1.1** – *This is more of a definition not a requirement. It implies, because by the way it is written that all positions should have a chair/stand and such is not the case.* -- Chairs/stands, where required for adequate supervision and surveillance

**Changes to Code/Annex:**

Section 4.8.5 is related to the design of chairs and stands. This section was reworded to clarify the design of the locations of chairs and stands to follow the plan for zones of patron surveillance, to provide unobstructed view per the plan, and to provide UV protection. It is also clarified to indicate only when elevated chairs are used so as not to presume an elevated chair would always be used.

- **Comment:**

**4.8.5.2.3** – *Chairs and Stands should only be used when they are practical. Kiddie areas and catch pools may require a guard to be in the water for increased safety. It is nearly impossible to keep these guards shaded at all times.* -- Means to reduce exposure to ultraviolet radiation should be provided where practical/possible.

**Changes to Code/Annex:**

Sections only speak to chairs when required vs. requiring them in all instances.

- **Comment:**

**4.8.5.2.3** – *Is a throwing device really required in a pool that is only two feet deep? Also a throw buoy poses substantial risk to our guests at a waterpark, as these objects are hard and heavy. The risk outweighs the reward for us as we have trained lifeguards who can provide a quicker and more effective rescue using proven rescue techniques.* -- Delete this section

**Changes to Code/Annex:**

Disagree. However, the code and annex have been revised and restructured. A rescue throwing device is not required at facilities where there is more than one lifeguard.

- **Comment:**

**4.8.5.2.4** – *A Shepherd's hook is not practical in a Waterpark environment. We are actually more concerned with the danger of a guest using the hook and hurting guest than helping them. In a guarded facility, lifeguards are trained to use their tube and enter to assist their victim as this is the safest way to ensure a quick rescue.* -- Delete this section. When the aquatic facility safety plan documents and the Health Authority agrees that one lifeguard staffing is appropriate for an aquatic facility then an approved reaching pole or 12-16 foot in length, non-adjustable nor telescopic, light in weight with a securely attached Shepherd's Crook(life hook), and the shepherd's crook aperture of at least 18 inches shall be required.

**Changes to Code/Annex:**

Partially agree. The code has been revised to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.5** – *A hardwired device available to all users may be impossible to provide and incur exceptional cost for inappropriate use.* -- A telephone or other communication device that is capable of directly dialing 911 or other emergency notification system should be available.

**Changes to Code/Annex:**

Disagree. See current Annex Section 5.8.5.2.2.1.2 for explanation.

- **Comment:**

**5.8.5.2.3** – *Overly burdensome as a guard in very shallow water has no use for a rescue tube.* -- Delete: Each lifeguard conducting patron surveillance with the responsibility of in water rescue in less than 5 feet of water shall have a rescue tube immediately available for use.

**Changes to Code/Annex:**

Disagree. See Annex for explanation.

- **Comment:**

**5.8.5.2.3.2** – *Is a diagram required? If so where is it located?* -- The Aquatic safety Plan shall identify those zones where the lifeguard is required to have a rescue tube on their person at all times

**Changes to Code/Annex:**

Agree. Code revised. Details regarding zones, # of guards, diagrams, etc. removed from this section and now included under Section 6.3 Aquatic Facility Management.

- **Comment:**

**5.8.5.2.5** – *When is it necessary to reduce the impact of glare?* -- Delete: Lifeguards shall wear polarized glasses while conducting patron surveillance when it is necessary to reduce the impact of glare.

**Changes to Code/Annex:**

Disagree. The requirement is to address glare as it affects patron surveillance. Code revised to clarify intent and when needed.

- **Comment:**

**5.8.5.2.6** – *Wording could cause problems legally. How can you ensure, there is no delay?* -- Personal protection equipment PPE [a one way valve resuscitation mask and non-latex one use disposable gloves] shall be available for lifeguards

**Changes to Code/Annex:**

Partially agree. Code has been revised.

- **Comment:**

**5.8.5.2.7** – *“Such a whistle needs to be inserted. Otherwise the burden is placed on the reader to try to determine what a signaling device is.* -- Signaling devices, such as a whistle, capable of communicating emergency and/or non-emergency information shall be available for each lifeguard conducting patron surveillance

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**6.2.1.1** – *This is a definition, but is it a requirement? Language needs to be changed..* -- Delete: A Qualified Lifeguard shall have successfully completed a lifeguard training course that is recognized by the Health Authority.

**Changes to Code/Annex:**

Agree. Definition revised.

- **Comment:**

**6.2.2.2.1** – *This section should include victim identification.* -- Hazards and prevention including: 1) Victim identification, 2 )Identification of common hazards or causes of aquatic injuries and their prevention, 2) Responsibilities of a lifeguard in prevention strategies, 3) Basic scanning strategies, 4) Factors which impede victim recognition, 5) Health and safety issues related to lifeguarding and bather supervision, and

**Changes to Code/Annex:**

Disagree. Victim identification is addressed in the "Emergency Response" portion of this section.

- **Comment:**

**6.2.2.4.1** – *Unnecessarily proscriptive. Should just specify follow national guide lines. Why would the ECCU of American Heart be the only agency to establish guidelines* -- Delete: Cardiopulmonary Resuscitation (CPR/AED) and other resuscitation skills shall be professional level skills that follow treatment protocols consistent with the current Emergency Cardiovascular Care Update (ECCU) and/or, the International Liaison Committee on Resuscitation (ILCOR) guidelines for cardiac compressions and rescue breathing for infants, children, and adults

**Changes to Code/Annex:**

Disagree. See Annex for explanation for how these standards/protocols are established and by whom.

- **Comment:**

**6.2.3.3.1** – *This should be deleted as it contains no information. What constitutes essential topics? Either a course covers the topics listed or it doesn't.* -- Course length shall provide sufficient time to cover all of the essential topics listed in Sec 6.2.2.1 through Sec 6.2.2.6.

**Changes to Code/Annex:**

Partially agree. Wording revised.

- **Comment:**

**6.2.3.4.6** – *This is overly burdensome on the training agency. The burden should be on the end user, not on the national agency. This is litigation prone and will be very difficult to do. Very difficult to understand what is intended. Why not* -- Delete: Training agencies shall have a quality control system in place to monitor lifeguard instructors

**Changes to Code/Annex:**

Disagree . It is the training agencies responsibility to monitor their instructor's performance, not the end users. Wording modified to clarify

- **Comment:**

**6.2.3.5.1** – *Final exam to include both theory based and practical skills?* -- Qualified Lifeguard training course providers shall include a final exam including but not limited to: 1) Final exam, which at a minimum, covers all of the topics as outlined in MAHC Section 6.2.2, 2) Final exam passing score criteria including the level of proficiency needed to pass physical skills and theoretical, 3) Final exam security procedures, and 4) Final exam to include both theory based and practical skills.

**Changes to Code/Annex:**

Partially agree. Wording changed to state "...written and practical exams covering topics outlined in MAHC ...."

- **Comment:**

**6.2.3.8.1** – *This is better language than what was used above.* -- When the period of certificate validity is expired as delineated by the training agency, certificate renewal may be achieved by retaking an entire course that meets the requirements delineated in Sec. 6.2.2 or by taking a review course that meets the course requirements delineated in Sec. 6.2.2 through passing a final exam, which includes in and out of water skills

**Changes to Code/Annex:**

Comment unclear, however the code has been revised and restructured for clarity.

- **Comment:**

**6.2.3.8.2** – *Why is this included? Certainly an agency which issues a certificate renewal will mandate that its requirements be met.* -- Delete: Accepted courses for certificate renewal shall meet requirements delineated by the training agency.

**Changes to Code/Annex:**

Agree. The code has been revised and restructured for clarity.

- **Comment:**

**6.2.3.3.4** – *This is out of place. It implies that such a course must be taught* -- Delete: Any lifeguard challenge program shall be done in accordance with the agency of the certifying instructor.

**Changes to Code/Annex:**

comment refers to Section 6.2.3.8.4. Partially agree. Code has been restructured and revised. Challenge program is further defined and clarified.

- **Comment:**

**6.2.4** – *This entire section should be deleted as it does not reflect current practice or even best practice in the industry. Many of these topics are covered in different agency instructor*

*courses. As such it is unduly burdensome and expensive to require people to have a course that does not reflect current best practices and has no evidence to support its need.*

-- Delete entire 6.2.4 Section

**Changes to Code/Annex:**

Disagree. Supervision has been proven to directly impact performance and safety, and as such must be a part of best practices for aquatic facility operations.

- **Comment:**

**6.2.4.1** – *This is mixing up the roles of what might be called an upper level manager and what might be described as a lower level supervisor. As such, it does not currently reflect the level of sophistication that is common in more complex facilities where the duties are relegated to different levels* -- Delete: All lifeguard supervision and management training recognized by the Health Authority shall include, at a minimum, the following teaching elements

**Changes to Code/Annex:**

Disagree. Supervisors are intended to supervise/manage the lifeguards to ensure the lifeguard staff is performing as trained and expected. Note, requirements for Supervisor training and staffing have been revised.

- **Comment:**

**6.2.4.1** – *This is an exceptionally high level of experience and training that is being required and is an EMS or EMT function* -- Delete: 2) Knowledge to identify the extent of trauma in an incident and to be able to make a decision on the necessity of advanced care

**Changes to Code/Annex:**

Partially agree. Supervisor training has been revised and now includes, among other elements, first aid, CPR/AED training/certification. The requirement in 2) "Knowledge to identify the extent of trauma in an incident and to be able to make a decision on the necessity of advanced care." has been deleted.

- **Comment:**

**6.2.4.2** – *Here you are requiring vigilance which I believe is omitted from the skills listed for lifeguards. Vigilance has a technical definition and this sort of lack of understanding of technical issues related to modern lifeguarding is commonly evidenced throughout this document* -- Delete: 1) Scanning and vigilance and how to ensure that systems which accomplish these goals are in place and operational

**Changes to Code/Annex:**

Disagree. Statement doesn't support proposal to delete. Note- Supervisor training requirements have been revised and restructured

- **Comment:**

**6.2.4.2** – *How do you require ability? Should this not address something that is measurable?* -- Delete: 2) An ability to implement required training and to monitor the effectiveness of pre-service testing, in-service training, and facility specific training for lifeguards

**Changes to Code/Annex:**

Agree. Changes made.

- **Comment:**

**6.2.4.2** – *This is a very complicated issue and far beyond the ability of most supervisors. It also implies that once zones are set, they are static. Such is not the case as zones are moved all the time as experience in the facility dictates* -- 4) Ability to develop and evaluate zones of patron surveillance responsibility diagrams for an aquatic venue.

**Changes to Code/Annex:**

Disagree. The supervisor must possess all of the skills and training as specified in the revised Supervisor training program to supervise/manage the lifeguards to ensure the lifeguard staff is performing as trained and expected. It does not suggest or state that zones are static but rather addresses the need for the Supervisor to be able to identify the possibilities to eliminate confusion and non/inadequate-zone coverage.

- **Comment:**

**6.3.1.1** – *Delete this section as this was never vetted by the entire committee and would require a whole new course for most facilities and will be extremely costly* -- Delete: Aquatic facilities that are required to have lifeguards shall have at least one employee designated as the aquatic supervisor who meets the requirement of this Code to be an Aquatic Supervisor.

**Changes to Code/Annex:**

Disagree. Supervisors are intended to supervise/manage the lifeguards to ensure the lifeguard staff is performing as trained and expected. Supervision has been proven to directly impact performance and safety, and as such must be a part of best practices for aquatic facility operations. Note, requirements for Supervisor training and staffing have been revised.

- **Comment:**

**6.3.1.2** – *This seems, more than anything else, to be a poor attempt to mandate a particular agencies program..* -- Delete: An aquatic supervisor shall 1) Have completed and documented current training on lifeguard supervision and management, or 2) Have completed lifeguard training on all items set forth in 6.2.4, have read the annex of this Code, and/or provides the documentation of experience and experiential understanding of

items 6.3.1.1 through 6.3.1.6 to the owner/operator.

**Changes to Code/Annex:**

Disagree. Supervisors are intended to supervise/manage the lifeguards to ensure the lifeguard staff is performing as trained and expected. Supervision has been proven to directly impact performance and safety, and as such must be a part of best practices for aquatic facility operations. Note, requirements for Supervisor training and staffing have been revised.

- **Comment:**

**6.3.1.3** – *Not code language. Reasons go in the annex.* -- Delete: Persons with supervisory responsibility shall be of at least 18 years of age to manage lifeguards, emergencies, and guest issues.

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised.

- **Comment:**

**6.3.1.4** – *Delete this section. How do you tell if someone is able to activate an EAP?* -- Delete: Aquatic supervisors and other aquatic safety team members shall be able to activate Emergency Action Plans (EAPs).

**Changes to Code/Annex:**

Disagree. Statement doesn't support proposal to delete. Determination of ability to activate EAP is based on staff performing procedures detailed in the required written EAP. Note- Aquatic Supervisor training requirements have been revised and restructured

- **Comment:**

**6.3.1.5** – *Delete this section as it contains no new information. In addition, this requires a greater degree of education than currently exists for lifeguards. Without at least EMT or even paramedic experience, no one could identify the extent of a trauma.* -- supervisors shall have first aid and CPR/AED training in the skills necessary to identify the extent of life threatening and non life threatening trauma in an incident

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised.

- **Comment:**

**6.3.1.6** – *Delete this section as it is redundant.* -- Delete: Additional training for an aquatic supervisor shall include, but is not limited to: 1) Scanning, vigilance, and how to ensure that systems which accomplish these goals are in place and operational, 2) An ability to implement required training and to monitor the effectiveness of pre-service training, in-

service training, and facility-specific training for lifeguards, and 3) Strategies to reduce risk and mitigate the health and safety hazards to both the patrons and the staff

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised, code re-structured and duplications eliminated.

- **Comment:**

**6.3.1.7** – *Here, an operator is required to demonstrate proficiency to a health authority when the operator is the person who has true knowledge of proficiency. Most health authorities do not have the ability to make this evaluation.* -- Delete: Based on the risks inherent to an aquatic facility, during inspections and upon request the person in charge of the lifeguards shall demonstrate to the health authority knowledge of the items listed in 6.3.1.3 to 6.3.1.6 and the requirements of this Code.

**Changes to Code/Annex:**

Agree. The Code has been revised and re-structured , this "Demonstrate Knowledge " item has been eliminated.

- **Comment:**

**6.3.1.8** – *This is entirely too proscriptive. Should read “has attempted in good faith to comply with this code. Almost every facility will have some minor violation at least.* -- Delete: 1) Complying with this Code by having no violations of priority items during the current inspection.

**Changes to Code/Annex:**

Agree. The Code has been revised and re-structured , this "Demonstrate Knowledge " item has been eliminated

- **Comment:**

**6.3.1.8** – *Has aquatic safety plan ever been defined before this point?* -- Delete: “Aquatic Safety” in 3) Produce the aquatic venue’s Aquatic Safety and Emergency Action Plan that contains the items required by this Code. \*\*\*\*\* To read: 3) Produce the aquatic venue’s Emergency Action Plan that contains the items required by this Code.

**Changes to Code/Annex:**

The Code has been revised and re-structured , this "Demonstrate Knowledge " item has been eliminated. A definition has been added.

- **Comment:**

**6.3.2.1** – *No one will understand this statement. What water column? Does this mean that the LG is responsible for the air above the water? Suggest: surface, bottom and area in-*

*between. This statement also seems to reflect an absence of knowledge about the fact that victims do not go part way down and stop.* -- Change: The number of lifeguards and lifeguard stations shall be established so that the lifeguard is capable of viewing the entire area of the zone of patron surveillance, including from the bottom to the surface and above the water column. To: The number of lifeguards and lifeguard stations shall be established so that the lifeguard is capable of viewing the entire area of the zone of patron surveillance, including from the bottom to the surface and the area in-between.

**Changes to Code/Annex:**

Partially agree. Code revised, "water column" deleted.

- **Comment:**

**6.3.3.2** – *What does available mean?* -- Available in the following statement needs to be defined. Any aquatic venue that requires a lifeguard, and is a single lifeguarded aquatic venue, shall have an additional staff person available that has current CPR/AED certification, and training in water extrication.

**Changes to Code/Annex:**

Agree. Section revised.

- **Comment:**

**6.3.3.2** – *Add 6.3.3.3 to 6.3.3.2 This should be a subsection of the statement before. Otherwise, it gets mixed up with multiple guard pools.* -- Any aquatic venue that requires a lifeguard, and is a single lifeguarded aquatic venue, shall have an additional staff person available that has current CPR/AED certification, and training in water extrication. The staff person trained and certified in CPR/AED and first aid must be able to respond to the lifeguard's EAP activation within 1 minute

**Changes to Code/Annex:**

Agree Section revised.

- **Comment:**

**6.3.3.3** – *This should be a subsection of the statement before. Otherwise, it gets mixed up with multiple guard pools* --Delete: The staff person trained and certified in CPR/AED and first aid must be able to respond to the lifeguard's EAP activation within 1 minute \*\*\*\*\*  
Suggest "1 minute" be replaced with "in a timely manner"

**Changes to Code/Annex:**

Section revised.

- **Comment:**

**6.3.3.4** – *This is also seriously litigation prone.* -- Where are the diagrams maintained?

**Changes to Code/Annex:**

Wording added to clarify the plan is maintained at each aquatic facility

- **Comment:**

**6.3.3.4 – *Maintained Where?*** -- Zones of patron surveillance responsibility diagrams for each lifeguard station configuration shall be identified and maintained at all times

**Changes to Code/Annex:**

Agreed. Wording added to clarify the plan is maintained at each aquatic facility

- **Comment:**

**6.3.4.1.1 – *This should read management staff as this document has already identified what it thinks is a supervisor.*** -- Prior to active duty, aquatic managerial staff shall ensure that lifeguards can proficiently perform the skills required for a rescue, as outlined in the Safety Plan specific to that aquatic facility or aquatic venue.

**Changes to Code/Annex:**

The supervisor must ensure but other agents can be involved in the process.

- **Comment:**

**6.3.4.1.2 – *This is impossible for most facilities. How do they know or even find out what OSHA will require of them? This is yet another instance of where the code confuses what is required for aquatic safety and what is required by other agencies*** -- Delete: Lifeguards and aquatic safety staff shall have work place safety training requirements meeting the level of the Occupational Safety and Health Administration (OSHA), this Code and the Health Authority requirements for the specific aquatic venue

**Changes to Code/Annex:**

Disagree. It is their responsibility to know. Citations added.

- **Comment:**

**6.3.4.1.3 – *This needs to define where this documentation will be maintained.*** -- This needs to define where this documentation will be maintained.

**Changes to Code/Annex:**

Agreed. Wording added to clarify the plan is maintained at the aquatic facility.

- **Comment:**

**6.3.4.1.3 – *Documentation shall be maintained and be available for inspection verifying that all lifeguards have demonstrated water rescue competency for the specific***

6.3.4.1.4 *aquatic venue prior to active patron surveillance.* -- Documentation shall be maintained and be available for inspection verifying that all lifeguards have demonstrated water rescue competency for the specific aquatic venue prior to active patron surveillance.

**Changes to Code/Annex:**

Agreed. Wording added to clarify the plan is maintained at the aquatic facility.

- **Comment:**

6.3.4.1.4 – *There seems to be some confusion about what constitutes an EAP. This requirement should be rolled into the one above it. Most guards participation in an EAP will be limited to rescue and immediate support.*-- Delete: Documentation shall be maintained and be available for inspection that all lifeguards have demonstrated knowledge and active practice for the specific aquatic venue's Emergency Action Plan before active patron surveillance.

**Changes to Code/Annex:**

Partially agree. Code revised and restructured, EAP's and Aquatic Facility Safety Plans are detailed in the revised code.

- **Comment:**

(NO SECTION GIVEN) – *When?* -- Timing issues associated with the assignments need to be addressed: Lifeguards assigned for the direct surveillance of bathers shall not be assigned other tasks that intrude on patron surveillance

**Changes to Code/Annex:**

Wording added to clarify times.

- **Comment:**

6.3.4.1.7 – *This section is hopelessly proscriptive It is impossible to comply with. If you say "Hello" then you have engaged in a social conversation. So it must be okay to have a non-electronic device.* -- Delete: Lifeguards shall not engage in social conversations or have on their person or lifeguard station cellular telephones, texting devices, mp3 players or other similar non-emergency electronic devices while conducting patron surveillance

**Changes to Code/Annex:**

Disagree. Annex revised to clarify intent.

- **Comment:**

6.3.4.2.8.5 – *This implies that AED's have a place in the treatment of drowning. I am not aware of any documented case where AED's have been useful to treat drowning.* -- Delete the AED reference: Lifeguards shall be trained in emergency response, cardio-pulmonary

resuscitation (CPR) and first aid scenarios that are specific to the aquatic facility which they are employed.

**Changes to Code/Annex:**

Disagree with comment. Any incident (drowning induced or not) that progresses to loss of pulse requires immediate analysis by an AED to allow for maximum available standard of care delivery.

- **Comment:**

**6.3.4.1.9** – *Again, the term “aquatic supervisor is used when “Management” is what is meant.* -- Management shall ensure that any lifeguard that requires corrective lenses must wear the corrective lenses while on duty.

**Changes to Code/Annex:**

Disagree - this is standard terminology in the document.

- **Comment:**

**6.3.1.4.1.10** – *Remove as it is redundant* -- Delete: Cardiopulmonary Resuscitation (CPR), Automated External Defibrillator (AED), First Aid, and Lifeguarding qualifications shall be current and taught by an authorized instructor of a training agency recognized and approved by this Code.

**Changes to Code/Annex:**

Agree. Code has been revised and re-structured, duplications eliminated.

- **Comment:**

**6.3.4.1.11** – *Ambiguous as to what constitutes emergency closure issues.* -- Delete: The Aquatic Facility Safety Team shall be trained to recognize all emergency closure issues.

**Changes to Code/Annex:**

The closure items are defined elsewhere in the code.

- **Comment:**

**6.3.4.2.2** – *Delete the word all as this requires psychic powers to foresee* -- Lifeguards and other aquatic venue safety team members shall receive training on emergency procedures specific to the aquatic venue.

**Changes to Code/Annex:**

Agree with comment

- **Comment:**

**6.3.4.2.4** – *Does this code really have the power to list the authority and responsibility of the health agency?* -- Delete: The Health Authority shall have the discretion to check or inspect any or all of the aquatic facility lifeguards and aquatic safety team members on any required performance standards, certifications, and in-service training records and can ask for any skill specified in-service training or pre-service requirements to be demonstrated.

**Changes to Code/Annex:**

Disagree with comment. They do.

- **Comment:**

**6.3.5.1.1** – *Undefined term.* -- Rotation procedures needs to be defined: There shall be defined, practiced and evaluated lifeguard rotation procedures.

**Changes to Code/Annex:**

Agreed

- **Comment:**

**6.3.5.1.1.2** – *Poorly worded. There may be some areas which are closed or out of service -* - Needs to be reworded because all areas may not be in use. The lifeguard rotation plan shall identify all zones of patron surveillance and responsibilities for each lifeguard station at the aquatic facility.

**Changes to Code/Annex:**

Disagree with comment. There still needs to be a rotation plan that includes everything. It can be adjusted as attractions are not open, but still needs to be documented and communicated.

- **Comment:**

**6.3.5.1.1.5** – *Extremely poorly worded. Needs to be re-written in clear un-ambiguous language. Is there justification for 60 minutes? This is a major litigation issue.* -- Delete: The lifeguard rotation plan shall contain a change of lifeguard station for each lifeguard with no lifeguard remaining at the same station for more than 60 minutes.

**Changes to Code/Annex:**

Disagree with comment - "Single lifeguard facilities shall have a rotation plan that indicates a minimum of 10 minutes per hour of non-patron surveillance time for the lifeguard. Rotation Plan should address procedure for accomplishing this without compromising patron surveillance during this time."

- **Comment:**

**6.3.5.1.1.5** – *Another example of where the committee had something in mind but did an*

*exceptionally poor job of explaining the issue. Suggest this section be deleted as it provides no useful content or direction. -- Delete: The lifeguard rotation plan shall contain period(s) of non-patron surveillance activity*

**Changes to Code/Annex:**

Disagree with comment. Off-scanning time is essential to lifeguard surveillance performance.

- **Comment:**

**6.3.5.2.1 – Non code language. What constitutes aquatic safety team. -- Delete:** Lifeguards and other members of the aquatic facility safety team shall receive a copy and training on the venue's Emergency Action Plan

**Changes to Code/Annex:**

Disagree with comment. It is clearly defined in code although lifeguards can be deleted as they are part of the "Aquatic Facility Safety Team" - possible rewording "Members of the aquatic facility safety team shall receive a copy of, and training on, the facility's/venue's Emergency Action Plan for their specific job title/responsibilities at the Aquatic Facility".

- **Comment:**

**6.3.5.2.3 – Which items? Why does the code not specify what is required? Delete this section. -- Delete:** Lifeguards and other members of the aquatic facility safety team shall receive a copy and training on the venue's Emergency Action Plan.

**Changes to Code/Annex:**

Disagree with comment - Members of the aquatic facility safety team shall receive a copy of, and training on, the facility's/venue's Emergency Action Plan for their specific job title/responsibilities at the Aquatic Facility

- **Comment:**

**6.3.5.2.3.1 – Delete this requirement -- Delete:** 5) Plan for Lifeguard Supervision/Management contained in this Code from 6.3.1 to 6.3.1.6

**Changes to Code/Annex:**

Disagree with comment

**Eric Bertch, Lost Island Waterparks (Waterloo, IA)**

- **Ron Sutula, Schlitterbahn Galveston Island Waterpark (Galveston, TX)**
- **Louis Cirigliano, Casino Beach Pier, LLC (Seaside Heights, NJ)**
- **Caryl Chase, City of Casa Grande Parks and Rec (Casa Grande, AZ)**
- **Frank Perez, NRH2O Water Park (North Richland Hills, TX)**
- **George Deines, City of Garland (Garland, TX)**

- **Pat VanGorp, Kiwanis Rec Center (Tempe, AZ)**
- **Sasha Mateer, Lake County Parks Dept (Crown Point, Indiana)**
- **Chris Landgrave, Deep River Waterpark (Crown Point, IN)**
- **Phil Hagman, Aqua Adventure (Fremont, CA)**
- **Wesley Long, Raging Waters Sacramento (Sacramento, CA)**
- **Tina Royer, City of Scottsdale (Scottsdale, AZ)**
- **Andrew Chafatelli, Mega Funworks Inc (Fishkill, NY)**
- **Charlie Martin, Raging Waters Sacramento (Sacramento, CA)**
- **Daniel Terrazas, Raging Waters Sacramento (Sacramento, CA)**
- **Wendy Clubb, City of Valdez Parks and Rec (Valdez, AK)**
- **Luke Borowy, ROPA Associates LLC (Lake Harmony, PA)**
- **Kate Brill-Daley, Coco Key Water Resort (Danvers, MA)**
- **Taryn Eisenman, Coco Key Water Resort (Mount Laurel, NJ)**
- **Joe Stefanyak, Jeff Ellis & Associates, Inc. (Ocoee, FL)**
- **Jim Basala, Lake County Parks Dept/Deep River Waterpark (Crown Point, IN)**
- **Lee Hovis, Tolomato CDD (Ponte Vedra, FL)**

- **Comment:**

**4.6.5.1 – *Not practical for all Aquatic Facilities*** -- Aquatic Facilities that do not require lifeguards, as defined in this code, may not have a first aid station nor would it be appropriate to have one with no one to manage/operate it. Suggest adding **4.6.5.1.1:** *“Unguarded Aquatic Facilities without a designated First Aid Station shall provide signage that provides direction for patron’s in need of First Aid.”*

**Changes to Code/Annex:**

Agree. The annex has been edited to reflect the changes in the code. This language reflects the change to a designated area for first aid equipment.

- **Comment:**

**4.6.5.2 – *Not practical for all existing Aquatic Facilities Overly burdensome*** -- For many Aquatic Facilities (smaller existing facilities/unguarded facilities), the First Aid Station may not have "functioning emergency communication equipment". Suggest adding: *“Facilities without a designated First Aid Station shall be required to have functioning emergency communication equipment within the Aquatic Facility and shall have emergency procedures signage posted throughout so guests are able to quickly figure out what to do in an emergency. Additional signage shall be posted at the specific location of emergency communication equipment and shall contain emergency personnel and aquatic venue manager’s contact information, and shall meet the requirements as outlined in section 5.8.5.3.3.2 of this code.”*

**Changes to Code/Annex:**

The committee made several changes to reflect the commentary:

1. The specific first aid supply requirements were moved to section 5 for operation and maintenance
2. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level
3. Required signage to designate a location for first aid equipment/supplies vs requiring a station knowing unguarded facilities and small facilities may not warrant a station
4. Moved discussion on ANSI first aid supplies requirements to the annex
5. Included functioning communication equipment for the facility but not specifically located at the first aid station since it is now a designated area, not a station
6. Removed the requirement for contacting management during an emergency and state to call EMS.

- **Comment:**

**4.6.5.2 – *Not practical for all Aquatic Facilities*** -- Aquatic Facilities that do not require lifeguards, as defined in this code, may not have a first aid station, nor would it be appropriate to have one with no one to manage/operate it. Line item addressing this must be added to draft as above.

**Changes to Code/Annex:**

The committee made several changes to reflect the commentary:

7. The specific first aid supply requirements were moved to section 5 for operation and maintenance
8. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level
9. Required signage to designate a location for first aid equipment/supplies vs requiring a station knowing unguarded facilities and small facilities may not warrant a station
10. Moved discussion on ANSI first aid supplies requirements to the annex
11. Included functioning communication equipment for the facility but not specifically located at the first aid station since it is now a designated area, not a station
12. Removed the requirement for contacting management during an emergency and state to call EMS.

- **Comment:**

**4.6.5 – *Inadequate quality of product pushed by a “proposed CDC Timeline”*** -- All items related to a First Aid Station should not apply to Unguarded Aquatic Facilities as defined in this code. This is a perfect example of the lack of due diligence and time afforded to the sub committee to produce a quality product.

**Changes to Code/Annex:**

Agree. We changed this to a designated area for first aid equipment, not a dedicated station, knowing that first aid supplies still need to be accessible even in unguarded facilities but a full scale station is not necessary.

- **Comment:**  
**4.6.5.4 #5** – We assume "bag" refers to a BVM. A BVM serves no purpose as a requirement in an unguarded or a single guarded facility as approved by this code. Suggest changing to: *5) resuscitation equipment (non-latex gloves and pocket mask)*

**Changes to Code/Annex:**

Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**  
**4.6.5.4 #5** – *Inadequate quality of product pushed by a “proposed CDC Timeline”* -- This is a perfect example of the lack of due diligence and time afforded to the sub committee to produce a quality product. Specifically a BVM requires two trained personnel to use in patient care. The code vaguely suggests a “responsible person” (**5.8.5.3.2**) however the code does NOT require this “responsible person” to actually be present other than a vague reference to “management response” within 1 hour at **5.8.5.3.7.1**

**Changes to Code/Annex:**

Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**  
**4.6.5.5** – Too Broad. Suggest: *"A plan shall be in place to maintain minimum requirements as listed in sections 4.6.5.3 and 4.6.5.4. Replacement of used items shall take place as required."*

**Changes to Code/Annex:**

Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**  
**4.6.5.6** – Too broad. Suggest: *"Construction of new aquatic facilities shall include an area designated as a first aid station appropriately sized to accommodate reasonably anticipated need based on bather load of the facility."*

**Changes to Code/Annex:**

Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station

- **Comment:**  
**4.6.5.7** – See comments above for Section **4.6.5.1**

**Changes to Code/Annex:**

Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station. 4.6.5.7 was removed as a requirement

- **Comment:**  
**4.6.5.7** – See comments above for Section **4.6.5.2**

**Changes to Code/Annex:**

Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station. 4.6.5.7 was removed as a requirement

- **Comment:**  
**4.6.5.7** – See comments above for Section **4.6.5.4**

**Changes to Code/Annex:**

Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station. MAHC Section 4.6.5.7 was removed as a requirement.

- **Comment:**  
**4.8.5.1.1** – This should be accomplished without the use of secondary monitoring devices (i.e. mirrors or underwater cameras, etc.) Suggest: *"...to provide an unobstructed, direct line of sight, view of the entire zone of patron surveillance..."*

**Changes to Code/Annex:**

Disagree. There are other technologies unidentified today that could be very effective at facilitating an unobstructed view. What matters is that the location of an elevated stand, when used, should be placed to have an unobstructed view since the guard cannot move easily when in an elevated stand.

- **Comment:**  
**4.8.5.1.2** – *Overly broad, incomplete, and vague* -- Needs clarification. As written, one cannot tell if the intention is a shade structure (such as an umbrella) or if the availability of lotion would be sufficient. Suggest adding: **4.8.5.1.2.1: Where stationary chairs/stands are**

*concerned, a physical barrier (umbrella, shade structure) shall be provided. 4.8.5.1.2.2: For roving positions or positions in the water, operational controls (t-shirt, rash guards, sunscreen) shall be maintained...” - or- consider an objective based statement such as: “...Lifeguards must have face, eyes and upper torso protection at all times while performing on-duty lifeguard tasks.”*

**Changes to Code/Annex:**

The chair should have UV protection. To not provide it would allow operators to not provide shade to guards when a stationary chair is provided. If they can provide the chair, they can provide the shade in whatever form it can be accomplished.

We have edited the personal protective equipment for guards to include the option of sunscreen or shading the face, eyes, and upper torso.

- **Comment:**

**4.8.5.1.2** – What is the intent? Is the intent for lifeguards to be protected ONLY when in a chair? This is a major liability exposure for the code and operators.

**Changes to Code/Annex:**

The chair should have UV protection. To not provide it would allow operators to not provide shade to guards when a stationary chair is provided. If they can provide the chair, they can provide the shade in whatever form it can be accomplished.

We have edited the personal protective equipment for guards to include the option of sunscreen or shading the face, eyes, and upper torso.

- **Comment:**

**4.8.5.1.2** – Suggest the following as replacement: *“For all positions where Lifeguards can be exposed to ultraviolet radiation, Lifeguards must have face, eyes and upper torso protection at all times while performing on-duty lifeguard tasks.”*

**Changes to Code/Annex:**

The chair should have UV protection. To not provide it would allow operators to not provide shade to guards when a stationary chair is provided. If they can provide the chair, they can provide the shade in whatever form it can be accomplished.

We have edited the personal protective equipment for guards to include the option of sunscreen or shading the face, eyes, and upper torso.

- **Comment:**

**4.8.5.2.2** – *Not Practical and may present as overly burdensome --* While this may be a best practice, marine plywood boards (such as the CJ Aquatics board) that many facilities use is not an "impermeable material" and therefore would not meet the standard as written.

**Changes to Code/Annex:**

Agree. This was clarified to state that they are constructed of material easily sanitized and disinfected.

- **Comment:**

**4.8.5.2.2** – Suggest removal of the word “impermeable”

**Changes to Code/Annex:**

Agree. This was clarified to state that they are constructed of material easily sanitized and disinfected.

- **Comment:**

**4.8.5.2.3** – “Aquatic venue” should be changed to “Aquatic Facility” as there is no need to have a throwing device at each catch pool at a multi guard water park simply because each "venue" is a single guard "venue". It is also unnecessary to have these at small hot tubs or spray pools where there is no standing water but is still defined as an "aquatic venue". At the very least this needs to be better defined. Suggested Adding: **4.8.5.2.3.1:** *When the aquatic facility safety plan documents, and the AHJ agrees, that one lifeguard staffing is appropriate for aquatic venues within an Aquatic Facility with multiple venues, then at least one approved aquatic rescue throwing device, with at least a quarter-inch thick rope whose length is 50 feet (15.24 m) shall be required at the facility.* **4.8.5.2.3.2:** *When the aquatic facility safety plan documents and the AHJ agrees that no lifeguard staffing is appropriate for an aquatic venue with standing water, then an approved aquatic rescue throwing device, with at least a quarter-inch thick rope whose length is 50 feet (15.24 m) shall be required.* **4.8.5.2.3.3:** *For Aquatic venues with no standing water as defined in this code, no throwing device shall be required.*

**Changes to Code/Annex:**

Partially agree. The code and annex have been revised and restructured to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.3** – The true need of an approved aquatic rescue throwing rope is at unguarded aquatic facilities and aquatic venues, as approved by this code. Section **4.8.5.2.3** does not address this. See comment above for suggested language.

**Changes to Code/Annex:**

Agree. The code and annex have been revised and restructured to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.4** – The true need of an approved reaching pole is at unguarded facilities and

venues approved by this code. MAHC Section **4.8.5.2.4** does not address this. Suggest reaching poles be addressed with subsections similar in language to **4.8.5.2.3.1**, **4.8.5.2.3.2**, and **4.8.5.2.3.3** as suggested above.

**Changes to Code/Annex:**

Partially agree. The code has been revised to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.4** – Reaching Poles should not be required at single guard facilities as this is a non-lifeguard resource. Lifeguards are trained to enter the water to affect a rescue.

**Changes to Code/Annex:**

Disagree. Doesn't suggest lifeguards should opt to use, the intent is in a single guard facility if the guard is engaged in a rescue and another patron is in distress, the reaching pole allows an untrained person to assist the distressed person.

- **Comment:**

**5.8.5.1.1** – Suggest adding: **5.8.5.1.2** *“Inspections of portable stands/chairs should confirm the location allows for unobstructed, direct line of sight, visual surveillance of the entire Zone, and matches the location as defined by the Zone of Protection documents for that position.”*

**Changes to Code/Annex:**

Agree. Code revised and expanded with lifeguard locations addressed in the Policies and Management Section.

- **Comment:**

**5.8.5.2.3.1** – What is the intent here? Is the intent only that the rescue device be present OR is the intent to require proper wear that produces a “rescue ready” position? Suggest the following... *“Each lifeguard conducting Patron Surveillance in a water depth of 5 ft. (1.52 m) or greater shall wear the rescue tube so as to be rescue ready to enter the water when needed.”*

**Changes to Code/Annex:**

Agree. Change made

- **Comment:**

**5.8.5.2.3.2** – This is a great example of why this code is redundant and overly verbose. This entry is a repeat for administrative means...the previous 2 entries clearly define when the rescue tube is required. DELETE this entry.

**Changes to Code/Annex:**

Agree. Code revised. Details regarding zones, # of guards, diagrams, etc. removed from this section and now included under Section 6.3 Aquatic Facility Management.

- **Comment:**

**5.8.5.2.4** – The need to have lotion available at each venue may be overly burdensome, especially where another form of protection (i.e. umbrellas) is also available or required in **4.8.5.1.2**

**Changes to Code/Annex:**

Agree. The code has been revised to allow for alternate means of sun protection that provide shading of the face, eyes and upper torso such as umbrellas, protective clothing or hats. OSHA exempts employers from providing sunscreen and sunglasses but does require training about the issue.

- **Comment:**

**5.8.5.2.4** – Suggest replacing with objective language... *“Lifeguards must have face, eyes and upper torso protection at all times while performing on-duty lifeguard tasks.”*

**Changes to Code/Annex:**

Partially agree. The code has been revised to allow for alternate means of sun protection that provide shading of the face, eyes and upper torso such as umbrellas, protective clothing or hats.

- **Comment:**

**5.8.5.2.5** –“Glasses” should be changed to *“Sunglasses”*

**Changes to Code/Annex:**

Agree. Code modified to specify polarized sunglasses.

- **Comment:**

**5.8.5.3.1** – This is a perfect example of the lack of due diligence and time afforded to the sub committee to produce a quality product. This section confuses us a bit as there may be a need for the entries listed here if they are applied to unguarded aquatic venues within an Aquatic Facility that **does** have lifeguards/supervisors on duty. However, there is no need for them if the facility itself is unguarded as comment below addresses. This is a piece that needs much more thought to cover the different scenarios that the code allows with respect to guarded and unguarded venues as stand alone facilities or as part of a larger Aquatic Facility that does have lifeguards. This cannot be a one entry fits all approach as needs are different here.

**Changes to Code/Annex:**

Partially agree. The provisions in the code regarding facility management, staffing and safety plan have been reorganized and revised.

- **Comment:**

**5.8.5.3.1** – This is a perfect example of the lack of due diligence and time afforded to the sub committee to produce a quality product. If this is for Aquatic facilities WITHOUT lifeguards, who would 1) be available or part of an EAP? 2) Who would initiate/participate in, a communications procedure? 3) What employees are being trained at an UNGUARDED facility?

**Changes to Code/Annex:**

Partially agree. The provisions in the code regarding facility management, staffing and safety plan have been reorganized and revised.

- **Comment:**

**5.8.5.3.2** – *Liability exposure to operator/owners and Code Administrator as written* -- What is the intent of this entry? There is no requirement for this person to be present at the facility, at any time, yet the code assumes (and the public will expect) that the code elements are met, which they cannot be IF there is no one present.

**Changes to Code/Annex:**

Partially agree. The provisions in the code regarding facility management, staffing and safety plan have been reorganized and revised.

- **Comment:**

**5.8.5.3.2** – Suggest adding: *“This person(s) must be on site at all times of operation”*, as there is no purpose in requiring this training if they are not present.

**Changes to Code/Annex:**

Partially agree. The provisions in the code regarding facility management, staffing and safety plan have been reorganized and revised.

- **Comment:**

**5.8.5.3.2** – Suggest adding: *“This person (s) shall also be trained in imminent health hazard closure items of an aquatic facility as defined in this code and shall be authorized to make said closures as necessary.”*

**Changes to Code/Annex:**

Partially agree. The provisions in the code regarding facility management, staffing and

safety plan have been reorganized and revised.

- **Comment:**

**5.8.5.3.2** – If there is an on-site requirement for this person, then some of the other comments listed within this document may need to be revisited for appropriateness and/or alteration.

**Changes to Code/Annex:**

Partially agree. The provisions in the code regarding facility management, staffing and safety plan have been reorganized and revised.

- **Comment:**

**5.8.5.3.3** – Suggested Addition: **5.8.5.3.3.3:** *Unguarded Aquatic Facilities shall be required to have emergency procedures signage posted throughout the facility directing patrons to the emergency communication system location and outlining the process for summoning help.*

**Changes to Code/Annex:**

Agree. Code revised to include directions to location of emergency communication system in signage requirements.

- **Comment:**

**5.8.5.3.4.1** – Add to the end: *“...shall be required at each aquatic venue holding standing water.”*

**Changes to Code/Annex:**

Partially agree. The code has been revised to specify facility vs. venue and restructured to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**5.8.5.3.4.2** – Add to the end: *“...shall be required at each aquatic venue holding standing water.”*

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**5.8.5.3.6** – If an operator is required to be on-site, as suggested above in section **5.8.5.3.2**, the process for reporting these closure items to the operator on-site should also be outlined on this sign. Suggestion: *“A sign shall be posted outlining the required imminent health hazard closure items of an aquatic facility or specific aquatic venue within an aquatic*

*facility, as defined in this code. Sign shall include the process for reporting the closure item to the operator on-site, and a telephone number to report the problem if an operator cannot be located at the facility.”*

**Changes to Code/Annex:**

Agree. Code revised.

- **Comment:**

**5.8.5.3.7** – This should also include how to contact the on-site operator, as suggested in section **5.8.5.3.2**.

**Changes to Code/Annex:**

Agree. Code revised.

- **Comment:**

**6.2.2.2.1 #1** – Suggest changing to: *"1) Identification of common hazards or causes of injuries at aquatic facilities, and their prevention."* Not just aquatic injuries.

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**6.2.2.5.1 #2** – Emergency Care skills for LAND based suspected spinal injuries contain skills/student content/Instructor content that is beyond professional level CRP/Standard FA training. These land based skills for neck/back injuries are found in EMT level courses and require more than 6-8 hours of specialty content, training and equipment in order to provide care. This includes the use of a c-collar that has been and should continue to be a skill managed by responding EMS or in-house EMT level trained individuals. Patients with land based neck/back injuries are not in any danger of drowning and, as such, is out of the purview/scope of a lifeguard.

**Changes to Code/Annex:**

Disagree - the code speaks to the emergency care of a suspected spinal injury on land. Care does not necessarily mean backboard.

- **Comment:**

**6.2.2.5.1 #2** – REMOVE the reference to LAND bases suspected spinal injuries and related skills.

**Changes to Code/Annex:**

Disagree - the code speaks to the emergency care of a suspected spinal injury on land. Care does not necessarily mean backboard.

- **Comment:**

**6.2.2.5.1 #4** – Treatment of bleeding, shock, sudden illness, and muscular/skeletal injuries are already addressed in section **6.2.2.5.1** subsection 1) above

**Changes to Code/Annex:**

Agree. Change made to eliminate duplication.

- **Comment:**

**6.2.3.4.3** – Suggested Change: *“Prior to instructing lifeguard training, instructors are required to have completed a lifeguard training and a lifeguard instructor training course which, at a minimum, covers all of the essential topics as outlined in section 6.2.2, including passing both the final written and final practical exams.”*

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**6.2.3.4.6** – Quality Control. This entry needs additional requirements. Several lifeguard-training agencies DO NOT require Lifeguard Instructors to re-qualify essential lifeguard skills that they are teaching to lifeguard candidates. Any quality control program MUST require re-qualification, at a maximum, every two years. How can an Instructor, who may not have been able to perform rescue skills or pre-requisite skills as a Lifeguard/Lifeguard Instructor, be considered a quality Instructor?

**Changes to Code/Annex:**

Disagree - there are exceptional instructors in all walks of life who can teach far better than most but cannot do basic skills that they previously could do. Someone else can demonstrate a skill and the instructor can explain it while it is being demonstrated.

- **Comment:**

**6.2.3.4.6** – Suggest the following be added... *“Lifeguard Instructors are required to re-qualify, at a maximum, every two years, by completing a Renewal Instructor Program. Renewal Instructors must objectively complete Pre-requisite screening, all skills to Instructor level demonstration quality, complete the Practical and written test in order to renew their Instructor credentials.”*

**Changes to Code/Annex:**

Partially agree. A requirement for instructor recertification/reauthorization has been added.

- **Comment:**

**6.2.3.5.2** – Needs rewording, as Instructors are not certified by any AHJ. They are certified by an “approved training agency” as recognized by the AHJ. Suggested Change: *“The instructor of record, certified by an approved training agency as recognized by the AHJ, shall be physically present during all the written and physical testing.”*

**Changes to Code/Annex:**

Agree. Re-worded and revised to require the instructor of record to be physically present during practical testing.

- **Comment:**

**6.2.3.6.1** – Suggested Additions: **6.2.3.6.1.1:** *Training Agency Certifications shall be issued only to lifeguards who successfully meet the requirements of the course.* **6.2.3.6.1.2:** *Training Agencies (or instructors) shall keep a "Course Record" for all lifeguard course conducted by the agencies certified instructors.*

**Changes to Code/Annex:**

Agree. Changes made.

- **Comment:**

**6.2.3.6.1** – The requirement for a "Course Record" needs to be included in this section somewhere as it is mentioned but not defined. Suggestion:**6.2.3.6.1.2** *“A Course Record shall be completed for each course conducted by the training agency (or it’s instructors), and shall contain the course dates, individual lifeguard candidate names, certification numbers issued to said candidates, verification of meets/does not meet all course requirements for each candidate, and instructors signature.”*

**Changes to Code/Annex:**

Agree. Course documentation details now specified.

- **Comment:**

**6.2.3.6.1** – Add “Course Record” to the definitions section of this module.

**Changes to Code/Annex:**

Partially agree. Course documentation details now specified.

- **Comment:**

**6.2.3.6.2** – The maximum depth at which training has been conducted is the key here. Restrictions must be clearly defined based on depth that training was conducted in, not based on a depth the training agency arbitrarily assigns to a certificate. Suggest rewording: *“Training agency certifications shall clearly state the maximum depth at which the lifeguard has been trained, and any depth restrictions for which the lifeguard is qualified.”*

**Changes to Code/Annex:**

Partially agree. No change to current language regarding certification however, change made to "Pre-Service " requirements to include training specific to the facility's water depth.

- **Comment:**

**6.2.3.6.3** – Eliminate "or less" as this wording suggests you can guard in 5 feet if you only trained in 3 feet, which does not clearly illustrate the intent of the depth association requirement. As an alternative, add another line that states that at least some portion of training must be done at 5 feet.

**Changes to Code/Annex:**

Agree. Code revised.

- **Comment:**

**6.2.3.6.4** – "*Shallow Water Lifeguard*" should be listed as a definition in "Definitions" section above.

**Changes to Code/Annex:**

Partially agree. Code revised -term "shallow water lifeguard" eliminated; and wording regarding training/certification focused on depth of water.

- **Comment:**

**6.2.3.6.5** – Suggested Addition: **6.2.3.6.5.1**: *The maximum depth at which a lifeguard was trained shall be included on training agency certificate issued to the lifeguard.*

**Changes to Code/Annex:**

Partially agree. No change to current language regarding certification however, change made to "Pre-Service" requirements to include training specific to the facility's water depth.

- **Comment:**

**6.2.3.7** – Continuing Education is used elsewhere in this code to delineate CEU's used to maintain/renew a certification so using here is inconsistent. Suggest changing this to: "*Additional Education and Training*"

**Changes to Code/Annex:**

Partially agree. The code has been revised and restructured and "Continuing Education" has been removed.

- **Comment:**

**6.2.3.8.1** – This sounds like a test-out challenge. Suggested Change: "*When the period of*

*certificate validity is expired as delineated by the training agency, certificate renewal may be achieved by retaking an entire course that meets the requirements delineated in Sec. 6.2.2, or by taking a review course that meets the course requirements delineated in Sec. 6.2.2 and s passing a final exam, which includes in and out of water skills.”*

**Changes to Code/Annex:**

Partially agree. The code has been revised and restructured for clarity.

- **Comment:**

**6.2.4.1 #1** –“EPAs” should be “EAPs”

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**6.2.4** – This entire section lacks common sense and practical application. How can a Supervisor (that is not required to be trained in CRP/FA/AED) have the ability to “identify the extent of trauma in an incident and be able to make a decision on the necessity of advanced care” (**6.2.4.1 #2**)? This is ludicrous and embarrassing that this type of entry is being sent to the public for comment. This is “anti-safety”...designating a responsible person who has LESS training than a lifeguard.

**Changes to Code/Annex:**

Partially agree. Aquatic Supervisor training has been revised and now includes, among other elements, first aid, CPR/AED training/certification.

- **Comment:**

**6.2.4** – This entire section lacks common sense and practical application. How can a Supervisor 1) establish/evaluate scanning/vigilance systems, 2) implement and monitor effectiveness of In-Service, Pre-Service, facility specific training for lifeguards, 3) gain strategies to reduce risk and mitigate health and safety hazards and 4) develop and evaluate zones of patron surveillance WHEN they are not even trained as a lifeguard? Where do they gain this “valuable and critically important knowledge and experience”?

**Changes to Code/Annex:**

Partially agree. Aquatic Supervisor training has been revised and now includes, among other elements, training and previous experience as a lifeguard.

- **Comment:**

**6.2.4** – IF the elements of Supervisor responsibility are to remain in the code THEN the Supervisor must be provided and REQUIRED to be at the very least lifeguard trained, which would provide at least the basis to understand **6.2.4.1** and **6.2.4.2**.

**Changes to Code/Annex:**

Agree. Aquatic Supervisor training has been revised and now includes, among other elements, training and previous experience as a lifeguard.

- **Comment:**

**6.2.4.2 #2** – The supervisor does not have to be the one to implement training but must be able to oversee the process. Suggest revising to: *"The ability to oversee and insure the implementation of required training, and to monitor..."*

**Changes to Code/Annex:**

Agree. Changes made.

- **Comment:**

**6.2.4.2 #4** – "Zone of Patron Surveillance Responsibility Diagrams" should be defined and included in Definitions section above.

**Changes to Code/Annex:**

Partially agree. The code and annex have been revised and restructured. Zones of Patron Surveillance Responsibility Diagrams are addressed in detail in the Aquatic Facility Staffing Plan section.

- **Comment:**

**6.3.1.1** – There is no benefit to some of the supervisor requirements if there is no requirement for a supervisor to be on site. Suggest change: *"Aquatic facilities that are required to have lifeguards shall have at least one employee, on-site during all hours of operation, designated as the aquatic supervisor who meets the requirement of this code to be an Aquatic Supervisor."*

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**6.3.1.2** – As stated above in the comments relative to **6.2.4...** the training and experience outlined in **6.3.1.2** Will NOT provide any person with the knowledge/ability or practical application of the knowledge to meet **6.2.4**.

**Changes to Code/Annex:**

Partially agree. Requirements for Supervisor training have been revised.

- **Comment:**

**6.3.1.5** – This entry attempts to provide a requirement for meeting the skills for **6.2.4**, however, First Aid is not listed and skills are required in **6.2.4** for First Aid. The entry also does not specify the level of the training, which should be equivalent to Professional Level (same as lifeguards). If not listed at all and/or not listed as Professional Level, then the Supervisor and the lifeguards would be trained in two separate protocols for delivery of CPR (layperson versus professional).

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised.

- **Comment:**

**6.3.1.6** – This section is an exact duplicate of Section **6.2.4.2** (repeated from section **6.2.4.2**) and should be removed. This also does not provide for any resource or requirement to gain the skills training... where does one receive this?

**Changes to Code/Annex:**

Agree. Requirements for Aquatic Supervisor training and responsibilities have been revised, code re-structured and duplications eliminated.

- **Comment:**

**6.3.1.7** – If **6.3.1.6** is eliminated as a duplicate section, then this section needs to include **6.2.4.2** here.

**Changes to Code/Annex:**

The Code has been revised and re-structured , this "Demonstrate Knowledge " item has been eliminated.

- **Comment:**

**6.3.2.1** – Suggested Change: *“The number of lifeguards and lifeguard stations shall be established so that the lifeguard is capable of viewing the entire area of the zone of patron surveillance, without the use of secondary monitoring devices as defined in this code, including from the bottom to the surface and above the water”*

**Changes to Code/Annex:**

Partially agree. The code has been revised and restructured for clarity.

- **Comment:**

**6.3.3.1** – This is a perfect example of the lack of due diligence and time afforded to the sub committee to produce a quality product. This section confuses us a bit as there may be a need for the entries listed here if they are applied to aquatic venues with standing water. However, by definition Aquatic Venues include spray pads and other attractions, which may

not contain standing water. This is a piece that needs much more thought to cover the different scenarios that the code allows with respect to guarded and unguarded venues. This cannot be a one entry fits all approach as needs are different here.

**Changes to Code/Annex:**

"Any aquatic venue while it is being used for the recreation of youth groups including but not limited to childcare usage or school groups. Some venues without standing water maybe excluded from this code by the AHJ.

- **Comment:**

**6.3.3.2** – Suggest changing to: *“Any aquatic venue that requires a lifeguard, and is a single lifeguarded aquatic venue, shall at a minimum, have an additional staff person, on-site and available, that has current CPR/AED certification (same level as Lifeguards), training in water extrication of an unconscious guest, and spinal management techniques/extrication from an on-deck perspective.”*

**Changes to Code/Annex:**

Agree Section revised

- **Comment:**

**6.3.3.2** – This may have a significant impact on pool management companies who may not have any other personnel at the facility they guard (i.e. apartment complexes and home owners association pools.)

**Changes to Code/Annex:**

Agree. Section revised.

- **Comment:**

**6.3.3.3** – This is a perfect example of the lack of due diligence and time afforded to the sub committee to produce a quality product. This is a Double Standard and will pose incredible liability on owner/operators and Code Administrator. There is no current standard for any guarded pool for response time within an EAP... and specifically not a requirement for anyone to be present on-site to meet this requirement. Why would a single guard pool be required to have a timed response standard when a Multi-Guarded pool does not have a requirement for timed response?

**Changes to Code/Annex:**

Agreed. Section revised

- **Comment:**

**6.3.3.3** – Not only is this a double standard, it is also not practically supported by the code. The code, as stated in earlier comments, does NOT require presence of any persons at a

pool...so how, based on the code, would there be any ability to meet this standard?

**Changes to Code/Annex:**

Agreed. Section revised

- **Comment:**

**6.3.3.3** – Suggest removing this entry all together or support it with properly written and inclusive code language.

**Changes to Code/Annex:**

Agreed Section revised.

- **Comment:**

**6.3.4.1.2** – Once again the Lifeguards are required to have more and more advanced training than the Supervisor who is required to provide oversight and direction.

**Changes to Code/Annex:**

Disagree - the aquatic safety staff is the focus of this wording.

**Comment:**

**6.3.4.1.3** – Suggest that this be added to/included in **6.3.4.1.1** as follows: “... as outlined in the Safety Plan specific to that Aquatic Facility or Aquatic Venue. Documentation of skills proficiency verification prior to active patron surveillance shall be maintained and available for inspection.”

**Changes to Code/Annex:**

Agree - Documentation shall be maintained and be available for inspection verifying that all lifeguards have demonstrated water rescue competency for the specific aquatic venue prior to active patron surveillance, including but not limited to being able to submerge to the deepest point of the aquatic facility and perform a water rescue.

- **Comment:**

**6.3.4.1.8** – *Agency specific content. Content being used as an “A” grade from a non-peer reviewed study sponsored by an exclusive and non-open group “A” grade is reserved for practiced standard. No practice standard like this exists in the industry. (water rescue sequence used by ARC came out in the new book in 2012 -- The phrase “water rescue sequence” should be removed. This is a term specifically generated by the Vice Chair of the committee and is directly taken from the ARC textbook and content. Agency specific items have no place in this code and in fact this item was specifically identified to be excluded as part of the draft code.*

**Changes to Code/Annex:**

Disagree – The peer-reviewed publication is cited as a discussion point.

- **Comment:**

**6.3.4.1.8.2 to 6.3.4.1.8.4** – *Agency specific content. Content being used as an “A” grade from a non-peer reviewed study sponsored by an exclusive and non-open group “A” grade is reserved for practiced standard. No practice standard likes this exists in the industry. (water rescue sequence used by ARC came out in the new book in 2012 -- The term “water rescue sequence” comes directly from an exclusive (non peer reviewed) document called the USLSC, which was a document produced by the ARC, YMCA and USLA, and authored by individuals who ALL have relationships or direct committee membership on one or more of the agencies listed. Comments sent by the agency sending this comment form, were never vetted, followed up, or replied to, during or after the comment period, or prior the final publication of the USLSC.*

**Changes to Code/Annex:**

Disagree with comment - this is annex information and not code and the reference is peer-reviewed.

- **Comment:**

**6.3.4.1.8.2 to 6.3.4.1.8.4** – *Agency specific content. Content being used as an “A” grade from a non-peer reviewed study sponsored by an exclusive and non-open group “A” grade is reserved for practiced standard. No practice standard likes this exists in the industry. (water rescue sequence used by ARC came out in the new book in 2012 -- Any and all references or use of agency specific content should be stricken from this draft and/or final code.*

**Changes to Code/Annex:**

Disagree with comment - this is annex information and not code and the peer-reviewed reference is cited.

- **Comment:**

**6.3.4.2.1** – Wording in this section most often only addresses training requirement and does not specify, *“regularly scheduled in-service (refresher) training”*. One can interpret this as only having the need for training on the subject matter and not reinforcement training of said topics. There is no mention of frequency of training or the need for regular scheduling.

**Changes to Code/Annex:**

Annex information to support that the committee came up as 4 hours a month as a minimum. Wording added

- **Comment:**

**6.3.4.2.2** – Wording in this section most often only addresses training requirement and does not specify, “*regularly scheduled in-service (refresher) training*”. One can interpret this as only having the need for training on the subject matter and not reinforcement training of said topics. There is no mention of frequency of training or the need for regular scheduling.

**Changes to Code/Annex:**

Annex information to support that the committee came up with 4 hours a month as a minimum.

- **Comment:**

**6.3.4.2.4** – This entry presents a Liability exposure to the AHJ. Why? The code gives them authority to check/inspect. However, the reality is, the actual inspector of the AHJ most likely will not have the actual training knowledge or competency to adequately and properly evaluate performance standards or skills. By and large the AHJ will not avail themselves of this ability, however, when a facility has failed to provide, and where AHJ has failed to check, both the owner/operator and AHJ will be liable for the resulting negligent actions.

**Changes to Code/Annex:**

Disagree - it saying in the annex that the AHJ has the ability to review that the venue or facility is in compliance with the code.

- **Comment:**

**6.3.5.1** – This section does not address single guarded facility Rotation Plans. Guidelines must be established for these facilities. See comments for section **6.3.5.1.1** below.

**Changes to Code/Annex:**

Agree with comment - “Single lifeguard facilities shall have a rotation plan that indicates a minimum of 10 minutes per hour of non-patron surveillance time for the lifeguard. Rotation Plan should address procedure for accomplishing this without compromising patron surveillance during this time.”

- **Comment:**

**6.3.5.1.1** – Suggest adding **6.3.5.1.1.2** as follows: “*Single lifeguard facilities shall have a rotation plan that indicates a minimum of 10 minutes per hour of non-patron surveillance time for the lifeguard. Rotation Plan should address procedure for accomplishing this without compromising patron surveillance during this time.*”

**Changes to Code/Annex:**

Agree with comment - “Single lifeguard facilities shall have a rotation plan that indicates a minimum of 10 minutes per hour of non-patron surveillance time for the lifeguard. Rotation

Plan should address procedure for accomplishing this without compromising patron surveillance during this time.”

- **Darrell Hampton, City of Emeryville (Emeryville, CA)**

- **Comment:**

**4.6.5.3** – *Minimal treatment for burns by guards* -- Delete No 6,9, and 10

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**5.8.5.2.3** – *Continue to maintain safety. Notwithstanding water depth* -- Each lifeguard conducting patron surveillance with the responsibility on in-water rescue in less than 5 feet of water will keep rescue tube immediately available for use.

**Changes to Code/Annex:**

No response necessary as commenter doesn't suggest a change.

- **Comment:**

**5.8.5.2.6** – *Strongly Recommend.* -- Keep existing language

**Changes to Code/Annex:**

Agree, but edits made.

- **Comment:**

**5.8.5.3.7.1** – *Unreasonable* -- Delete.

**Changes to Code/Annex:**

Agree. Code revised- response to complaints/emergencies to be addressed in required Safety Plan.

- **Comment:**

**6.2.3.9.1** – *As recommended by certification agency.* -- Two years to stay in synchronization with lifeguard certification

**Changes to Code/Annex:**

Disagree. Statistically/scientifically it has been shown that skills begin to erode after only 3 months. The AHA Guidelines for CPR states: "Education and Implementation: The quality of rescuer education and frequency of retraining are critical factors in improving the effectiveness of resuscitation. Ideally retraining should not be limited to 2-year intervals.

More frequent renewal of skills is needed, with a commitment to maintenance of certification..." The Resuscitation Council of the UK states: "For guidance, skills should be refreshed at least once a year, but preferably more often." There are many other studies that reflect this.

- **Comment:**  
**6.3.2.2 – *Strongly Recommended* -- Change to 30 seconds**

**Changes to Code/Annex:**

Disagree with comment - this code does not take into account detection it just deals with response time which is extremely important to positive outcomes.

- **Comment:**  
**6.3.4.1.8.1 -- *Strongly Recommended* -- Change to 30 seconds**

**Changes to Code/Annex:**

Disagree - Current ANSI Standard - leave as is - 20 second response only time (does not include detection time) is important to successful outcomes.

- **John Hunsucker, National Aquatic Safety Company (Dickinson, TX)**
- **Annadon Keys, Johnson Park Youth Center (Borger, TX)**
- **Shelby McCarty, Johnson Park Youth Center (Borger, TX)**  
**SEE "Hunsaker - Lifeguarding and Bather supervision mahc-comment-form.doc" for comments**
- **Peter Beireis, City of Newark Bay Area Public Pool Operators Maintenance Association (Newark, CA)**

- **Comment:**  
**4.6.5.3 –uses one full page to specifically and minutely detail the type and number of supplies/equipment required to be carried in each first aid kit. There is no reference to carrying supplies suggested or required by local EMS providers. Should be facility specific**

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**  
**ANNEX 4.8.5.1.1 – Requires pools that provide lifeguards should provide chairs or stands. No comment or exception made for pools with roving guards or splash pools where lifeguards are in the water.**

**Changes to Code/Annex:**

Section 4.8.5 is related to the design of chairs and stands. This section was reworded to clarify the design of the locations of chairs and stands to follow the plan for zones of patron surveillance, to provide unobstructed view per the plan, and to provide UV protection. It is also clarified to indicate only when elevated chairs are used so as not to presume an elevated chair would always be used.

- **Comment:**

**4.8.5.2.3** – Why ¾” @50’? Not all facilities need this and in section 6.3.3.1 you indicate 30’ needed so not consistent. Also, could ½” or 1/3” work?

**Changes to Code/Annex:**

Partially agree. The code and annex have been revised to address pool width and provide rationale.

- **Comment:**

**4.8.5.2.3 & 4.8.5.2.4** – requires that any pool -- including a splashdown pool, spa pool, wading pool and even spray pads - which only has one lifeguard per pool -- must have a rescue throwing device with a 50 foot rope and a 12’ to 16’ reaching pole. There are no minimum/maximum pool size or depth exceptions.

**Changes to Code/Annex:**

Partially agree. The code has been revised to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.5** – Why not simply indicate a workable phone?

**Changes to Code/Annex:**

Disagree. See current Annex Section 5.8.5.2.2.1.2 for explanation.

- **Comment:**

**5.8.5.2.1** – What dictates equipment in good working order? Could you not open in a lg stand was in need of repair and you stationed someone on an alternative walking/roving position?

**Changes to Code/Annex:**

Annex addresses expectation for equipment placement.

- **Comment:**  
**5.8.5.2.3 & 5.8.5.2.3.1** – Why separate the two? Why not have one that indicates there should be available rescue equipment for all lifeguards responsible for patron surveillance i.e. rescue tubes. Additionally, what happens if new technology comes about and we no longer use rescue tubes?

**Changes to Code/Annex:**

Disagree. See Annex for explanation.

- **Comment:**  
**5.8.5.2.3.2** – Needless micro management

**Changes to Code/Annex:**

Agree. Code revised. Details regarding zones, # of guards, diagrams, etc. removed from this section and now included under Section 6.3 Aquatic Facility Management.

- **Comment:**  
**5.8.5.2.8** – Needless-can't you store additional first aid supplies in a separate area?

**Changes to Code/Annex:**

Agree. Code revised.

- **Comment:**  
**5.8.5.3.1** – Should add that EAP be posted for all patrons

**Changes to Code/Annex:**

Agree. Key emergency contact and notification information is required to be posted.

- **Comment:**  
**5.8.5.3.2** – Nice thought but if they simply take care of the pool do they need this? What about private contractors?

**Changes to Code/Annex:**

Partially agree. The provisions in the code regarding facility management, staffing and safety plan have been reorganized and revised.

- **Comment:**  
**5.8.5.3.3** – Is this realistic for hotel/motel pools or home owner pools etc.

**Changes to Code/Annex:**

Revisions made including option for acceptance of alternative communication systems. Refer to Annex for rationale for requirement.

- **Comment:**

**5.8.5.3.4.1** – Here again arbitrary on sizing and conflicts with 6.3.3.1 30'

**Changes to Code/Annex:**

Partially agree. The code has been revised to specify facility vs. venue and restructured to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**5.8.5.3.7.1** –½ hour is not realistic may want to rethink this

**Changes to Code/Annex:**

Agree. Code revised- response to complaints/emergencies to be addressed in required Safety Plan.

- **Comment:**

**6.2.2.2.1** –#6 whose agenda is this? Tom Griffiths? Take it out and simply add 1<sup>st</sup> aid to the end of #5

**Changes to Code/Annex:**

Disagree. This is addressed as an independent line item as it represents a significant and under-recognized risk.

- **Comment:**

**6.2.2.4.1** –mandates that lifeguard training/certification agencies must teach CPR/AED protocols consistent with the Emergency Cardiovascular Care Update and/or the International Liaison Committee on Resuscitation without reference to what local EMS providers may recommend or mandate

**Changes to Code/Annex:**

Disagree. See Annex for explanation for how these standards/protocols are established and by whom.

- **Comment:**

**6.2.2.5.1** –mandates that lifeguard training/certification agencies must teach treatment guidelines as recommended by the National First Aid Science Advisory Board for the treatment of bleeding, shock, sudden illness, and muscular/skeletal injuries without reference to what local EMS providers may recommend or require

**Changes to Code/Annex:**

Disagree. See Annex for explanation for how these standards/protocols are established and by whom.

- **Comment:**  
6.2.3.2.3 – How do you measure this? Each employer is different

**Changes to Code/Annex:**

Disagree. This section addresses the Training Agency requirements, not the employer.

- **Comment:**  
6.2.3.4.2 –? goes to the adage Those who can do, those who can't teach, those who can't teach, teach teachers. May not be completely accurate but who gets to decide based on what experience etc.?

**Changes to Code/Annex:**

Agree. Experience in lifeguarding has been removed.

- **Comment:**  
6.2.3.5.1 – Wording on 2,3 does not make sense as written

**Changes to Code/Annex:**

Agree. Re-worded for clarity.

- **Comment:**  
6.2.3.8.1 – Add a challenge element if provided by the training agency

**Changes to Code/Annex:**

Agree. A challenge provision has been added.

- **Comment:**  
6.2.3.9.1 – Should indicate whatever the training agency dictates

**Changes to Code/Annex:**

Disagree. Statistically/scientifically it has been shown that skills begin to erode after only 3 months. The AHA Guidelines for CPR states: "Education and Implementation: The quality of rescuer education and frequency of retraining are critical factors in improving the effectiveness of resuscitation. Ideally retraining should not be limited to 2-year intervals. More frequent renewal of skills is needed, with a commitment to maintenance of certification..." The Resuscitation Council of the UK states: "For guidance, skills should be

refreshed at least once a year, but preferably more often." There are many other studies that reflect this.

- **Comment:**

**6.3.1.2 –1**, what do you show as applicable training on lg supervision? This is a bit arbitrary and may want to consider changing unless you can define this.

**Changes to Code/Annex:**

Agree. Requirements for Aquatic Supervisor training have been revised.

- **Comment:**

**6.3.1.5** – Already covered in 6.3.1.2

**Changes to Code/Annex:**

Agree. Code has been revised and re-structured, duplications eliminated.

- **Comment:**

**6.3.2.2** – Why 20 seconds? Are we now dictating a 10/20 standard or similar? Should this be predicated on facility design, zone schemes or facility specific? When does the 20 seconds start/end?

**Changes to Code/Annex:**

Disagree with comment - this code does not take into account detection it just deals with response time which is extremely important to positive outcomes.

- **Comment:**

**6.3.3.1** – Environmental factors? Not sure right title. Also, How does this work for previously stated unguarded facilities?

**Changes to Code/Annex:**

Took out the word environmental.

- **Comment:**

**6.3.3.1** – Is this realistic?

**Changes to Code/Annex:**

Yes - in some situations the AHJ needs to be the one that decides especially in special use facilities.

- **Comment:**

**6.3.3.2** – Is this possible?

**Changes to Code/Annex:**

Yes - it is possible

- **Comment:**

**6.3.4.1.3** – Water rescue competency? Is lg training not this? May want to indicate facility specific orientation training instead

**Changes to Code/Annex:**

It is LG Training record as well as site specific training records for that venue/facility. Documentation shall be maintained and be available for inspection verifying that all lifeguards have demonstrated water rescue competency for the specific aquatic venue prior to active patron surveillance, including but not limited to being able to submerge to the deepest point of the aquatic facility and perform a water rescue.

- **Comment:**

**6.3.4.1.8.3** –requires that there must be at least two lifeguards present for any extrication without reference to age/size of the guest being extricated or depth of water, etc nor understanding that you can extricate a victim with a single rescuer. We did it for many years before utilization of backboard extrication

**Changes to Code/Annex:**

Agree to change to - "A lifeguard shall be able to extricate a victim from the aquatic venue according to the Emergency Action Plan."

- **Comment:**

**6.3.4.1.9** –“The aquatic supervisor shall ensure that any lifeguard that requires corrective lenses must wear the corrective lenses while on duty.” There is no discussion regarding who or what determines this requirement exists in the first place or what level of visual acuity differing from 20/20 should bring about a requirement for corrective lenses

**Changes to Code/Annex:**

Disagree - There is no standard mentioned - just if the lifeguard requires correctives lenses for normal actives they must wear them on duty.

- **Comment:**

**6.3.4.12** – requires that “The aquatic supervisor shall ensure all Aquatic Facility Safety Team members have been trained in proper Fecal, Vomit and Blood Contamination Incident Response.” The Aquatic Facility Safety Team is defined as “any employee of the aquatic venue that has job responsibilities related to the aquatic venue’s emergency action

plan.” This presumably includes maintenance, guest services and other staff whose duties would not put them in any contact with such contamination but still have some small part in an emergency action plan.

**Changes to Code/Annex:**

Disagree, all team members run the risk of having to deal with this issue at any time.

- **Comment:**  
**6.3.4.1.10** – Already covered previously

**Changes to Code/Annex:**

Agree.

- **Comment:**  
**6.3.5.1.14** – What do you do @ 1 guard facilities? Does not address this.

**Changes to Code/Annex:**

Disagree with comment - “Single lifeguard facilities shall have a rotation plan that indicates a minimum of 10 minutes per hour of non-patron surveillance time for the lifeguard. Rotation Plan should address procedure for accomplishing this without compromising patron surveillance during this time.”

- **Keri Brady, City of Palmdale Parks and Rec (Palmdale, CA)**

- **Comment:**  
**4.6.5.3** – *Using these materials is against industry standard and level of training provided by most accepted lifeguard training programs -- Delete sections 5, 6, 10*

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**  
**4.6.5.4** – *Too specific and some items generally accepted as basic first aid items are left out. Supplies should match the level of care the person is trained to provide -- Change to more general wording such as “The first aid supplies shall include items appropriate for the level of care provided by lifeguards”*

**Changes to Code/Annex:**

Agreed. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.8.5.1.2** – *This may be impossible to adhere to in some lifeguard positions. Also, wind can be a safety factor in providing protection from ultraviolet radiation exposure protection in wind-prone areas -- Add “if possible or if safe”.*

**Changes to Code/Annex:**

Disagree. Lifeguards should be provided with UV protection where possible. Protection could be designed to withstand wind. Keep in mind; this is only for design of newly constructed elevated stands.

- **Comment:**

**4.8.5.2.4** – *Item is obsolete and not needed in shallow water aquatic facilities – Delete*

**Changes to Code/Annex:**

Partially agree. The code has been revised to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.5** – *Cost prohibitive to provide a phone to all aquatic venue users. Vandalism can occur as well as inappropriate use of the phone. -- Add, “shall be provided and accessible to all aquatic facility personnel”.*

**Changes to Code/Annex:**

Disagree. See current Annex Section 5.8.5.2.2.1.2 for explanation.

- **Comment:**

**5.8.5.2.3** – *Overly burdensome and costly for shallow water aquatic parks. Rescue tubes are unnecessary in shallow water. – Delete*

**Changes to Code/Annex:**

Disagree. See Annex for explanation.

- **Comment:**

**5.8.5.2.3.2** – *Zones and number of lifeguards can change depending on bather load. Also, is a diagram required and if so, where is it located? -- Suggest having a surveillance plan for maximum occupancy and then have the ability to scale down the coverage as the bather load decreases. Also, rescue tubes only required for deep-water aquatic facilities.*

**Changes to Code/Annex:**

Agree. Code revised. Details regarding zones, # of guards, diagrams, etc. removed from this section and now included under Section 6.3 Aquatic Facility Management.

- **Comment:**

**5.8.5.2.5** – *Providing sunglasses to all employees can be expensive. Some employee's need to where glasses instead of sunglasses so are they required to wear the sunglasses?*  
-- Polarized sunglasses shall be readily available (just like section 5.8.5.2.4 where SPF 15 sunscreen shall be provided and 5.8.5.2.6 where (PPE) shall be immediately available)

**Changes to Code/Annex:**

Disagree. Polarized sunglasses can be found for similar price as regular sunglasses and the MAHC does not require facilities to pay. The requirement is to address glare as it affects patron surveillance. Polarized clip-on sunglasses are available for use with prescription eye glasses

- **Comment:**

**5.8.5.2.7** – *A whistle is an industry standard item used to announce emergencies but the use of a radio by all lifeguards is extremely costly and unnecessary.* -- Such as a whistle or radio.

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**6.2.2.3.1** – *This way too far ranging. It implies, for example, that the LG course would have to include open water guarding techniques which are entirely different than those used in a four foot deep pool. In addition, some courses are facility unique.* -- Delete 6

**Changes to Code/Annex:**

Disagree with comment. This is based on type/level of course being offered, i.e. shallow water only - vs- open water courses. Also, the overall lifeguard course is not "facility unique", the code requires pre-service and in-service training to address facility specific training.

- **Comment:**

**6.2.2.4.1** – *Extremely specific. What is professional level? The required skill set and course requirements should be left up to recognized lifeguard training courses. Also, why were the (ECCU) and (ILCOR) guidelines chosen?* -- Delete entire section

**Changes to Code/Annex:**

Disagree. See Annex for explanation for how these standards/protocols are established and by whom.

- **Comment:**

**6.2.2.5.1** – *Very specific and why was the National First Aid Science Advisory Board guidelines chosen? There are a number of reputable organizations to choose from.* -- Delete section 1

**Changes to Code/Annex:**

Disagree. See Annex for explanation for how these standards/protocols are established and by whom.

- **Comment:**

**6.2.3.4.3** – *All the topics covered in a lifeguard training course are essential or they should not be included* -- Delete the word “essential”

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**6.2.3.6.4, 6.2.3.6.5, 6.2.3.6.6** – *These sections are hard to understand. Also, lifeguards work in a variety of depths and should be trained accordingly.* -- Combine these sections to read, “Lifeguards should be trained in depths of water they will guard”.

**Changes to Code/Annex:**

Disagree. Code has been revised for clarity. Revised code addresses site specific conditions in the pre-service, in-service and Staff Management Sections.

- **Comment:**

**6.2.4.1** – *This is an exceptionally high level of experience and training that is being required and is an EMS of EMT function.* -- Delete

**Changes to Code/Annex:**

Partially agree. Supervisor training has been revised and now includes, among other elements, first aid, CPR/AED training/certification. The requirement in 2) "Knowledge to identify the extent of trauma in an incident and to be able to make a decision on the necessity of advanced care." has been deleted.

- **Comment:**

**6.2.4.2** – *To have an “aquatic supervisor” trained at this level at each aquatic venue is extremely costly and does not reflect current standard practices. The industry standard for an “aquatic supervisor” is to have one position training and overseeing multiple facilities.* -- Delete

**Changes to Code/Annex:**

Disagree. Supervisors are intended to supervise/manage the lifeguards to ensure the lifeguard staff is performing as trained and expected. Note, requirements for Supervisor training and staffing have been revised.

- **Comment:**

**6.3.1** – *The Aquatic Supervisor requirements under this draft code describe an upper level manager and it would be extremely costly and excessive to implement this requirement. -- Delete or add language allowing for one person to fulfill the “Aquatic Supervisor” role and oversee multiple facilities and not be required to be on-site at all times*

**Changes to Code/Annex:**

Disagree. Supervisors are intended to supervise/manage the lifeguards to ensure the lifeguard staff is performing as trained and expected. Note, requirements for Supervisor training and staffing have been revised.

- **Comment:**

**6.3.2.1** – *Unclear, needs to be defined*

**Changes to Code/Annex:**

Partially agree. The code has been revised and restructured for clarity.

- **Comment:**

**6.3.2.2** – *Why was 20 seconds chosen? Need to allow the recognized lifeguard certification agencies to determine the surveillance time.*

**Changes to Code/Annex:**

Disagree with comment -the 20 second response only time (does not include detection time) is important to successful outcomes. We are talking about operational requirements and this has nothing to do with lifeguard training agencies.

- **Comment:**

**6.3.3.4 & 6.3.3.4.1** – *Where should the documents be kept? Lifeguards may work at multiple facilities. Do their certification records need to be kept at each work site? -- Combine and clarify*

**Changes to Code/Annex:**

Maintained at each aquatic facility - not speaking of certifications

- **Comment:**

**6.3.4.1.7** – *How is this regulated? What is the definition of social conversations? -- Delete “social conversations”*

**Changes to Code/Annex:**

Disagree. Annex revised to clarify intent.

- **Comment:**

**6.3.4.1.8.1** – *Repetitive. Delete*

**Changes to Code/Annex:**

Disagree as not redundant.

- **Comment:**

**6.3.4.1.9** – *Impossible to enforce. Also conflicts with the requirement to where polarized sunglasses if the lifeguards needs corrective lenses and is unable to where contacts due to a medical condition. -- Delete or change language from “ensure” to encourage”.*

**Changes to Code/Annex:**

Disagree - There is no standard mentioned - just if the lifeguard requires correctives lenses for normal actives they must wear them on duty. It can be a simple question on a job application - "do you wear corrective lenses?"

- **Comment:**

**6.3.4.1.11** – *Each member of the aquatic staff should be trained in emergency closure issues -- Change language from “Aquatic Facility Safety Team” to “Trained Aquatic Staff”.*

**Changes to Code/Annex:**

Disagree with comment. They are not required to enact emergency closure but should be able to identify those issues and be able to inform aquatic supervisor. We are not talking about all emergency procedures only emergency closure issues as defined in this code.

- **Comment:**

**6.3.4.2.4** – *Questionable whether an AHJ would be qualified to assess lifeguard skills. This should be left up to the recognized lifeguard certification agencies and the AHJ should only assure the aquatic venue has valid certifications on file. – Delete*

**Changes to Code/Annex:**

Disagree - it saying in the annex that the AHJ has the ability to review that the venue or facility is in compliance with the code.

- **Comment:**

**6.3.5.1.1.5** – *Repetitive. Delete*

**Changes to Code/Annex:**

Disagree. Not repetitive.

- **Comment:**

**6.3.5.1.1.5** – *Need to define “non-patron surveillance activity”*. -- Delete

**Changes to Code/Annex:**

Partially agree. Phrase not changed, however, section revised and reworded for clarity.

- **Cecily Renteria, City of Costa Mesa Aquatics (Costa Mesa, CA)**

- **Comment:**

**4.6.5.3** – *Industry standard requires you to wash minor wounds with soap (when available) and water, but does not specify use of antiseptic applications. Requiring a facility to have such material on hand could result in the accidental use of said treatment (by an untrained person) and could cause further harm to the patient. However, if local protocols allow the facility and first responders to use such materials, they can simply be added to the first aid kit.* -- Remove item # 5 – antiseptic treatment applications – **REFERENCE:** ARC Participant Manual (r.12) page 223 “Caring for External Bleeding” requires a lifeguard to first control bleeding then clean thoroughly with soap and water.

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.3** – *General industry standard care for burns calls for cooling the burn with water and then loosely covering the burn with a dry sterile dressing. Application of any type of burn gel is not part of the treatment. Requiring a facility to have such material on hand could result in the accidental use of said treatment (by an untrained person) and could cause further harm to the patient.* -- Remove item # 6-- burn treatment applications – **REFERENCE:** ARC Participant Manual (r.12) page 228 “Caring for Burns” requires a lifeguard to first stop the burning, cool the burn with large amount of water, then to cover with a loosely wrapped sterile dressing.

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.3** – *Even though the American Red Cross allows for use of antibiotic applications,*

*industry standard shies away from it due to potential allergic reactions. Further, some agency attorneys do not allow such use of medications. Requiring a facility to have such material on hand could result in the accidental use of said treatment (by an untrained person) and could cause further harm to the patient. However, if local protocols allow the facility and first responders to use such materials, they can simply be added to the first aid kit. -- Remove item # 10 – antibiotic treatment applications – **REFERENCE:** ARC Participant Manual (r.12) page 223 “Caring for External Bleeding” states that you can apply antibiotic ointment...[if] the victim has no known allergies...and local protocols allow you.”*

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

• **Comment:**

**5.8.5.2.5** – *Although they are invaluable in reduction of glare, polarized sunglasses can be costly. At a minimum, 100% blocking UVA and UVB protection assists in reduction of damage to the eyes and eyesight. -- NEW VERBIAGE:* Lifeguards must wear sunglasses that are 100% UVA and UVB protected. Lifeguards are strongly encouraged to wear polarized and 100% UVA/UVB protective eyewear. – **REFERENCE:** According to the Environmental Protection Agency (<http://www.epa.gov/sunwise/uvandhealth.html#cataracts>) “Research has shown that UV radiation increases the likelihood of certain cataracts. Other kinds of eye damage include pterygium (tissue growth that can block vision), skin cancer around the eyes, and degeneration of the macula (the part of the retina where visual perception is most acute). All of these problems can be lessened with proper eye protection...that offer 99 to 100 percent UV protection.”

**Changes to Code/Annex:**

Disagree. Polarized sunglasses can be found for similar price as regular sunglasses. The requirement is to address glare as it affects patron surveillance. Code revised to clarify intent and when needed.

• **Comment:**

**6.2.3.9.1** – *Over the last several years American Red Cross and other certifying agencies have changed the duration of certifications for lifeguarding, first aid, and CPR/AED. Additionally, all three certifications have had varied time restrictions over the years. Recently, both the American Red Cross and American Heart Association have changed the validity period of CPR/AED to two years. ARC has also changed the lifeguarding and first aid validity period from three to two years. By providing a maximum time frame the MAHC will not inhibit future changes in duration for shorter periods, but will require strategic thinking before elongating the duration of said certifications. -- The length of a valid certification shall be a maximum of 2 years for lifeguarding, first aid, and CPR/AED. – **REFERENCE:** Editorial: Sponsoring agencies such as ARC and AHA have conducted research and studies regarding the validity period of lifeguarding, first aid, and CPR/AED*

certifications.

**Changes to Code/Annex:**

Disagree. Statistically/scientifically it has been shown that skills begin to erode after only 3 months. The AHA Guidelines for CPR states: "Education and Implementation: The quality of rescuer education and frequency of retraining are critical factors in improving the effectiveness of resuscitation. Ideally retraining should not be limited to 2-year intervals. More frequent renewal of skills is needed, with a commitment to maintenance of certification..." The Resuscitation Council of the UK states: "For guidance, skills should be refreshed at least once a year, but preferably more often." There are many other studies that reflect this.

- **Katie Houser, Northern California Aquatic Management (West Sacramento, CA)**

- **Comment:**

**4.6.5.3** – *The use of these items is not a industry practice for all public pools as it creates possible allergic and other medical reactions on site. These should be used by medical professionals and not by Lifeguards.* -- Remove item # 5, 6, & 10 – **REFERENCE:** American Red Cross Lifeguarding Textbook page 223: Care of External Bleeding does not include use of antibiotic treatments, but cleaning the wound with warm soapy water. Page 228 Caring for Burns does not use an treatment applications in the care of burns.

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**5.8.5.2.5** – *Polarized sunglasses are very costly and while they are best for a water environment it is unrealistic that they are purchases and worn daily. It is better to mandate lesser glasses but encourage better glasses* -- Remove that Lifeguards shall wear polarized glasses and change to encouraged to wear polarized glasses but must wear sunglasses that are 100% UVA and UVB protected. – **REFERENCE:** A Google search finds polarized glasses priced at a minimum of \$69.00 while UVA & UVB glasses can be purchased for \$25.00. Since most lifeguard make just over minimum wage starting out it is a better practice to mandate the lesser glasses and encourage higher quality glasses.

**Changes to Code/Annex:**

Disagree. Polarized sunglasses can be found for similar price as regular sunglasses. The requirement is to address glare as it affects patron surveillance. Code revised to clarify intent and when needed.

- **Comment:**

**6.2.3.9.1** – *This should be streamlined so that all certifications match up.* -- The length of a Valid Certification shall be a maximum of 2 years for Lifeguarding and First Aid as well as

CPR/AED – **REFERENCE:** The American Red Cross and American Heart Association all have certification programs in CPR/AED with a certification of 2 years. Most recently the American Red Cross changed their certification for Lifeguarding to a 2-year validity period for all requirements. It is best to follow their recommendations on this matter.

**Changes to Code/Annex:**

Disagree. Statistically/scientifically it has been shown that skills begin to erode after only 3 months. The AHA Guidelines for CPR states: "Education and Implementation: The quality of rescuer education and frequency of retraining are critical factors in improving the effectiveness of resuscitation. Ideally retraining should not be limited to 2-year intervals. More frequent renewal of skills is needed, with a commitment to maintenance of certification..." The Resuscitation Council of the UK states: "For guidance, skills should be refreshed at least once a year, but preferably more often." There are many other studies that reflect this.

- **Comment:**

**6.3.2.2** – *In our professional opinion with over 190 years of public pool operation there is no research to dictate that any time requirement is better than another. However, looking at the realism of Lifeguarding we agree that including a time is needed so that operators can test their lifeguards. We strongly advocate for that time to be changed.* -- The time element should be increased to 30 seconds. Why is 20 seconds designated as the length of time? – **REFERENCE:** Current research on this topic is on-going and there are lifeguard companies that have certain time requirements that are different. Currently the American Red Cross Lifeguard Program identifies 30 seconds for response in your zone of coverage. Page #45. Ellis & Associates uses the 10/20 rule but this is a total of 30 seconds to respond to an emergency in your zone.

**Changes to Code/Annex:**

Disagree with comment - this code does not take into account detection. It just deals with response time which is extremely important to positive outcomes.

- **Comment:**

**6.3.4.1.8.1** – *Consistency with the time change* -- Will need modification should the time change from section 6.3.2.2

**Changes to Code/Annex:**

Disagree - Current ANSI Standard - leave as is - 20 second response only time (does not include detection time) is important to successful outcomes.

- **Frank Perez, NRH2O Water Park (North Richland Hills, TX)**
- **George Deines, City of Garland (Garland, TX)**
- **Holly Osborn, City of Surprise (Surprise, AZ)**
- **Richard Fuller, Hyland Hills Park and Rec/Water World (Federal Heights, CO)**
- **Sasha Mateer, Lake County Parks Dept (Crown Point, IN)**

- **Chris Landgrave, Deep River Waterpark (Crown Point, IN)**
- **Phil Hagman, Aqua Adventure (Fremont, CA)**
- **Gaylee Gillim, Kentucky Kingdom Redevelopment Company (Louisville, KY)**
- **Tina Royer, City of Scottsdale (Scottsdale, AZ)**
- **Taryn Eisenman, Coco Key Water Resort (Mount Laurel, NJ)**
- **Jim Basala, Lake County Parks Dept/Deep River Waterpark (Crown Point, IN)**
- **Lee Hovis, Tolomato CDD (Ponte Vedra, FL)**

- **Comment:**

**GENERAL:** In general, this module attempts to over-manage and specifically dictate lifeguard training for every possible aquatic facility – with little acknowledgment of the very real differences between private pools that may be unguarded, traditional small public pools often staffed by one or two lifeguards, and public waterparks with many lifeguards, supervisors and management staff on-site. It does not properly take into account the differing duties of lifeguards in various aquatic facilities – especially larger waterparks and the differing types of categories of lifeguards and resultant differences in required training. For example, waterpark shallow water guards most often work with water slides that have no pools at the bottom of the slide or pools only a few feet deep. Training for this position is not nearly as extensive as for a regular deep water guard and physical requirements are also much different. There is essentially no scanning and no in-water requirement for these guards. In addition, most, if not all, waterparks have on-duty supervisors and management team members that are responsible for water quality, admissions, concessions, guest services, emergency situations, etc. Thus, lifeguards at these type of facilities concentrate solely on lifeguarding their particular assigned venues – not the case at many traditional pools where this is little additional staff support. The training program – as long as provided by a reputable training agency – should be tailored to the specific aquatic facility and aquatic venues therein. A one-size-fits-all approach is neither necessary nor productive. The unnecessary amount of detail and specification in this module will only serve plaintiff’s attorneys in finding some violation – no matter how lacking in relevance – and significantly drive up operating costs. This module also appears to have been drafted “in-a-hurry” and in sections, by different people, without overall review and coordination (the confusion with the terms “aquatic venue” and “aquatic facility” is just one example).

**Changes to Code/Annex:**

The code and annex have been extensively revised and restructured.

- **Comment:**

**GLOSSARY “Aquatic Facility Safety Team”** -- Lifeguards do not work for the venue but rather the facility. There is further confusion as the regulations refer to an “Aquatic Safety Team” that seems to be more focused on venues than the entire facility. -- Means any employee of the aquatic facility that has job responsibilities related to the aquatic facilities’ emergency action plan

**Changes to Code/Annex:**

Agree. Changed to "facility" instead of "venue".

- **Comment:**

**GLOSSARY “Code”** -- *Makes no sense to give a dictionary definition of code here when all of the references in the body of the regs are to the MAHC* -- Means the Aquatic Health Code

**Changes to Code/Annex:**

Disagree. The term is used throughout the MAHC and may not always be specific to the MAHC.

- **Comment:**

**GLOSSARY “AHJ”** -- *The role of the AHJ is specific to this Code – no reason for some general dictionary definition here.* -- Means any agency, organization, office or individual responsible for enforcing the requirements of **this Code**...

**Changes to Code/Annex:**

Disagree. The term is used throughout the MAHC and may not always be specific to enforcing the requirements of the MAHC.

- **Comment:**

**GLOSSARY “Qualified Lifeguard”** -- *Seems to be more confusion with aquatic facility v. aquatic venue. Proposed language acknowledges differing requirements based on particular aquatic venues served within the aquatic facility.* -- means an individual who has successfully completed a lifeguard training course offered by an approved training agency and has met the pre-service and continuing in-service requirements of the aquatic venue(s) to which the lifeguard will be assigned, according to the Code.

**Changes to Code/Annex:**

Agree. Definition revised.

- **Comment:**

**4.6.5.3** -- *Again, a one-size fits all approach with no room for input/supervision by local EMS. Not all of the items are relevant to each aquatic facility.* -- Add to beginning, “If not otherwise designated by the local Emergency Medical Services provider....”

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.4** -- *Same comment as above* -- Add to beginning, "If not otherwise designated by the local Emergency Medical Services provider..."

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.8.5.2.3** – *The facility operator, not the AHJ should be deciding on lifeguard staffing. An aquatic venue may be a spray pad, hot tub or fountain and requiring a throwing device for these is ridiculous* -- Delete entirely – **REFERENCE:** The explanatory materials contained in the annex clearly show this is for pools – not all Aquatic Venues

**Changes to Code/Annex:**

Disagree. However, the code has been restructured and revised to clarify and specify staffing plan requirements and necessary equipment.

- **Comment:**

**4.8.5.2.4** – *The facility operator, not the AHJ, should be deciding on lifeguard staffing. An aquatic facility could consist of a spray pad or fountain and requiring a Shepherd's Crook for these is ridiculous.* -- Delete entirely – **REFERENCE:** The explanatory materials contained in the annex clearly show this is for pools – not all Aquatic Venues

**Changes to Code/Annex:**

Disagree. However, the code has been restructured and revised to clarify and specify staffing plan requirements and necessary equipment.

- **Comment:**

**4.8.5.2.5** -- *At larger aquatic facilities such as commercial waterparks, cell phones and radios may be substituted for hard wired telephones. Larger venues may have EMS personnel on property that evaluate any injury or illness before 911 is called. These same EMS personnel may have direct radio contact with emergency dispatch systems. In these circumstances, it is not necessary or desirable for the general public to have access to an emergency notification system. In fact, such access may result in unauthorized calls, crank calls, etc.* -- Delete entirely

**Changes to Code/Annex:**

Disagree. See current Annex Section 5.8.5.2.2.1.2 for explanation.

- **Comment:**

**5.8.5.2.3** -- *Rescue tubes not needed for many splashdown/catch pool areas and slide*

*runouts at waterparks* -- “...less than 5 feet (1.52m) but greater than 2 feet...”

**Changes to Code/Annex:**

Disagree. See Annex for explanation.

- **Comment:**

**5.8.5.2.4** – *Is it necessary to state a specific spf number in the code? What if new technologies arise? It is difficult and time consuming to amend governmental regulations.* -  
- All aquatic venues where lifeguards can be exposed to ultraviolet radiation shall provide appropriate sunscreen protection.

**Changes to Code/Annex:**

Partially agree. The code has been revised to allow for alternate means of sun protection that provide shading of the face, eyes and upper torso such as umbrellas, protective clothing or hats. See Annex for further discussion on SPF.

- **Comment:**

**5.8.5.2.5** – *Is it necessary to state “polarized” in the code? What if new technologies arise? It is difficult and time consuming to amend governmental regulations.* -- Lifeguards, while conducting patron surveillance, shall wear appropriate eyewear when it is necessary to reduce the impact of glare

**Changes to Code/Annex:**

Disagree. Currently, polarized sunglasses are the only product we are aware of that reduces the effects of glare. Should new technologies arise, amendments to the MAHC can be made during the planned biennial update process. In addition the MAHC has provisions to allow for alternate methods for compliance.

- **Comment:**

**5.8.5.2.6** – *Need local flexibility here.* -- Add to beginning “Unless otherwise directed by local Emergency Medical Services providers,...”

**Changes to Code/Annex:**

Disagree. No rationale provided to support not providing immediately available personal protective equipment.

- **Comment:**

**5.8.5.2.8** – *Covered by 4.6.5.2* -- Delete as repetitive

**Changes to Code/Annex:**

Partially agree. Code revised to address design aspects only in the Design Standards and Construction Section 4.0. The first aid requirements in the Operation and Maintenance

section have been revised.

- **Comment:**

**6.2.1.1** – *Different aquatic venues may have significantly different training requirements.* -- A Qualified Lifeguard shall have successfully completed a lifeguard training course provided by a training agency, as approved by the AHJ, for the particular type of facility and/or venue for which the lifeguard will be assigned.

**Changes to Code/Annex:**

Partially agree. The code has been restructured and revised. Pre-service and in-service requirements address venue specific issues.

- **Comment:**

**6.2.2** – *These items should be specifically tailored to the type of aquatic facility/venues for which the lifeguard is trained. The training agency should have flexibility in designing the type of training/instruction provided. One size does not fit all here – especially for a waterpark environment. There is way too much detail and specificity in the draft. The AHJ oversight here will assure that proper training is being carried out for the particular facility/venue.* -- Delete all under 6.2.2 (6.2.2.1 through 6.2.2.6.1

**Changes to Code/Annex:**

Disagree . The model code provides minimum common elements to be included in an acceptable lifeguard training course. Pre-service and in-service requirements in the code address facility-specific issues.

- **Comment:**

**6.2.2.4.1** – *Local EMS guidelines should be followed not other standards* -- add “or as required by the Aquatic Facilities’ Emergency Medical Services provider”.

**Changes to Code/Annex:**

Disagree. See Annex for explanation for how these standards/protocols are established and by whom.

- **Comment:**

**6.2.2.5.1** – *Local EMS guidelines should be followed* -- Add “or as required by the Aquatic Facilities’ Emergency Medical Services provider”

**Changes to Code/Annex:**

Disagree. See Annex for explanation for how these standards/protocols are established and by whom.

- **Comment:**

**6.2.2.6.1** – *It is not necessary and may be counterproductive to try to teach teenagers the subtleties of tort law. These legal precepts may also change from jurisdiction to jurisdiction. Lifeguards should be trained as to what their specific duties are in various situations and about confidentiality. Not all lifeguards will be asked to provide documentation. At Water World, this is the duty of the lead guard.* – Delete

**Changes to Code/Annex:**

Disagree. These topics should be addressed in general terms, see Annex for discussion.

- **Comment:**

**6.2.3.1.1** – *Need to be specific on Training Agency* -- Lifeguard and lifeguard instructor certifications shall be issued by a Training Agency approved by the AHJ after appropriate completion of all applicable requirements.

**Changes to Code/Annex:**

Agree. Code and Annex have been restructured and revised, Comment addressed in revised content.

- **Comment:**

**6.2.3.2.1** – *See comments regarding 6.2.2* -- An educational delivery system including standardized and facility-specific, comprehensive student and instructor materials shall be used to convey course training materials.”

**Changes to Code/Annex:**

Disagree. Pre-service and in-service requirements in the code address facility specific issues.

- **Comment:**

**6.2.3.3.1** – *See comments regarding 6.2.2* -- Course length shall provide sufficient time to cover all of the essential topics.

**Changes to Code/Annex:**

Not clear what change is proposed.

- **Comment:**

**6.2.3.4.1** – *The training agencies should be able to determine proper instructor training requirements.* -- delete all after “prerequisites”.

**Changes to Code/Annex:**

Disagree. The model code provides minimum common elements to be included in an acceptable lifeguard instructor training course.

- **Comment:**  
**6.2.3.4.3** – *The training agencies should be able to determine proper instructor training requirements. -- change all after “course” to read “from a training agency, as approved by the AHJ.”*

**Changes to Code/Annex:**

Disagree with Comment. Evaluation of skill competencies should be part of the instructor certification process.

- **Comment:**  
**6.2.3.4.4** – *Need to be consistent -- add “training’ before “agency”.*

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**  
**6.2.3.5.1** – *See comments regarding 6.2.2 -- A Qualified Lifeguard training course shall include a final exam with the following requirements:” 1) Coverage of all of the essential topics; 2) Theoretical, experiential and physical skills; 3) Passing score criteria including the level of proficiency needed to pass required skills; 4) Examination security procedures.*

**Changes to Code/Annex:**

Disagree. The model code provides minimum common elements to be included in an acceptable lifeguard training course, with corresponding final exam. Final exam requirements have been re-worded for clarity.

- **Comment:**  
**6.2.3.5.2** – *The instructor of record should be certified by the training agency not the AHJ and there is no need for the instructor of record to be present if there are assurances of proper testing procedures. -- The instructor of record or his designee shall be present during all the written and physical testing.*

**Changes to Code/Annex:**

Partially agree. Instructor certification re-worded. Disagree regarding presence of instructor of record. The wording has been revised to require the instructor of record to be physically present during practical testing.

- **Comment:**  
**6.2.3.8.1** – *Existing language is confusing. See also comments regarding 6.2.2 -- When the period of certificate validity is expired as delineated by the training agency, certificate renewal may be achieved by taking a course designated by the training agency which*

includes passing a final exam and in and out of water skills.

**Changes to Code/Annex:**

Partially agree. The code has been revised and restructured for clarity.

- **Comment:**

**6.2.3.8.4** – Need to define lifeguard challenge program

**Changes to Code/Annex:**

Agree. Code revised to include criteria for a challenge program.

- **Comment:**

**6.2.4** – *There is no definition for “lifeguard supervisor” or “manager”. Who is this training for? Is it for the Aquatic Supervisor? Why is the AHJ approving management training under the lifeguard module?* -- Essential Topics for Aquatic Supervisor Training

**Changes to Code/Annex:**

Agree. The code, including Supervisor training requirements, have been revised and restructured and address requirements for staffing under "Staff Management".

- **Comment:**

**6.2.4.1** – *There is no definition for “lifeguard supervisor” or “manager”. Who is this training for? Is it for the Aquatic Supervisor? Why is the AHJ approving management training under the lifeguard module?* -- Aquatic Supervisor training shall include, at a minimum, the following teaching elements: Note: “Aquatic Supervisor” is defined in the glossary and should be capitalized as above for each usage in the Code.

**Changes to Code/Annex:**

Agree. The code, including Supervisor training requirements, have been revised and restructured and address requirements for staffing under "Staff Management".

- **Comment:**

**6.3.1.3** – *Age alone does not determine supervisory ability. Supervisory responsibilities vary from aquatic facility/venue to aquatic facility/venue. An across the board requirement for a minimum age in order to perform any type of supervisory responsibility is not reasonable.* -- Persons with lifeguard supervisory responsibilities shall have sufficient maturity and training to perform all duties assigned.

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised.

- **Comment:**

**6.3.1.7** -- *Not sure who the “person in charge of the lifeguards” is. However, that person should not have to demonstrate knowledge of the entire MAHC.* -- Based on the risks inherent in the particular aquatic facility, the AHJ may ask the Aquatic Supervisor to demonstrate knowledge of the items listed in 6.3.1.3 to 6.3.1.6.

**Changes to Code/Annex:**

Agree. The Code has been revised and re-structured, this "Demonstrate Knowledge" item has been eliminated.

- **Comment:**

**6.3.1.8 #1** – *Knowledge of the Code is not always aligned with having no “priority violations”. What is a “priority violation”? This term should be deleted or be defined.* -- 1) Demonstrating knowledge of Sections 6.3.1.3 through 6.3.1.6

**Changes to Code/Annex:**

Agree. The Code has been revised and re-structured, this "Demonstrate Knowledge" item has been eliminated.

- **Comment:**

**6.3.1.8 #2** – *Need to limit the information required to that required under the Lifeguarding provisions – not the entire code.* -- 2) Produce the documentation required under Section 6 of this Code

**Changes to Code/Annex:**

Agree. The Code has been revised and re-structured, this "Demonstrate Knowledge" item has been eliminated

- **Comment:**

**6.3.2.2** – *This timing may vary based on the specific aquatic venue and the dictates of the training agency.* -- “20 seconds” should be deleted and replaced with “within the time period required by the aquatic training agency.”

**Changes to Code/Annex:**

Disagree with comment - 20 second response only time (does not include detection time) is important to successful outcomes. We are talking about operational requirements and this has nothing to do with lifeguard training agencies. It is about outcomes not design or attraction type facility exemptions.

- **Comment:**

**6.3.3.1** – *An aquatic venue includes spray pads and interactive fountains which do not*

*require lifeguards.* -- Need to delete general reference to “Aquatic Venue”

**Changes to Code/Annex:**

"Any aquatic venue while it is being used for the recreation of youth groups including but not limited to childcare usage or school groups. Wording has been added to clarify that some venues without standing water may be excluded from this code by the AHJ."

- **Comment:**

**6.3.3.1 #7** – *Many splashdown pools and slide runouts do not require a lifeguard no matter what the height of the slide. As these contain little or no depth of water, a trained lifeguard is not required.* -- Include a minimum depth of no less than two feet.

**Changes to Code/Annex:**

Wording has been added to clarify that some aquatic venues without standing water are not included.

- **Comment:**

**6.3.3.1** – *In larger waterparks, one or more venues may be closed and do not require lifeguard patron surveillance if properly secured from patron access.* -- Aquatic venues with any of the following environmental factors are required to have a lifeguard(s) conducting patron surveillance at all time the **aquatic venue** is open:

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**6.3.4.1.2** – *Editorial clarification. Lifeguards are already a part of the AFST.* -- Aquatic Facility Safety Team members shall be trained in all applicable regulations of this Code, OSHA and the AHJ.

**Changes to Code/Annex:**

Do not disagree

- **Comment:**

**6.3.4.1.8** – *Competency should be judged on the particular aquatic venues where the lifeguards are stationed.* -- At all times during their employment, all aquatic facility lifeguards shall be able to demonstrate rescue competency for the aquatic venues they are assigned to guard, by consecutively performing the following rescue sequence.” Note: some aquatic venues have little or no standing water.

**Changes to Code/Annex:**

Agreed

- **Comment:**

**6.3.4.1.8.1** – *20 seconds is not always the appropriate minimum based on the type of aquatic venue.* -- Lifeguards shall be able to respond to a victim in any part of the zone of patron surveillance within 20 seconds or a differing time period designated by the aquatic training agency.

**Changes to Code/Annex:**

Disagree - Current ANSI Standard - leave as is - 20 second response only time (does not include detection time) is important to successful outcomes.

- **Comment:**

**6.3.4.1.9** – *There is no standard provided to determine when a lifeguard “requires corrective lenses”.* – Delete

**Changes to Code/Annex:**

Disagree - There is no standard mentioned - just if the lifeguard requires correctives lenses for normal activities they must wear them on duty.

- **Comment:**

**6.3.4.1.10** – *The AHJ approves the training agency.* -- To clarify, change to read “...training agency that is recognized and approved by the AHJ.”

**Changes to Code/Annex:**

Partially agree. The code and annex have been revised and restructured. Generally, recognition of the course by AHJ or other, language has been removed.

- **Comment:**

**6.3.4.1.11** – *AFST members includes “any employee...that has job responsibilities related to” the emergency action plan. This might include a guest service worker whose only duty is to supervisor unaccompanied minors. This worker should not be required to have training on all emergency procedures.* -- The members of the Aquatic Facility Safety Team shall be trained to recognize emergency closure issues within their level of competency.

**Changes to Code/Annex:**

Disagree with comment. They are not required to enact emergency closure but should be able to identify those issues and be able to inform aquatic supervisor. We are not talking about all emergency procedures only emergency closure issues as defined in this code.

- **Comment:**  
6.3.4.1.12 – *See comments directly above*

**Changes to Code/Annex:**

Disagree - swimmer protection is partly done through understanding closure issues.

- **Comment:**  
6.3.4.2.2 – *There are a number of emergency procedures that may require specific professional skills not held by most lifeguards such as electrical shut down, pump operations, etc. Training should be only as to what is in the level of competency of the particular Team member. Lifeguards are part of the Team and need not be mentioned separately. Why is there a reference to “aquatic venue safety team”? Is this different than the AFST? -- Aquatic Facility Safety Team Members shall receive training on all applicable emergency procedures specific to the Aquatic Venue(s) to which they are assigned.*

**Changes to Code/Annex:**

Took out the word ALL.

- **Comment:**  
6.3.4.2.3 – *An aquatic venue is an attraction, not a person. -- The Aquatic Facility Aquatic Supervisor shall be responsible .....*

**Changes to Code/Annex:**

Agree

- **Comment:**  
6.3.5.1.1.4 – *The United States Lifeguard Standards referenced in the Annex provides no support for a 60 minute limit. -- Delete*

**Changes to Code/Annex:**

Disagree with comment - this is annex information and not the code. The peer-reviewed USLSC report was a review of the evidence process that followed a structured, validated and scientifically valid process which included both participant review and open comment period. As such these guidelines represent the first comprehensive evidence based review of the subject and are not only compliant with accepted evidence based processes but actually exceed these for Evidence-Based Practice and scientific reviews.

- **Comment:**  
6.3.5.1.1.5 – Change “non-patron surveillance” to “no patron surveillance”

**Changes to Code/Annex:**

Partially agree. Phrase not changed, however, section revised and reworded for clarity.

- **Comment:**

**6.3.5.2.2** – *Lifeguards are part of the Team and need not be mentioned separately. Waterparks may contain many venues and not all Team members will have specific responsibilities for all venues. -- Aquatic Facility Safety Team Members shall receive a copy of and training on policy and procedures for their specific job title/responsibilities at the Aquatic Facility*

**Changes to Code/Annex:**

Agreed. It is clearly defined in code although lifeguards can be deleted as they are part of the “Aquatic Facility Safety Team”

- **Comment:**

**6.3.5.2.3 & 6.3.5.2.3.1** – *Clarification Also, all references should be to the “Aquatic Facility Safety Plan” not the “Aquatic Safety Plan” It is unreasonable to require each venue to have a full blown Safety Plan. Most of the information required is facility wide. Additional information can be added for particular venues when required. -- All aquatic facilities requiring a lifeguard shall have an Aquatic Facility Safety Plan which documents conformance with this Code.”*

**Changes to Code/Annex:**

Agree to edit to the following - All aquatic facilities requiring a lifeguard(s) shall have an Aquatic Facility Safety Plan which documents their conformance to this Code.

- **Comment:**

**6.3.5.2.3.2** – *It is unreasonable to require each venue to have a full blown Safety Plan. Most of the information required is facility wide. Additional information can be added for particular venues when required. -- Each Aquatic Facility Safety Plan shall include, but is not limited to, the following Code requirements: 1. Lifeguard pre-service; 2. Lifeguard in-service; 3. Applicable lifeguard staffing; 4. Applicable lifeguard rotation and procedures; 5. Single lifeguard aquatic venue plan (if appropriate) 6. Applicable emergency action plans.”*

**Changes to Code/Annex:**

Disagree with comment. Most Facility Plans do have venue specific plans within. - Change Aquatic Safety Plan to "Aquatic Facility Safety Plan"

- **Comment:**

**6.3.5.2.3.3** – *The documentation is required pursuant to the Plan not as an actual part of the plan. -- change “contain” to “require”. Change “Aquatic Safety Plan” to “Aquatic Facility Safety Plan”*

**Changes to Code/Annex:**

Agree

- **Comment:**

**6.3.5.2.3.4** – *The documentation is required pursuant to the Plan not as an actual part of the plan. In aquatic facilities with larger on-site staffs, lifeguards may be tasked with specific duties/responsibilities for an emergency situation. However, they may not be tasked with duties/responsibilities for all of emergency closing procedures and should not be tasked with knowledge of items not related to their specific duties. Also, the word “issues” is undefined and confusing. Should be “Aquatic Facility Safety Plan” – The Aquatic Facility Safety Plan shall require documentation that all lifeguards have demonstrated knowledge of their responsibilities in any of the aquatic venue’s emergency closing procedures”*

**Changes to Code/Annex:**

Emergency closure issues are defined in another area of the code. This could deal with fecal, vomitus, environmental, etc. The lifeguard is the frontline staff member to see these issues first.

- **Comment:**

**6.3.5.2.3.5** – *The documentation is required pursuant to the Plan not as an actual part of the plan. Should be “Aquatic Facility Safety Plan -- The Aquatic Facility Safety Plan shall require documentation of all in-service training.”*

**Changes to Code/Annex:**

Agree with comment - The Aquatic Facility Safety Plan shall require documentation of all in-service training.

- **Comment:**

**6.3.5.2.3.6** – *Last sentence is not necessary. Should be “Aquatic Facility Safety Plan” -- The Aquatic Facility Safety Plan shall contain an Emergency Action Plan that details the levels of response to specific aquatic emergencies and should identify the appropriate responder, tasks and equipment.*

**Changes to Code/Annex:**

Agree to edit to - The Aquatic Facility Safety Plan shall contain an Emergency Action Plan that details the levels of response to specific aquatic and non-aquatic emergencies and should identify the appropriate responder(s), tasks and equipment. The emergency response shall be consistent with the agency training in 6.2.2.3 to 6.2.2.5.1.

- **Amber Workman, City of Santa Barbara (Santa Barbara, CA)**

- **Comment:**

**4.6.5.3** – *This reads like it is a first aid kit for lifeguards to use on the public. It's not intended as a workplace first aid kit. The use of these items is not an industry practice for all public pools as it creates possible allergic and other medical reactions on site. These should be used by medical professionals or lay first aid responders with no duty to act and not by Lifeguards who have a duty to act within a tight scope of practice given by their training.* -- The first aid supplies shall include, at a minimum, the supplies listed below. Remove item # 1, 5, 6, & 10 – **REFERENCE:** American Red Cross Lifeguarding Textbook page 223: Care of External Bleeding does not include use of antibiotic treatments, but cleaning the wound with warm soapy water. Page 228 Caring for Burns does not use an treatment applications in the care of burns.

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**5.8.5.2.3** – *Don't make a distinction about water depth. Just because water is deeper don't make the person wear it. In some facilities it is quicker to respond with a rescue board and wearing the tube you just have to take it off to respond. Goes along with recommendation to drop 5.8.5.2.3.1* -- Each lifeguard conducting patron surveillance with the responsibility of in-water rescue shall have a rescue tube immediately available for use.

**Changes to Code/Annex:**

Disagree. See annex for discussion. Also, rescue boards are not typical equipment in pools vs. open water environments.

- **Comment:**

**6.2.3.9.1** – *This should be streamlined so that all certifications match up. If necessary require in-service training to refresh* -- The length of a Valid Certification shall be a maximum of 2 years for Lifeguarding and First Aid as well as CPR/AED – **REFERENCE:** The American Red Cross and American Heart Association all have certification programs in CPR/AED with a certification of 2 years. Most recently the American Red Cross changed their certification for Lifeguarding to a 2-year validity period for all requirements. It is best to follow their recommendations on this matter.

**Changes to Code/Annex:**

Disagree. Statistically/scientifically it has been shown that skills begin to erode after only 3 months. The AHA Guidelines for CPR states: "Education and Implementation: The quality of rescuer education and frequency of retraining are critical factors in improving the effectiveness of resuscitation. Ideally retraining should not be limited to 2-year intervals. More frequent renewal of skills is needed, with a commitment to maintenance of certification..." The Resuscitation Council of the UK states: "For guidance, skills should be refreshed at least once a year, but preferably more often." There are many other studies

that reflect this.

- **Comment:**

**6.3.2.2** – *In our professional opinion with over 190 years of public pool operation there is no research to dictate that any time requirement is better than another. However, looking at the realism of Lifeguarding we agree that including a time is needed so that operators can test their lifeguards. We strongly advocate for that time to be changed. If we set a time standard the testing conditions should be defined too. i.e. in conditions without public interference.* -- The time element should be increased to 30 seconds. Why is 20 seconds designated as the length of time? – **REFERENCE:** Current research on this topic is ongoing and there are lifeguard companies that have certain time requirements that are different. Currently the American Red Cross Lifeguard Program identifies 30 seconds for response in your zone of coverage. Page #45. Ellis & Associates uses the 10/20 rule but this is a total of 30 seconds to respond to an emergency in your zone.

**Changes to Code/Annex:**

Disagree with comment -the 20 second response only time (does not include detection time) is important to successful outcomes. We are talking about operational requirements and this has nothing to do with lifeguard training agencies.

- **Comment:**

**6.3.4.1.8.1** – *Consistency with the time change* -- Will need modification should the time change from section 6.3.2.2

**Changes to Code/Annex:**

Disagree - Current ANSI Standard - leave as is - 20 second response only time (does not include detection time) is important to successful outcomes.

- **Steven Chevalier, Tri-County Health Department (Greenwood Village, CO)**

- **Comment:**

**4.6.5.3** -- Is there a period of time that the supplies should be changed out after for quality?

**Changes to Code/Annex:**

Expiration date is printed on the equipment if the manufacturer deems there is one.

- **Lori Thompson, Splash! La Mirada Aquatic Center (La Mirada, CA)**

**Comment:**

The City of La Mirada owns and operates the Splash! La Mirada Regional Aquatics Center. This Aquatics Center has over 300,000 visitors per year; Splash! includes many types of aquatics programs from swim lessons, lap swim, competitive aquatic programs and a family waterpark. Safety is a top priority of our aquatics programs and the Aquatics Center has an outstanding safety record.

As the Director of Community Services for the City of La Mirada I have very serious concerns about the Model Aquatic Health Code as drafted. I would like to see additional time and study put into the code. Some of the major concerns with the code in general relate to clarification and consistency within the code.

The City of La Mirada has worked with the American Red Cross since the facility opened to strive to provide a safe and outstanding facility. It is my feeling that the code as written would not improve safety.

Thank you for your consideration.

Lori Thompson  
Community Services Director  
City of La Mirada

**Changes to Code/Annex:**

The code and annex have been extensively revised and restructured.

- **Jessica King, Palace Entertainment – Raging Waters (San Dimas, CA)**

- **Comment:**

**GLOSSARY “Bather/Aquatic Activity Participant”** – Designation between “bather” and “aquatic activity participant (or the like)”. Bather implies immersion in water on an undefined path (e.g. wading/swimming in a pool or playing on a splash pad/play structure) v. participant in a water ride with a defined path of travel and designated starting/stopping points.

**Changes to Code/Annex:**

Disagree. " Bather" is defined in the MAHC.

- **Comment:**

**6.3.4.1.6** – *Not practical and may present as overly-burdensome... Common Sense* -- This section does not address all aquatic facilities as defined in the glossary. Example: Catch pools with riding devices. The lifeguard responsible for the zone of patron surveillance is immersed in the pool, able to scan said zone of patron surveillance, and able to respond to a victim within 20 seconds per Safety Plan (EAP) of the aquatic facility. It is unnecessary to restrict this lifeguard's tasks exclusively to patron surveillance. – **REFERENCE:** Satisfies 6.2.2.3 (emergency response) 6.3.2.1 (view zone), 6.3.2.2 & 6.3.4.8.1 (reach), and 6.3.4.1.1 (rescue skills) and 6.3.5.2.1 (EAP)

**Changes to Code/Annex:**

Argument can be made that tasks identified in this comment do not intrude on patron surveillance responsibilities.

- **Michael Fijas, Palace Entertainment (Newport Beach, CA)**

**Comment:**

Palace Entertainment is one of the leading leisure park operators in the United States with parks located in 11 states. Palace Entertainment owns and operates 40 parks nationwide, including water parks, family entertainment centers, theme parks and animal parks. Palace entertains millions of guests annually and is the single largest operator of water parks in the nation including many of the largest water parks in the country

As the largest operator of waterparks in the U.S., We have serious concerns about the development and content of the new proposed code. It is obvious to us that the proposed code was developed without sufficient input and consideration for the unique aspects of the waterpark community. We would like to echo the sentiments and objections of the World Waterpark Association, IAAPA and Ellis and Associates. We fear that the new proposed code as currently written will become unnecessarily burdensome and is out of touch with current standard operating practices within our industry without numerous modifications.

**Changes to Code/Annex:**

The code and annex have been extensively revised and restructured.

- **Jeffrey Kirby, City of Laguna Niguel (Laguna Niguel, CA)**

- **Comment:**

**4.6.5.2** – Instant cold packs, -- **REFERENCE:**

[http://www.hopkinsmedicine.org/healthlibrary/conditions/adult/orthopaedic\\_disorders/ice\\_packs\\_vs\\_warm\\_compresses\\_for\\_pain\\_85,P00918/](http://www.hopkinsmedicine.org/healthlibrary/conditions/adult/orthopaedic_disorders/ice_packs_vs_warm_compresses_for_pain_85,P00918/)

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.8.5.1.2** – *Published scientific study* -- Concerned about language. Is this referring to umbrellas? What about light reflection off the water. Does this mean we will need to find a way to protect against sun reflection off of the water? – **REFERENCE:**

[http://www.cdc.gov/cancer/skin/basic\\_info/prevention.htm](http://www.cdc.gov/cancer/skin/basic_info/prevention.htm)

**Changes to Code/Annex:**

The chair should have UV protection. To not provide it would allow operators to not provide shade to guards when a stationary chair is provided. If they can provide the chair, they can provide the shade structure.

We have edited the personal protective equipment for guards to include the option of sunscreen or shading the face, eyes, and upper torso.

- **Comment:**

**5.8.5.2.3.1** – Each lifeguard conducting patron surveillance in water depth of 5 feet or greater shall have a rescue tube immediately available to use. (what about having the rescue tube attached to lifeguard stand while sitting/standing in guard chair/tower.)

**Changes to Code/Annex:**

Disagree. Code states that the lifeguard is to have the rescue tube on his/her person.

- **Comment:**

**6.3.1.3** – Concerned about having to have an Aquatic Supervisor present every hour a facility is open to manage other lifeguards

**Changes to Code/Annex:**

Supervisors are intended to supervise/manage the lifeguards to ensure the lifeguard staff is performing as trained and expected. Supervision has been proven to directly impact performance and safety, and as such must be a part of best practices for aquatic facility operations. Note, requirements for Supervisor training and staffing have been revised.

- **Comment:**

**6.2.3.9.1** – Concerned the American Red Cross currently extended CPR certifications to 2 years to match that of the Lifeguarding Certification. – **REFERENCE:** American Red Cross

**Changes to Code/Annex:**

Disagree. Statistically/scientifically it has been shown that skills begin to erode after only 3 months. The AHA Guidelines for CPR states: "Education and Implementation: The quality of rescuer education and frequency of retraining are critical factors in improving the effectiveness of resuscitation. Ideally retraining should not be limited to 2-year intervals. More frequent renewal of skills is needed, with a commitment to maintenance of certification..." The Resuscitation Council of the UK states: "For guidance, skills should be refreshed at least once a year, but preferably more often." There are many other studies that reflect this.

- **Doug Stagner, SeaWorld Parks and Entertainment (Orlando, FL)**

- **Comment:**

**ANNEX AND 6.3.1.2** – *Contradictory, ill defined, repetitive and unnecessary (Supervisor training and documentation defined elsewhere)* -- Strike or remove. Page 5 of the ANNEX states: "The annexes accompanying the code sections are intended to provide support and assistance to those charged with applying and using Model Aquatic Health Code provisions. No reference is made in the text of a code provision to the annexes which

support its requirements.” Yet, page 21, section 6.3.1.2 states “An aquatics Supervisor shall... have read the annex of this Code, and/or provides the documentation of experience and experiential understanding of items 6.3.1.1 through 6.3.1.6 to the owner/operator – **REFERENCE:** Even with the removal of the requirement to read the ANNEX, “...documentation of experience and experiential understanding”... is vague and unnecessary.

**Changes to Code/Annex:**

Partially agree. Requirements for Supervisor training have been revised.

- **Comment:**

**4.6.5.3** – *Unnecessary and can’t possibly be comprehensive enough for all of the various types of facilities and first aid situations, needs or scenarios.* -- Strike or remove –

**REFERENCE:** No need to define specific first aid supplies. Should be determined by type and needs of individual facilities.

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.2** – *Editorial – module glossary defines venue as a structure within the facility.* --

Replace “aquatic venue” with “aquatic facility.”

**Changes to Code/Annex:**

Agree. The code and annex have been reviewed and edited for the correct use of the respective terms.

- **Comment:**

**ANNEX 4.6.5.4** – *Editorial – the recommended quantities will be excessive with certain items. For example, 5000 gloves and 100 First Aid guides would be needed at a facility with 10,000 guests.* -- Remove “recommended per each 100 bathers” quantities.

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.5** – *Editorial – repetitive to 4.6.5.4 (annex)* -- Remove this section.

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.6** – *Editorial* – *current language is vague.* -- Remove or define appropriate size.

**Changes to Code/Annex:**

Agree. Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station

- **Comment:**

**4.8.5.1.1** – *Editorial* – *Use of “zone specific structures” is unclear.* -- When determined to be appropriate for an aquatic venue, chairs/stands shall be positioned to provide...lifeguard station.

**Changes to Code/Annex:**

Section 4.8.5 is related to the design of chairs and stands. This section was reworded to clarify the design of the locations of chairs and stands to follow the plan for zones of patron surveillance, to provide unobstructed view per the plan, and to provide UV protection. It is also clarified to indicate only when elevated chairs are used so as not to presume an elevated chair would always be used.

- **Comment:**

**ANNEX 4.8.5.1.1** – *Editorial* – *this section does not take into account roaming positions. Design specs include preventing vandalism, fire, weather, and graffiti all of which may cause damage and difficult to prevent. Normal wear and tear is not possible to prevent but must be corrected.* -- Remove.

**Changes to Code/Annex:**

Section 4.8.5 is related to the design of chairs and stands. This section was reworded to clarify the design of the locations of chairs and stands to follow the plan for zones of patron surveillance, to provide unobstructed view per the plan, and to provide UV protection. It is also clarified to indicate only when elevated chairs are used so as not to presume an elevated chair would always be used.

- **Comment:**

**4.8.5.1.2** – *This section does not address roaming positions. No form of protection can eliminate all UV exposure due to time of day and positioning of chair/stand.* -- Remove.

**Changes to Code/Annex:**

The chair should have UV protection. To not provide it would allow operators to not provide shade to guards when a stationary chair is provided. If they can provide the chair, they can provide the shade in whatever form it can be accomplished.

We have edited the personal protective equipment for guards to include the option of sunscreen or shading the face, eyes, and upper torso.

- **Comment:**

**4.8.5.2.3** – *This section does not address shallow water venues or the size of the pool.* -- Remove.

**Changes to Code/Annex:**

Agree. The code and annex have been revised to clarify and specify equipment necessary for guarded and unguarded facilities and staffing plan requirements.

- **Comment:**

**4.8.5.2.4** – *This section does not address shallow water venues or the size of the pool.* -- Remove.

**Changes to Code/Annex:**

Partially agree. The code has been revised to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.5** – *Not all emergencies will require a 9-1-1 call. The section is vague on where a hard wired device must be positioned. It is repetitive to section 4.6.5.2.* -- An emergency communication device must be available to guards or patrons.

**Changes to Code/Annex:**

Partially agree. Code revised for consistency and clarification.

- **Comment:**

**5.8.5.2** – *Repetitive* -- Combine with 4.8.5.2

**Changes to Code/Annex:**

Disagree. Additional items not addressed in section 4.8.5.2 (design criteria for new construction) are included in this Section (operational criteria for all facilities).

- **Comment:**

**5.8.5.2.3** – *This section does not address splash, play pools, etc with minimal water depth.* -- Each lifeguard conducting...in-water rescue in 3-5 feet of water shall have a rescue

tube...

**Changes to Code/Annex:**

Disagree. See Annex for explanation.

- **Comment:**

**5.8.5.2.3.2** – *Repetitive to 5.8.5.2.3 and 5.8.5.2.3.1* -- Remove.

**Changes to Code/Annex:**

Agree. Code revised. Details regarding zones, # of guards, diagrams, etc removed from this section and now included under Section 6.3 Aquatic Facility Management.

- **Comment:**

**5.8.5.2.5** – Lifeguards may wear polarized glasses...to reduce the impact of glare.

**Changes to Code/Annex:**

Disagree. The requirement is to address glare as it affects patron surveillance, therefore adherence/compliance is not at the discretion of an individual lifeguard.

- **Comment:**

**5.8.5.2.6** – *Editorial – guards may not have this equipment if assigned different duties, walking through the facility, or on a break.* -- At all times, while in position, personal protection devices...disease transmission.

**Changes to Code/Annex:**

Disagree. Equipment must be immediately available to all guards. Even if a lifeguard is not in a position at poolside, should an emergency occur at the facility, it may be necessary for the guard to respond.

- **Comment:**

**5.8.5.2.8** – *Repetitive to 4.6.5.3* – Remove

**Changes to Code/Annex:**

Partially agree. Code revised to address design aspects only in the Design Standards and Construction Section 4.0. The first aid requirements in the Operation and Maintenance section have been revised.

- **Comment:**

**6.2.3.5.1** – 1) *Final exam should be tailored to specifics of the individual training course;* 2) *Poorly defined, not specific;* 3) *Security specific exam questions not relevant;* 4) *Poorly*

*defined, not specific* -- Remove sub points 1), 2), 3) and 4)

**Changes to Code/Annex:**

Disagree. The model code provides minimum common elements to be included in an acceptable lifeguard training course, with corresponding final exam. Final exam requirements have been re-worded for clarity.

- **Comment:**

**6.2.4.1** – *The development of EAPs may be outside the scope of many lifeguard supervisors. Ability to activate is the primary concern.* -- 1) Ability to activate Emergency Action Plans...

**Changes to Code/Annex:**

Agree. Code revised to remove "develop" and include "activate" and "execute" Emergency Action Plans.

- **Comment:**

**6.2.4.2** – *Vague as what is required. Scanning and vigilance is not unique to supervision but rather a requirement of all lifeguards.* -- Remove point #1

**Changes to Code/Annex:**

Disagree. The code is identifying the necessary understanding/knowledge of concepts needed by Supervisors to be able to monitor their implementation by lifeguard staff.

- **Comment:**

**6.2.4.2** – *Vague as to what strategies are required.* -- Remove point #3.

**Changes to Code/Annex:**

Disagree. The code is identifying the necessary understanding/knowledge of concepts needed by Supervisors to be able to monitor their implementation by lifeguard staff.

- **Comment:**

**6.2.4.2** – *Development of zones may be outside the scope of some lifeguard supervisors.* -- Ability to communicate and enforce zones of patron surveillance to lifeguards.

**Changes to Code/Annex:**

Disagree. The supervisor must possess all of the skills and training as specified in the revised Aquatic Supervisor training program to supervise/manage the lifeguards to ensure the lifeguard staff is performing as trained and expected. It addresses the need for the Supervisor to be able to identify the possible zones of patron surveillance to eliminate confusion and non/inadequate-zone coverage.

- **Comment:**

**6.2.4.3** – *Repetitive to 6.2.2.6.1* – Remove

**Changes to Code/Annex:**

Disagree. Section 6.2.2.6.1 addresses requirements for a lifeguard course; Section 6.2.4.3 addresses Supervisor course requirements.

- **Comment:**

**6.3.1.2** – *Original wording is vague as to what type of training is required. -- 1) Have completed and documented supervisor training as defined by the aquatic facility.*

**Changes to Code/Annex:**

Partially agree. Requirements for Supervisor training have been revised.

- **Comment:**

**6.3.1.2** – *Beyond the scope of most lifeguard supervisors. -- Remove point #2*

**Changes to Code/Annex:**

Partially agree. Requirements for Supervisor training have been revised.

- **Comment:**

**6.3.1.3** – *Eligibility for aquatic supervision should be competency based not age based. – Remove*

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised.

- **Comment:**

**6.3.1.4** – *Repetitive to 6.2.4.1* – Remove

**Changes to Code/Annex:**

Agree. Code has been revised and re-structured, duplications eliminated.

- **Comment:**

**6.3.1.6** – *Repetitive to 6.2.4.2* – Remove

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised, code re-structured and duplications eliminated.

- **Comment:**  
**6.3.1.7** – *Vague and unclear on the relation of inherent risks and what is required of this section.*—Remove

**Changes to Code/Annex:**

The Code has been revised and re-structured, this "Demonstrate Knowledge" item has been eliminated.

- **Comment:**  
**6.3.1.8** – *Repetitive and contradictory to 6.3.1.7* – Remove

**Changes to Code/Annex:**

The Code has been revised and re-structured, this "Demonstrate Knowledge" item has been eliminated.

- **Comment:**  
**6.3.2.1** – *Number of guards and stations should be based on size, shape, depth, and features of each venue.* – Remove

**Changes to Code/Annex:**

Partially agree. The code has been revised and restructured for clarity.

- **Comment:**  
**6.3.3.1** – *Impossible to cover all types of aquatic facilities and venues -- Incorrect use of aquatic facilities and venues throughout* – Remove – **REFERENCE:** Staffing requirements vary to greatly

**Changes to Code/Annex:**

Partially agree. Code and annex revised and restructured. Use of terms "aquatic facility" and "aquatic venue" checked and revised for consistency.

- **Comment:**  
**6.3.3.3** – *No basis for specific time frame, does not address variability of venue or facility size, layout, etc.* -- Remove "within one minute" – **REFERENCE:** Not an industry standard or best practice.

**Changes to Code/Annex:**

Partially agree. Section revised.

- **Comment:**

**6.3.3.4.1** – *Not necessary does not address variability of bather attendance, operating conditions, etc.* – Remove – **REFERENCE:** Not possible to define and document all possible scenarios in every instance.

**Changes to Code/Annex:**

Partially agree. The code and annex have been revised and restructured. Zones of Patron Surveillance Responsibility are addressed in detail in the Aquatic Facility Staffing Plan section.

- **Comment:**

**6.3.4.1.5** – *Facilities have multiple emergency closure plans outside those for aquatic venues. These may be outside the scope of a lifeguard.* -- Documentation shall be maintained...all lifeguards have demonstrated knowledge of emergency closure for all aquatic venues that the lifeguard has been trained to staff.

**Changes to Code/Annex:**

No change proposed by commenter. However, note that the code and annex have been revised and restructured.

- **Comment:**

**6.3.4.1.8 + SUBSECTIONS** – *Repetitive to 6.3.4.1.1* – Remove

**Changes to Code/Annex:**

Disagree. Not redundant, this section addresses pre-service requirements. However, note that the code and annex have been revised and restructured.

- **Comment:**

**6.3.4.2.1** – *Repetitive to 6.2.2* – Remove

**Changes to Code/Annex:**

Disagree. Not redundant, this section addresses in-service requirements. However, note that the code and annex have been revised and restructured.

- **Comment:**

**6.3.4.2.2.2** – *Define how long to keep documentation.* -- Documentation of a lifeguard's in-service trainings shall be kept on file during the length of their employment.

**Changes to Code/Annex:**

Partially agree. Code changed to include 3 year retention time.

- **Comment:**  
**6.3.4.2.3** – *Unclear as to what is being required.* – Remove

**Changes to Code/Annex:**

Agree. The code and annex have been revised and restructured including the requirements for pre-service and in-service training and the supporting annex information.

- **Comment:**  
**6.3.4.2.4** – *Overly broad. AHJ already has authority to inspect facilities.* – Remove

**Changes to Code/Annex:**

Partially agree. The code and annex have been revised and restructured including the requirements for pre-service and in-service training and the supporting annex information.

- **Comment:**  
**6.3.5.1.1.2** – *Repetitive to 6.3.3.4* – Remove

**Changes to Code/Annex:**

Disagree. Not redundant.

- **Comment:**  
**6.3.5.1.1.3** – *Repetitive to 6.3.3.4* – Remove

**Changes to Code/Annex:**

Agree. Code has been revised and restructured.

- **Comment:**  
**6.3.5.2.1** – *Facility EAPs contain more than procedures for aquatic venues and may be outside the scope of the lifeguard.* -- Lifeguards shall receive training on aquatic venue EAP in which they are assigned.

**Changes to Code/Annex:**

Partially agree. Code revised and restructured. Aquatic Facility Safety Team requirements for facilities with and without lifeguards are clarified and specified. Definition of Aquatic Facility Safety Team is included.

- **Comment:**  
**6.3.5.2.2** – *Unclear as to meaning behind aquatic facility personnel.* -- Lifeguards shall receive a copy and training on policy and procedures for specific aquatic venues.

**Changes to Code/Annex:**

Partially agree. Code revised and restructured. Aquatic Facility Safety Team requirements for facilities with and without lifeguards are clarified and specified. Definition of Aquatic Facility Safety Team is included.

- **Comment:**  
**6.3.5.2.3** – *No reference to what items or what code.* – Remove

**Changes to Code/Annex:**

Partially agree. Code revised and restructured. Aquatic Facility Safety Plan requirements for facilities with and without lifeguards are clarified and specified.

- **Comment:**  
**6.3.5.2.3.3** – *Repetitive to 6.3.4.1.3* – Remove

**Changes to Code/Annex:**

Agree. Code has been revised and restructured.

- **Comment:**  
**6.3.5.2.3.4** – *Repetitive to 6.3.4.1.4* – Remove

**Changes to Code/Annex:**

Agree. Code has been revised and restructured.

- **Comment:**  
**6.3.5.2.3.5** – *Repetitive to 6.3.4.2.2.2* -- Remove

**Changes to Code/Annex:**

Agree. Code has been revised and restructured

- **Jim Hayes, NC DHHS Division of Public Health (Raleigh, NC)**

- **Comment:**  
**4.8.5.2.5** – *Enhanced 911 systems use ANI and ALI to download location to the on-board navigation system in response vehicles so driving directions are provided to the location of the telephone. Sometimes corporate addresses are given instead of the address of the phone and that may need to be checked and corrected. Some cell phones and internet phone systems are unable to communicate ANI and ALI and are inferior communication systems that should not be allowed. -- A telephone or other communication device that is hard wired and capable of directly contacting 911 or other emergency notification system shall be provided and accessible to all aquatic facility users. In areas where enhanced 911 service is available, emergency telephones shall automatically communicate the Automatic Number Identification and Automatic Locator Information to the Enhanced 911 Computer*

System. The Automatic Locator Information shall provide the correct address or geographic location of the telephone. Other emergency notification systems shall be answered by a telecommunicator who only answers emergency calls and shall be capable of contacting 911 on its emergency trunk line to establish two-way communication between the caller and 911 – **REFERENCE:** Enhanced 911 Communication Protocol

**Changes to Code/Annex:**

Unclear if change to code is being requested

- **Comment:**

**5.8.5.3.3** – *Enhanced 911 systems use ANI and ALI to download location to the on-board navigation system in response vehicles so driving directions are provided to the location of the telephone. Sometimes corporate addresses are given instead of the address of the phone and that may need to be checked and corrected. Some cell phones and internet phone systems are unable to communicate ANI and ALI and are inferior communication systems that should not be allowed.* -- A hard wired emergency telephone or comparable alternative emergency communication system shall be required at all unguarded aquatic facilities and be immediately accessible to all pool users. In areas where enhanced 911 service is available, emergency telephones shall automatically communicate the Automatic Number Identification and Automatic Locator Information to the Enhanced 911 Computer System. The Automatic Locator Information shall provide the correct address or geographic location of the telephone. Other emergency notification systems shall be answered by a telecommunicator who only answers emergency calls and shall be capable of contacting 911 on its emergency trunk line to establish two-way communication between the caller and 911 – **REFERENCE:** Enhanced 911 Communication Protocol

**Changes to Code/Annex:**

Partially agree. Changes made regarding access by aquatic facility users

- **Comment:**

**5.8.5.3.4.1** – *Approval of throwable water rescue devices is through U.S. Coast Guard standards.* -- A-U. S. Coast Guard approved rescue throwing device with at least a quarter inch rope whose with a length is- of 50 feet (15.24 m) attached shall be required

**Changes to Code/Annex:**

Agree. Changes made.

- **Noelle Navarro, DRD Pool Service, Inc. (Glen Burnie, MD)**

- **Comment:**

**5.8.5.2.3.1** – *These are paid professionals who are not under constant dedicated surveillance by the management company. Like any professional they should be held accountable for actions that they willingly take that are adverse to their training and knowledge base.* -- Amend language to making the lifeguard ultimately responsible to hold

the rescue tube in a manner taught and accepted by the lifeguard training agency. The management company must adopt policy and procedures that state that lifeguards must hold the rescue tube in the manner they were taught by the lifeguard training agency, but the professional lifeguard is ultimately responsible to abide by this training.

**Changes to Code/Annex:**

Disagree. The facility owner/operator is responsible for the facility/staff/employee compliance with Code requirements.

- **Comment:**

*5.8.5.2.6 -- Change The employer shall ensure that the employee uses appropriate personal protective equipment, to The employer shall include in its policies in training that all employees must use PPE however it is each professional lifeguard's responsibility to adhere to this policy.*

**Changes to Code/Annex:**

Disagree. Unclear what section this is referring to as the Code, as posted for comment, does not state this.

- **Comment:**

*6.3.1.1 -- Change that supervision and regular encouragement during each 30 minutes of watch. Does an EMT or traffic controller get regular encouragement during each 30 minutes even though they have lives at stake during each of their shifts.*

**Changes to Code/Annex:**

Annex comment. Deleted from Annex.

- **Comment:**

*4.8.5.2.3 – Delete the need for rescue throwing device with a 50' rope. This out-dated piece of equipment is no longer taught in many lifeguarding courses. It will be an unnecessary expense and waste of training time for many guards who will work at small pools that are not even 50' long or more than 5' deep. Guards can use their rescue tube in many pools more efficiently than this device. – REFERENCE: This is not required in many State Health Departments Codes.*

**Changes to Code/Annex:**

The throw device was moved to the requirements of unguarded facilities as a shepherd's crook may not reach the middle of the pool.

- **Comment:**

*4.8.5.2.4 – Same as throwing device above. Not necessary at all pools.*

**Changes to Code/Annex:**

Partially agree. The code has been revised to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**5.8.5.2.3.1** – The pool management company should not be solely responsible to ensure that lifeguards hold the rescue tube as trained. The lifeguard ultimately chooses to follow their training guidelines and employer’s policies.

**Changes to Code/Annex:**

No response. Unclear what is being commented on as the Code does not reference "pool management company".

- **Comment:**

**6.3.3.2** – This need for additional staff basically eliminates one lifeguard pools. Is there any documented evidence of this need based on drowning statistics? It would be better to determine the lifeguard to patron swimmer load maximums than to make all pools provide two employees. There are many of these one-guard pools that the risk of needing two guards is too costly for the pool patron count.

**Changes to Code/Annex:**

Agree. Wording on single lifeguard pools has been clarified.

- **Comment:**

**6.3.3.3** – Has the response time proven to be too slow at one lifeguard pools where patrons needed care? In theory, I agree it is better to have two rescuers trained to respond to a victim needing assistance but practically applying this to all one-lifeguard pools will result in the closure of many of these small facilities.

**Changes to Code/Annex:**

Agreed. Section revised.

- **Stephanie Shook, American Red Cross (Washington, D.C.)**

- **Comment:**

**4.6.5.6** – *The way it currently reads is that the first aid station should be sized to accommodate the bather load – the bather load is a high number. Can’t fit the whole bather load in the first aid station.* -- Suggested edit: "...should be appropriate to the maximum bather load..."

**Changes to Code/Annex:**

Agreed. Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring

a constructed station knowing unguarded facilities and small facilities may not warrant a station

- **Comment:**

**4.8.5.1.1** – *While lifeguard chairs do provide ideal coverage in many cases, the code does not seem to “allow for or speak to” ground-level stations where the lifeguard is standing and/or roving. This is an important factor in many waterpark lifeguard stations as well as in splash pads or even shallow water baby pools, etc. It is also a recognized industry best practice to have ground level stations. In some cases, glare can only be cut down if there is a ground level station.* -- Suggest acknowledgement of alternative lifeguard stations, to include ground level stations. (Suggest also included in annex) – **REFERENCE:** I have had to create ground-level stations to guard floating features in a competition pool. The elevated station could not see through the glare and the ground level was the only answer.

**Changes to Code/Annex:**

Section 4.8.5 is related to the design of chairs and stands. This section was reworded to clarify the design of the locations of chairs and stands to follow the plan for zones of patron surveillance, to provide unobstructed view per the plan, and to provide UV protection. It is also clarified to indicate only when elevated chairs are used so as not to presume an elevated chair would always be used.

- **Comment:**

**4.8.5.1.1** – *The word must change to should. Do not feel that a higher stand will help reduce/minimize glare. This section is about the stands BUT feel that the section should be about lifeguard stations of which chairs/stand could be a part of that. The location of chairs/stations should be based on visibility, with response time a factor. Response time has been indicated here in the code so the number and locations of the stations need to reflect that.* -- The chairs/stand should: Minimize the effects of glare. Where glare is a problem, the venue should consider repositioning the lifeguard station (elevated or ground-level) to allow complete visibility to all parts of the zone of patron surveillance. The location of the lifeguard stations must give the lifeguards complete visibility to all areas of the water (top, middle, bottom) for each zone of patron surveillance responsibility. The number of lifeguard stations is influenced by such factors as water surface size, ability of each lifeguard to see all areas of the each zone (top, middle, bottom), maximum bather load and types of activities. Each lifeguard station must allow for the lifeguard to respond quickly, within 30 seconds, to victims in the water.

**Changes to Code/Annex:**

Annex is not code language but rationale, so the term **MUST** is not an issue. The other items in this comment have been addressed for placement of lifeguards based on zones of patron surveillance and requiring positions based on performance to reach the edge of a zone in 20 seconds.

- **Comment:**

**5.8.5.2.3** – *Four to five feet of water is too deep for lifeguards not to be recommended to wear the tube on person. Many facilities vary in depth on one pool and have lifeguard stations around the one pool. This would allow for lifeguards guarding around the same pool to have different standards – some wearing tubes; some not. How can they properly respond as back-up coverage, etc.? Additionally, four to five feet of water still requires swimming, potential for underwater rescue, thus the need to have a tube in a ready to go position. We all know that unfortunately – “immediately available for use” often means the tube as a footrest with strap wound up around the tube. Allowing a tube to be immediately available for use in three and a half feet is reasonable as it is guaranteed that the rescuer can stand and walk and that there is no immediate danger to the rescuer or the victim that the rescue tube will solve. I fear going with five feet goes against the spirit of this code which is to impact the rescue ready posture and preparedness of lifeguards. There appears to be no good reason to “allow” them not to wear a tube at 5 feet. This also allows for the exception of wearing tubes in waterpark settings where it does not make sense – slide run-outs, etc. where the tube is not a part of any type of rescue or care and would just be an impediment. -- Each lifeguard conducting patron surveillance with the responsibility of in-water rescue in 3.5 feet or less of water shall have a rescue tube immediately available for use. (Perhaps this section should be changed to say that in situations/lifeguard stations of extreme shallow water where a rescue tube is not a part of any rescue protocol that would be used, a rescue tube shall be immediately available for the purposes of...)*

**Changes to Code/Annex:**

Partially agree. See revised Annex for discussion.

- **Comment:**

**5.8.5.2.3.1** – *See comment above. It is reasonable to expect a lifeguard to wear the rescue tube in a pool/waterpark or waterfront environment where the water depth may involve swimming rescues. Could go up to 4 feet but could that involve an underwater situation that could create an unsafe situation during a rescue? A depth of under 4 feet seems more reasonable. -- Each lifeguard conducting patron surveillance in a water depth of 3.5 feet or greater shall have a rescue tube on his/her person by wearing the harness strap in the correct way.*

**Changes to Code/Annex:**

Agree. Change made to 3 feet for depth threshold.

- **Comment:**

**5.8.5.2.6** – *To ensure no delay in care, the lifeguard must wear these items in a hip pack (female lifeguards are not likely to have shorts on to put in pocket). It cannot be assumed that in a rescue situation in the water, that the lifeguard will have the mask immediately available. Additionally, if they are somewhere else in the facility, not performing surveillance, they will be prepared to respond if on person. It is also a best practice in the*

*industry to wear hip packs. To allow less lowers standards – again not in the spirit of MAHC -- At all times personal protection equipment (PPE) [a one way valve resuscitation masks and non-latex one use disposable gloves] shall be on worn on person by lifeguards so there is neither a delay in patient care nor an increased risk of disease transmission.*

**Changes to Code/Annex:**

Partially agree. The code is written, where possible, to be performance-based instead of prescriptive. The intended outcome (no delay in care) is the same.

- **Comment:**

**5.8.5.2.7** – *Since the language about rescue tubes separates worn on person versus immediately available, this means the whistle does not need to be worn. Again, this now goes further away from preparedness and lowers standards. If this is because of other potential signaling devices that cannot be worn – it would be worth mentioning so that they do not get lumped together because they could not be worn. -- Signaling devices capable of communicating emergency and/or non-emergency information shall be on person for each lifeguard conducting patron surveillance.*

**Changes to Code/Annex:**

Disagree. The code is written, where possible, to be performance-based instead of prescriptive. The intent is the same -to be immediately available for use without specifying that it has to be worn on the person as there may be other options for availability that do not result in any delay.

- **Comment:**

**5.8.5.3.3** – *Specify who it should be accessible to, otherwise it implies that someone could be able to summon someone else who has access. -- A hard wired emergency telephone or comparable alternative emergency communication system shall be required at all unguarded aquatic facilities and be immediately accessible to the general public at the venue.*

**Changes to Code/Annex:**

Agree. Changes made.

- **Comment:**

**6.2.3.2.2** – *To clarify the instructor-led activity. -- Actual training of lifeguarding skills shall include in-water and out-of-water skill practices led by an appropriately certified instructor.*

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**6.2.3.2.3** – *Clarify -- Lifeguarding skills shall be tested by an appropriately certified instructor to a level of proficiency accepted by the training agency to meet requirements of*

the job of a lifeguard.

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**6.2.3.3.1** – *To include the word practice* -- Course length shall provide sufficient time to cover and practice all of the essential topics listed in Sec 6.2.2.1 through Sec 6.2.2.6

**Changes to Code/Annex:**

Agree. Changes made to indicate course length shall provide sufficient time to cover, practice, and evaluate competency/understanding of all of the essential topics listed.

- **Comment:**

**6.2.3.4.3** – *Include the phrase basic-level* -- Prior to instructing lifeguard training, instructors are required to have completed a basic-level lifeguard training course which at a minimum covers all of the essential topics as outlined in sec. 6.2.2 including passing both the final written and final practical exam

**Changes to Code/Annex:**

Disagree. Unnecessary to include phrase "basic level" as essential topics to be covered are specified.

- **Comment:**

**6.2.3.5.2** – *To allow for some online testing that would test for the online portion of the training. Many agencies offer blended learning lifeguard courses that would do some online testing. Also have onsite written exams so makes sense for the instructor to be present for that but the way it was written implies the only testing can be done in person. It is understood that the intention here is to ensure that the content that covers non-psychomotor skills should be in a setting in which the instructor is present. Not sure how to reflect that.* -- The instructor of record, certified by the AHJ, shall be physically present during psychomotor lifeguarding skills testing.

**Changes to Code/Annex:**

Agree. Changes made to require the instructor of record to be physically present during practical testing.

- **Comment:**

**6.2.3.8.1** – *To include knowledge portion of the review – not just skills but to include review of scanning, surveillance, injury prevention, etc.* -- When the period of certificate validity is expired as B delineated by the training agency, certificate renewal may be achieved by retaking an entire course that meets the requirements delineated in Sec. 6.2.2 or by taking

a review course that meets the course requirements delineated in Sec 6.2.2 and includes passing written and skills final exams for lifeguarding knowledge and rescue skills.

**Changes to Code/Annex:**

Agree. A final written proctored exam is included.

- **Comment:**

**6.2.3.8.4** – *Lifeguarding recertification should include some review of information and/or skill instruction/feedback. Should not just test out. Do the national training agencies have Lifeguard Challenge courses?* -- Delete challenge courses for Lifeguarding.

**Changes to Code/Annex:**

Disagree. This item addresses candidate's option to "challenge" for recertification. As such it is not intended for the instructor to provide course review and/or instruction.

- **Comment:**

**6.2.3.9.1** – *Studies show that CPR skills degrade in as little as 3 months – it is not feasible to have a 3 month certification. All professional responders, after certification, should participate in regular refreshers and in-service trainings to keep skills and knowledge sharp.* -- Length of valid certification shall be a maximum of two years for lifeguarding, first aid and CPR/AED, however, in-service training on this knowledge and skills shall be conducted regularly to maintain skill competency.

**Changes to Code/Annex:**

Partially agree. Agree with in-service comment however, disagree with 2 year certification. Statistically/scientifically it has been shown that skills begin to erode after only 3 months. The AHA Guidelines for CPR states: "Education and Implementation: The quality of rescuer education and frequency of retraining are critical factors in improving the effectiveness of resuscitation. Ideally retraining should not be limited to 2-year intervals. More frequent renewal of skills is needed, with a commitment to maintenance of certification..." The Resuscitation Council of the UK states: "For guidance, skills should be refreshed at least once a year, but preferably more often." There are many other studies that reflect this.

- **Comment:**

**6.3.1.5** – *To equal the CPR training of the LG staff.* -- Aquatic supervisors shall have first aid and professional-level CPR/AED...

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised.

- **Comment:**

**6.3.2.2** – *Increasing to 30 seconds allows for real life operations where crowds or other*

*circumstances may impact water entry, etc. The 20 seconds to reach all areas of the zone will be tested under “clean” conditions when swimmers are not present most likely. The additional 10 seconds still creates the urgency which is the spirit of the MAHC and is no more scientific than the 20 seconds.* -- The lifeguard shall be able to reach the furthest extent of the assigned zone of patron surveillance within 30 seconds.

**Changes to Code/Annex:**

Disagree with comment -the 20 second response only time (does not include detection time) is important to successful outcomes. We are talking about operational requirements and this has nothing to do with lifeguard training agencies.

- **Comment:**

**6.3.4.1.1** – *Specifically call out the depth* -- Prior to active duty, aquatic supervisors shall ensure that lifeguards can proficiently perform the skills required for a rescue, as outlined in the Safety Plan specific to that aquatic facility or venue, including but not limited to being able to submerge to the deepest point of the aquatic facility and perform a water rescue.

**Changes to Code/Annex:**

Agreed

- **Comment:**

**6.3.4.1.3** – *Specifically call out the depth* -- Documentation shall be maintained and be available for inspection verifying that all lifeguards have demonstrated water rescue competency for the specific aquatic venue prior to active patron surveillance, including but not limited to being able to submerge to the deepest point of the aquatic facility and perform a water rescue.

**Changes to Code/Annex:**

Documentation shall be maintained and be available for inspection verifying that all lifeguards have demonstrated water rescue competency for the specific aquatic venue prior to active patron surveillance, including but not limited to being able to submerge to the deepest point of the aquatic facility and perform a water rescue.

- **Comment:**

**6.3.4.1.8.1** – *Increasing to 30 seconds allows for real life operations where crowds or other circumstances may impact water entry, etc. The 20 seconds to reach all areas of the zone will be tested under “clean” conditions when swimmers are not present most likely. The additional 10 seconds still creates the urgency which is the spirit of the MAHC and is no more scientific than the 20 seconds.* -- Lifeguards shall be able to respond to a victim in any part of their zone of patron surveillance within 30 seconds.

**Changes to Code/Annex:**

Disagree - Current ANSI Standard - leave as is - 20 second response only time (does not include detection time) is important to successful outcomes.

- **Comment:**

**6.3.4.1.8.3** – *A second person is not required to extricate unless unconscious or unable to get out on their own. Backboard is typical for this but not absolute – if person is small and able to lay them out on the deck to start care. The point of this is to have a second person respond to signal to help with care if that involves the extrication.* -- Another member of the Aquatic Facility Safety Team is required to be available to respond to Aquatic Emergency Action Plan activation

**Changes to Code/Annex:**

Agree to change to - "A lifeguard shall be able to extricate a victim from the aquatic venue according to the Emergency Action Plan."

- **Comment:**

**6.3.4.1.9** – *The supervisor cannot always ensure – they can require but short of inspecting the eyes, cannot ensure.* -- The aquatic supervisor shall require that any lifeguard that requires corrective lenses must wear the corrective lenses while on duty.

**Changes to Code/Annex:**

Disagree - There is no standard mentioned - just if the lifeguard requires correctives lenses for normal activities they must wear them on duty.

- **Comment:**

**6.3.5.2.3.6** – *Include non-aquatic emergencies such as medical emergencies in locker room, bee stings, etc. Also tried to change wording so that it is not the agency training but the fact that all staff should be using consistent response skills.* -- The Aquatic Safety Plan shall contain Emergency Action Plan that details the levels of response to specific aquatic emergencies and non-aquatic emergencies. It should also identify the responder (at each level), their tasks and equipment that are a part of the planned task/response. The emergency response shall include consistent level/type of response in 6.2.2.3 to 6.2.2.5.1

**Changes to Code/Annex:**

Agree to edit to - The Aquatic Facility Safety Plan shall contain an Emergency Action Plan that details the levels of response to specific aquatic and non-aquatic emergencies and should identify the appropriate responder(s), tasks and equipment.. The emergency response shall be consistent with the agency training in 6.2.2.3 to 6.2.2.5.1.

- **Becky Hulett, City of Phoenix, Parks and Rec (Phoenix, AZ)**

- **Comment:**

**General** -- In general, this module attempts to over-manage and specifically dictate lifeguard training for every possible aquatic facility – with little acknowledgment of the very real differences between private pools that may be unguarded, traditional small public pools

often staffed by one or two lifeguards, and public facilities with many lifeguards, supervisors and management staff on-site. It does not properly take into account the differing duties of lifeguards in various aquatic facilities – especially larger facilities and the differing types of categories of lifeguards and resultant differences in required training. In addition, most public facilities have on-duty supervisors and management team members that are responsible for water quality, admissions, concessions, guest services, emergency situations, etc. Thus, lifeguards at these type of facilities concentrate solely on lifeguarding their particular assigned venues – not the case at many traditional pools where this is little additional staff support. The training program – as long as provided by a reputable training agency – should be tailored to the specific aquatic facility and aquatic venues therein. A one-size-fits-all approach is neither necessary nor productive. The unnecessary amount of detail and specification in this module will only serve plaintiff’s attorneys in finding some violation – no matter how lacking in relevance – and significantly drive up operating costs. This module also appears to have been drafted “in-a-hurry” and in sections, by different people, without overall review and coordination (the confusion with the terms “aquatic venue” and “aquatic facility” is just one example).

**Changes to Code/Annex:**

The code and annex have been revised and restructured.

- **Comment:**

**GLOSSARY “Aquatic Facility Safety Team”** – *Lifeguards do not work for the venue but rather the facility. There is further confusion as the regulations refer to an “Aquatic Safety Team” that seems to be more focused on venues than the entire facility.* -- Means any employee of the aquatic facility that has job responsibilities related to the aquatic facilities’ emergency action plan

**Changes to Code/Annex:**

Agree. Changed to "facility" instead of "venue".

- **Comment:**

**GLOSSARY “Code”** – *Make no sense to give a dictionary definition of code here when all of the references in the body of the regs are to the MAHC* -- Means the Aquatic Health Code

**Changes to Code/Annex:**

Disagree. The term is used throughout the MAHC and may not always be specific to the MAHC.

- **Comment:**

**GLOSSARY “AHJ”** – *The role of the AHJ is specific to this Code – no reason for some general dictionary definition here.* -- Means any agency, organization, office or individual responsible for enforcing the requirements of this Code.

**Changes to Code/Annex:**

Disagree. The term is used throughout the MAHC and may not always be specific to enforcing the requirements of the MAHC.

- **Comment:**

**GLOSSARY” Qualified Lifeguard”** – *Seems to be more confusion with aquatic facility v. aquatic venue. Proposed language acknowledges differing requirements based on particular aquatic venues served within the aquatic facility.* -- means an individual who has successfully completed a lifeguard training course offered by an approved training agency and has met the pre-service and continuing in-service requirements of the aquatic venue(s) to which the lifeguard will be assigned, according to the Code.

**Changes to Code/Annex:**

Agree. Definition revised.

- **Comment:**

**4.6.5.3** – *Again, a one-size fits all approach with no room for input/supervision by local EMS. Not all of the items are relevant to each aquatic facility.* -- Add to beginning, “If not otherwise designated by the local Emergency Medical Services provider....”

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.4** – *Same comment as above* -- Add to beginning, “If not otherwise designated by the local Emergency Medical Services provider...”

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.5** – Too Broad. Suggest: *“A plan shall be in place to maintain minimum requirements as listed in sections 4.6.5.3 and 4.6.5.4. Replacement of used items shall take place as required.”*

**Changes to Code/Annex:**

Agreed. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**  
**4.6.5.6** – Too broad. Suggest: *“Construction of new aquatic facilities shall include an area designated as a first aid station appropriately sized to accommodate reasonably anticipated need based on bather load of the facility.”*

**Changes to Code/Annex:**

Agreed. Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station

- **Comment:**  
**4.6.5.7** – See comments above for Section **4.6.5.1**

**Changes to Code/Annex:**

Agreed. Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station. MAHC Section 4.6.5.7 was removed as a requirement.

- **Comment:**  
**4.6.5.7** – See comments above for Section **4.6.5.2**

**Changes to Code/Annex:**

Agreed. Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station. MAHC Section 4.6.5.7 was removed as a requirement.

- **Comment:**  
**4.6.5.7** – See comments above for Section **4.6.5.4**

**Changes to Code/Annex:**

Agreed. Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station. MAHC Section 4.6.5.7 was removed as a requirement.

- **Comment:**  
**4.8.5.1.2** – Needs clarification. As written, one cannot tell if the intention is a shade structure (such as an umbrella) or if the availability of lotion would be sufficient. Suggest adding: **4.8.5.1.2.1:** *Where stationary chairs/stands are concerned, a physical barrier*

*(umbrella, shade structure) shall be provided. 4.8.5.1.2.2: For roving positions or positions in the water, operational controls (t-shirt, rash guards, sunscreen) shall be provided...*

**Changes to Code/Annex:**

The chair should have UV protection. To not provide it would allow operators to not provide shade to guards when a stationary chair is provided. If they can provide the chair, they can provide the shade in whatever form it can be accomplished.

We have edited the personal protective equipment for guards to include the option of sunscreen or shading the face, eyes, and upper torso.

- **Comment:**

**4.8.5.2.2** – *Not Practical and may present as overly burdensome* -- While this may be a best practice, marine plywood boards (such as the CJ Aquatics board) that many facilities use is not an "impermeable material" and therefore would not meet the standard as written. Suggest removal of the word "impermeable"

**Changes to Code/Annex:**

Agree. This was clarified to state that they are constructed of material easily sanitized and disinfected.

- **Comment:**

**4.8.5.2.3** – *Current training providers do not train lifeguards to use throwing equipment; rather, the lifeguards are trained to enter the water and make a rescue. The throwing equipment should only be mandatory for unguarded facilities* -- Remove verbiage making it mandatory to have a throwing device at a guarded facility. This is not covered in training of lifeguards and has become outdated.

**Changes to Code/Annex:**

Partially agree. The code and annex have been revised and restructured to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.3** – The true need of an approved aquatic rescue throwing rope is at unguarded aquatic facilities and aquatic venues, as approved by this code. Section **4.8.5.2.3** does not address this. See comment above for suggested language.

**Changes to Code/Annex:**

Agree. The code and annex have been revised and restructured to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.3** – *The facility operator, not the AHJ should be deciding on lifeguard staffing. An*

*aquatic venue may be a spray pad, hot tub or fountain and requiring a throwing device for these is ridiculous*-- Delete entirely – **REFERENCE:** The explanatory materials contained in the annex clearly show this is for pools – not all Aquatic Venues

**Changes to Code/Annex:**

Disagree. However, the code has been restructured and revised to clarify and specify staffing plan requirements and necessary equipment.

- **Comment:**

**4.8.5.2.4** – *The facility operator, not the AHJ, should be deciding on lifeguard staffing. An aquatic facility could consist of a spray pad or fountain and requiring a Shepherd’s Crook for these is ridiculous.* -- Delete entirely – **REFERENCE:** The explanatory materials contained in the annex clearly show this is for pools – not all Aquatic Venues

**Changes to Code/Annex:**

Disagree. However, the code has been restructured and revised to clarify and specify staffing plan requirements and necessary equipment.

- **Comment:**

**4.8.5.2.4** – *Common sense and unfounded mandate* -- Reaching Poles should not be required at life guarded facilities as this is a non-lifeguard resource. Lifeguards are trained to enter the water to affect a rescue using rescue tubes.

**Changes to Code/Annex:**

Disagree. Doesn't suggest lifeguards should opt to use, the intent is in a single guard facility if the guard is engaged in a rescue and another patron is in distress, the reaching pole allows an untrained person to assist the distressed person.

- **Comment:**

**4.8.5.2.5** – *At larger aquatic facilities cell phones and radios may be substituted for hard wired telephones.* -- Delete entirely

**Changes to Code/Annex:**

Disagree. See current Annex Section 5.8.5.2.2.1.2 for explanation.

- **Comment:**

**5.8.5.2.3** – *Rescue tubes not needed for many splashdown/catch pool areas and slide runouts at waterparks* -- “...less than 5 feet (1.52m) but greater than 2 feet...”

**Changes to Code/Annex:**

Disagree. See Annex for explanation.

- **Comment:**

**5.8.5.2.3.1** – What is the intent here? Is the intent only that the rescue device be present OR is the intent to require proper wear that produces a “rescue ready” position? Suggest the following... *“Each lifeguard conducting Patron Surveillance in a water depth of 2ft. or greater shall wear the rescue tube so as to be rescue ready to enter the water when needed.”*

**Changes to Code/Annex:**

Agree. Change made to include "rescue ready" and threshold for depth changed to 3 feet.

- **Comment:**

**5.8.5.2.3.2** – This is a great example of why this code is redundant and overly verbose. This entry is a repeat for administrative means...the previous 2 entries clearly define when the rescue tube is required. DELETE this entry.

**Changes to Code/Annex:**

Agree. Code revised. Details regarding zones, # of guards, diagrams, etc removed from this section and now included under Section 6.3 Aquatic Facility Management.

- **Comment:**

**5.8.5.2.4** – *Redundant* -- Remove entry – **REFERENCE:** already addressed in 4.8.5.1.2

**Changes to Code/Annex:**

Disagree. Section 4.8.5.1.2 only addresses chairs/stands.

- **Comment:**

**5.8.5.2.5** – “Glasses” should be changed to “*Sunglasses*”

**Changes to Code/Annex:**

Agree. Code modified to specify polarized sunglasses.

- **Comment:**

**5.8.5.2.6** – *Need local flexibility here.* -- Add to beginning “Unless otherwise directed by local Emergency Medical Services providers...”

**Changes to Code/Annex:**

Disagree. No rationale provided to support not providing immediately available personal protective equipment.

- **Comment:**  
**5.8.5.2.8** – *Covered by 4.6.5.2 -- Delete as repetitive*

**Changes to Code/Annex:**

Partially agree. Code revised to address design aspects only in the Design Standards and Construction Section 4.0. The first aid requirements in the Operation and Maintenance section have been revised.

- **Comment:**  
**6.2.1.1** – *Different aquatic venues may have significantly different training requirements. -- A Qualified Lifeguard shall have successfully completed a lifeguard training course provided by a training agency, as approved by the AHJ, for the particular type of facility and/or venue for which the lifeguard will be assigned. All certifications should be nationally recognized*

**Changes to Code/Annex:**

Partially agree. The code has been restructured and revised. Pre-service and in-service requirements address venue specific issues.

- **Comment:**  
**6.2.3.6.5** – Suggested Addition: **6.2.3.6.5.1:** *The maximum depth at which a lifeguard was trained shall be included on training agency certificate issued to the lifeguard.*

**Changes to Code/Annex:**

Partially agree. No change to current language regarding certification however, change made to "Pre-Service " requirements to include training specific to the facility's water depth.

- **Comment:**  
**6.2.3.7** – Continuing Education is used elsewhere in this code to delineate CEU's used to maintain/renew a certification so using here is inconsistent. Suggest changing this to: *"Additional Education and Training"*

**Changes to Code/Annex:**

Partially agree. The code has been revised and restructured and "Continuing Education" has been removed.

- **Comment:**  
**6.2.3.8.1** – This sounds like a test-out challenge. Suggested Change: *"When the period of certificate validity is expired as delineated by the training agency, certificate renewal may be achieved by retaking an entire course that meets the requirements delineated in Sec. 6.2.2, or by taking a review course that meets the course requirements delineated in Sec.*

**6.2.2** and passing a final exam, which includes in and out of water skills.”

**Changes to Code/Annex:**

Partially agree. The code has been revised and restructured for clarity.

- **Comment:**

**6.2.3.8.1** – *Existing language is confusing. See also comments regarding 6.2.2 -- When the period of certificate validity is expired as delineated by the training agency, certificate renewal may be achieved by taking a course designated by the training agency which includes passing a final exam and in and out of water skills.*

**Changes to Code/Annex:**

Partially agree. The code has been revised and restructured for clarity.

- **Comment:**

**6.2.3.8.4** – Need to define lifeguard challenge program

**Changes to Code/Annex:**

Agree. Code revised to include criteria for a challenge program.

- **Comment:**

**6.2.4.1 #1** – EPAs” should be “EAPs”

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**6.2.4** – *Inadequate quality of product pushed by a “proposed CDC Timeline” \*\*\*\*\*  
Liability exposure for Owner/Operator, and Code Administrator -- This entire section lacks common sense and practical application. How can a Supervisor (that is not required to be trained in CRP/FA/AED) have the ability to “identify the extent of trauma in an incident and be able to make a decision on the necessity of advanced care” (6.2.4.1 #2)? This is ludicrous and embarrassing that this type of entry is being sent to the public for comment. This is “anti-safety”...designating a responsible person who has LESS training than a lifeguard.*

**Changes to Code/Annex:**

Partially agree. Supervisor training has been revised and now includes, among other elements, first aid, CPR/AED training/certification.

- **Comment:**

**6.2.4 – Inadequate quality of product pushed by a “proposed CDC Timeline” \*\*\*\*\***  
*Liability exposure for Owner/Operator, and Code Administrator* -- This entire section lacks common sense and practical application. How can a Supervisor 1) establish/evaluate scanning/vigilance systems, 2) implement and monitor effectiveness of In-Service, Pre-Service, facility specific training for lifeguards, 3) gain strategies to reduce risk and mitigate health and safety hazards and 4) develop and evaluate zones of patron surveillance WHEN they are not even trained as a lifeguard? Where do they gain this “valuable and critically important knowledge and experience”?

**Changes to Code/Annex:**

Partially agree. Supervisor training has been revised and now includes, among other elements, training and previous experience as a lifeguard.

- **Comment:**

**6.2.4 – Inadequate quality of product pushed by a “proposed CDC Timeline” \*\*\*\*\***  
*Liability exposure for Owner/Operator, and Code Administrator* -- IF the elements of Supervisor responsibility are to remain in the code THEN the Supervisor must be provided and REQUIRED to be at the very least lifeguard trained, which would provide at least the basis to understand **6.2.4.1** and **6.2.4.2**.

**Changes to Code/Annex:**

Partially agree. Supervisor training has been revised and now includes, among other elements, training and previous experience as a lifeguard.

- **Comment:**

**6.2.4 – There is no definition for “lifeguard supervisor” or “manager”. Who is this training for? Is it for the Aquatic Supervisor? Why is the AHJ approving management training under the lifeguard module?** -- Essential Topics for Aquatic Supervisor Training

**Changes to Code/Annex:**

Agree. The code, including Supervisor training requirements, have been revised and restructured and address requirements for staffing under "Staff Management".

- **Comment:**

**6.2.4.1 – There is no definition for “lifeguard supervisor” or “manager”. Who is this training for? Is it for the Aquatic Supervisor? Why is the AHJ approving management training under the lifeguard module?** -- Aquatic Supervisor training shall include, at a minimum, the following teaching elements: Note: “Aquatic Supervisor” is defined in the glossary and should be capitalized as above for each usage in the Code.

**Changes to Code/Annex:**

Agree. The code, including Supervisor training requirements, have been revised and restructured and address requirements for staffing under "Staff Management".

- **Comment:**

**6.2.4.2 #2** – The supervisor does not have to be the one to implement training but must be able to oversee the process. Suggest revising to: *"The ability to oversee and insure the implementation of required training, and to monitor..."*

**Changes to Code/Annex:**

Agree. Changes made.

- **Comment:**

**6.2.4.2 #4** – "Zone of Patron Surveillance Responsibility Diagrams" should be defined and included in Definitions section above.

**Changes to Code/Annex:**

Partially agree. The code and annex have been revised and restructured. Zones of Patron Surveillance Responsibility Diagrams are addressed in detail in the Aquatic Facility Staffing Plan section.

- **Comment:**

**6.3.1.1** – There is no benefit to some of the supervisor requirements if there is no requirement for a supervisor to be on site. Suggest change: *"Aquatic facilities that are required to have lifeguards shall have at least one employee, on-site during all hours of operation, designated as the aquatic supervisor who meets the requirement of this code to be an Aquatic Supervisor."*

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**6.3.1.2** – As stated above in the comments relative to **6.2.4...** the training and experience outlined in **6.3.1.2** Will NOT provide any person with the knowledge/ability or practical application of the knowledge to meet **6.2.4**.

**Changes to Code/Annex:**

Partially agree. Requirements for Supervisor training have been revised.

- **Comment:**

**6.3.1.3** – *Age alone does not determine supervisory ability. Supervisory responsibilities vary from aquatic facility/venue to aquatic facility/venue. An across the board requirement for a minimum age in order to perform any type of supervisory responsibility is not reasonable.* -- Persons with lifeguard supervisory responsibilities shall have sufficient

maturity and training to perform all duties assigned.

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised.

- **Comment:**

**6.3.1.5 – Inadequate quality of product pushed by a “proposed CDC Timeline”**

*\*\*\*\*\*Training same as lifeguard \*\*\*\*\* Liability exposure for Owner/Operator, and Code Administrator --* This entry attempts to provide a requirement for meeting the skills for **6.2.4**, however, First Aid is not listed and skills are required in **6.2.4** for First Aid. The entry also does not specify the level of the training, which should be equivalent to Professional Level (same as lifeguards). If not listed at all and/or not listed as Professional Level, then the Supervisor and the lifeguards would be trained in two separate protocols for delivery of CPR (layperson versus professional).

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised.

- **Comment:**

**6.3.1.6 –** This section is an exact duplicate of Section **6.2.4.2** (repeated from section **6.2.4.2**) and should be removed. This also does not provide for any resource or requirement to gain the skills training...where does one receive this?

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised, code re-structured, and duplications eliminated.

- **Comment:**

**6.3.1.7 –** *Not sure who the “person in charge of the lifeguards” is. However, that person should not have to demonstrate knowledge of the entire MAHC.* -- Based on the risks inherent in the particular aquatic facility, the AHJ may ask the Aquatic Supervisor to demonstrate knowledge of the items listed in 6.3.1.3 to 6.3.1.6.

**Changes to Code/Annex:**

Agree. The Code has been revised and re-structured, this "Demonstrate Knowledge" item has been eliminated.

- **Comment:**

**6.3.1.7 –** If **6.3.1.6** is eliminated as a duplicate section, then this section needs to include **6.2.4.2** here.

**Changes to Code/Annex:**

The Code has been revised and re-structured, this "Demonstrate Knowledge" item has been eliminated

- **Comment:**

**6.3.1.8 #1** – *Knowledge of the Code is not always aligned with having no “priority violations”. What is a “priority violation”? This term should be deleted or be defined. -- 1)*  
Demonstrating knowledge of Sections 6.3.1.3 through 6.3.1.6

**Changes to Code/Annex:**

Agree. The Code has been revised and re-structured, this "Demonstrate Knowledge" item has been eliminated.

- **Comment:**

**6.3.1.8 #2** – *Need to limit the information required under the Lifeguarding provisions – not the entire code. -- 2)* Produce the documentation required under Section 6 of this Code

**Changes to Code/Annex:**

Agree. The Code has been revised and re-structured, this "Demonstrate Knowledge" item has been eliminated

- **Comment:**

**6.3.2.2** – *This timing may vary based on the specific aquatic venue and the dictates of the training agency. -- “20 seconds” should be deleted and replaced with “within the time period required by the aquatic training agency.”*

**Changes to Code/Annex:**

Disagree with comment -the 20 second response only time (does not include detection time) is important to successful outcomes. We are talking about operational requirements and this has nothing to do with lifeguard training agencies.

- **Comment:**

**6.3.3.1** – *An aquatic venue includes spray pads and interactive fountains which do not require lifeguards. -- Need to delete general reference to “Aquatic Venue”*

**Changes to Code/Annex:**

"Any aquatic venue while it is being used for the recreation of youth groups including but not limited to childcare usage or school groups. Some venues without standing water maybe excluded from this code by the AHJ."

- **Comment:**

**6.3.3.1** – *Inadequate quality of product pushed by a “proposed CDC*

*Timeline”\*\*\*\*\*Clarification\*\*\*\*\*Remove Lifeguard Training from list; instructors (lifeguards) are monitoring/guarding participants -- This is a perfect example of the lack of due diligence and time afforded to the sub committee to produce a quality product. This section confuses us a bit as there may be a need for the entries listed here if they are applied to aquatic venues with standing water. However, by definition Aquatic Venues include spray pads and other attractions, which may not contain standing water. This is a piece that needs much more thought to cover the different scenarios that the code allows with respect to guarded and unguarded venues. This cannot be a one entry fits all approach as needs are different here.*

**Changes to Code/Annex:**

"Any aquatic venue while it is being used for the recreation of youth groups including but not limited to childcare usage or school groups. Some venues without standing water maybe excluded from this code by the AHJ."

- **Comment:**

**6.3.3.1 #7** – *Many splashdown pools and slide runouts do not require a lifeguard no matter what the height of the slide. As these contain little or no depth of water, a trained lifeguard is not required. -- Include a minimum depth of no less than two feet.*

**Changes to Code/Annex:**

Wording altered

- **Comment:**

**6.3.3.2** – Suggest changing to: *“Any aquatic venue that requires a lifeguard, and is a single lifeguarded aquatic venue, shall at a minimum, have an additional staff person, on-site and available, that has current CPR/AED certification (same level as Lifeguards), training in water extrication of an unconscious guest, and spinal management techniques/extrication from an on-deck perspective.”*

**Changes to Code/Annex:**

Agree Section revised.

- **Comment:**

**6.3.3.3** – *Inadequate quality of product pushed by a “proposed CDC Timeline” \*\*\*\*\* Liability exposure for Owner/Operator, and Code Administrator --*

**Changes to Code/Annex:**

Agreed Section revised.

- **Comment:**

**6.3.3.3** – This is a perfect example of the lack of due diligence and time afforded to the sub

committee to produce a quality product. This is a Double Standard and will pose incredible liability on owner/operators and Code Administrator. There is no current standard for any guarded pool for response time within an EAP...and specifically not a requirement for anyone to be present on-site to meet this requirement. Why would a single guard pool be required to have a timed response standard when a Multi-Guarded pool does not have a requirement for timed response?

**Changes to Code/Annex:**

Agreed Section revised.

- **Comment:**

**6.3.3.3** – Suggest removing this entry all together or support it with properly written and inclusive code language.

**Changes to Code/Annex:**

Agreed. Section revised.

- **Comment:**

**6.3.3.3** – Once again the Lifeguards are required to have more and more advanced training than the Supervisor who is required to provide oversight and direction.

**Changes to Code/Annex:**

Wording edited to clarify.

- **Comment:**

**6.3.4.1.2** – Not only is this a double standard, it is also not practically supported by the code. The code, as stated in earlier comments, does NOT require presence of any persons at a pool...so how, based on the code, would there be any ability to meet this standard?

**Changes to Code/Annex:**

Not clear on context but the code and annex have been extensively revised.

- **Comment:**

**6.3.4.1.2** – *Editorial clarification. Lifeguards are already a part of the AFST.* -- Aquatic Facility Safety Team members shall be trained in all applicable regulations of this Code, OSHA and the AHJ.

**Changes to Code/Annex:**

Do not disagree

- **Comment:**       **TWO RESPONSES**

**6.3.4.1.3** – Suggest that this be added to/included in **6.3.4.1.1** as follows: "... as outlined in

*the Safety Plan specific to that Aquatic Facility or Aquatic Venue. Documentation of skills proficiency verification prior to active patron surveillance shall be maintained and available for inspection.”*

**Changes to Code/Annex:**

Agree - It is LG Training record as well as site specific training records for that venue/facility. Documentation shall be maintained and be available for inspection verifying that all lifeguards have demonstrated water rescue competency for the specific aquatic venue prior to active patron surveillance, including but not limited to being able to submerge to the deepest point of the aquatic facility and perform a water rescue.

- **Comment:**

**6.3.4.1.8 – Agency specific content.** \*\*\*\*\* Content being used as an “A” grade from a non-peer reviewed study sponsored by an exclusive and non-open group \*\*\*\*\* “A” grade is reserved for practiced standard. No practice standard like this exists in the industry. (water rescue sequence used by ARC came out in the new book in 2012 -- The phrase “water rescue sequence” should be removed. This is a term specifically generated by the Vice Chair of the committee and is directly taken from the ARC textbook and content. Agency specific items have no place in this code and in fact this item was specifically identified to be excluded as part of the draft code.

**Changes to Code/Annex:**

The Annex has been extensively re-written.

- **Comment:**

**6.3.4.1.8 – Competency should be judged on the particular aquatic venues where the lifeguards are stationed.** -- At all times during their employment, all aquatic facility lifeguards shall be able to demonstrate rescue competency for the aquatic venues they are assigned to guard, by consecutively performing the following rescue sequence:” Note: some aquatic venues have little or no standing water.

**Changes to Code/Annex:**

Agreed

- **Comment:**

**6.3.4.1.8.1 –20 seconds is not always the appropriate minimum based on the type of aquatic venue.** -- Change language to: Lifeguards shall be able to respond to a victim in any part of the zone of patron surveillance within 20 seconds or a differing time period designated by the aquatic training agency.

**Changes to Code/Annex:**

Disagree - Current ANSI Standard - leave as is - 20 second response only time (does not include detection time) is important to successful outcomes.

- **Comment:**

**6.3.4.1.8.2 to 6.3.4.1.8.4 – Agency specific content.** \*\*\*\*\* *Content being used as a “A” grade from a non-peer reviewed study sponsored by an exclusive and non-open group*  
\*\*\*\*\* *“A” grade is reserved for practiced standard. No practice standard like this exists in the industry. (water rescue sequence used by ARC came out in the new book in 2012 --*  
The term “water rescue sequence” comes directly from an exclusive (non peer reviewed) document called the USLSC, which was a document produced by the ARC, YMCA and USLA, and authored by individuals who ALL have relationships or direct committee membership on one or more of the agencies listed. Comments sent by the agency sending this comment form, were never vetted, followed up, or replied to, during or after the comment period, or prior the final publication of the USLSC.

**Changes to Code/Annex:**

The annex has been extensively re-written.

- **Comment:**

**6.3.4.1.8.2 to 6.3.4.1.8.4 – Agency specific content.** \*\*\*\*\* *Content being used as a “A” grade from a non-peer reviewed study sponsored by an exclusive and non-open group*  
\*\*\*\*\* *“A” grade is reserved for practiced standard. No practice standard like this exists in the industry. (water rescue sequence used by ARC came out in the new book in 2012 --*  
Any and all references or use of agency specific content should be stricken from this draft and/or final code.

**Changes to Code/Annex:**

The Annex has been extensively re-written. The document mentioned is a peer-reviewed review of the literature.

- **Comment:**

**6.3.4.1.9 –** *There is no standard provided to determine when a lifeguard “requires corrective lenses”.*

**Changes to Code/Annex:**

Disagree - There is no standard mentioned - just if the lifeguard requires correctives lenses for normal activities they must wear them on duty.

- **Comment:**

**6.3.4.1.10 –** *The AHJ approves the training agency.* -- To clarify, change to read “...training agency that is recognized and approved by the AHJ.”

**Changes to Code/Annex:**

Partially agree. The code and annex have been revised and restructured. Generally, recognition of the course by AHJ or other, language has been removed.

- **Comment:**

**6.3.4.1.11** – *AFST members includes “any employee...that has job responsibilities related to” the emergency action plan. This might include a guest service worker whose only duty is to supervisor unaccompanied minors. This worker should not be required to have training on all emergency procedures.* -- The members of the Aquatic Facility Safety Team shall be trained to recognize emergency closure issues within their level of competency.

**Changes to Code/Annex:**

Disagree with comment. They are not required to enact emergency closure but should be able to identify those issues and be able to inform aquatic supervisor. We are not talking about all emergency procedures only emergency closure issues as defined in this code.

- **Comment:**

**6.3.4.1.12** – *See comments directly above (6.3.4.1.11)*

**Changes to Code/Annex:**

Unclear comment

- **Comment:**

**6.3.4.2.2** – *There are a number of emergency procedures that may require specific professional skills not held by most lifeguards such as electrical shut down, pump operations, etc. Training should be only as to what is in the level of competency of the particular Team member. Lifeguards are part of the Team and need not be mentioned separately. Why is there a reference to “aquatic venue safety team”? Is this different than the AFST?* -- Aquatic Facility Safety Team Members shall receive training on all applicable emergency procedures specific to the Aquatic Venue(s) to which they are assigned.

**Changes to Code/Annex:**

Removed the word ALL.

- **Comment:**

**6.3.4.2.3** – *An aquatic venue is an attraction, not a person.* -- The Aquatic Facility Aquatic Supervisor shall be responsible .....

**Changes to Code/Annex:**

Agree

- **Comment:**

**6.3.4.2.4** – *Liability exposure for Owner/Operator and AHJ* -- This entry presents a Liability exposure to the AHJ. Why? The code gives them authority to check/inspect. However, the

reality is, the actual inspector of the AHJ most likely will not have the actual training knowledge or competency to adequately and properly evaluate performance standards or skills. By and large the AHJ will not avail themselves of this ability, however, when a facility has failed to provide, and where AHJ has failed to check, both the owner/operator and AHJ will be liable for the resulting negligent actions.

**Changes to Code/Annex:**

Disagree - it saying in the annex that the AHJ has the ability to review that the venue or facility is in compliance with the code.

- **Comment:**

**6.3.5.1.1.5** – Change “non-patron surveillance” to “no patron surveillance”

**Changes to Code/Annex:**

Partially agree. Phrase not changed, however, section revised and reworded for clarity.

- **Comment:**

**6.3.5.2.2** – *Lifeguards are part of the Team and need not be mentioned separately. Waterparks may contain many venues and not all Team members will have specific responsibilities for all venues. -- Aquatic Facility Safety Team Members shall receive a copy of and training on policy and procedures for their specific job title/responsibilities at the Aquatic Facility*

**Changes to Code/Annex:**

Agreed. It is clearly defined in code although lifeguards can be deleted as they are part of the “Aquatic Facility Safety Team”

- **Comment:**

**6.3.5.2.3 & 6.3.5.2.3.1** – *Clarification \*\*\*\*\* Also, all references should be to the “Aquatic Facility Safety Plan” not the “Aquatic Safety Plan” It is unreasonable to require each venue to have a full blown Safety Plan. Most of the information required is facility wide. Additional information can be added for particular venues when required. -- All aquatic facilities requiring a lifeguard shall have an Aquatic Facility Safety Plan which documents conformance with this Code.”*

**Changes to Code/Annex:**

Agree to edit to the following - All aquatic facilities requiring a lifeguard(s) shall have an Aquatic Facility Safety Plan which documents their conformance to this Code.

- **Comment:**

**6.3.5.2.3.2** – *It is unreasonable to require each venue to have a full blown Safety Plan. Most of the information required is facility wide. Additional information can be added for*

*particular venues when required.* -- Each Aquatic Facility Safety Plan shall include, but is not limited to, the following Code requirements: 1. Lifeguard pre-service; 2. Lifeguard in-service; 3. Applicable lifeguard staffing; 4. Applicable lifeguard rotation and procedures; 5. Single lifeguard aquatic venue plan (if appropriate); 6. Applicable emergency action plans.”

**Changes to Code/Annex:**

Disagree with comment. Most Facility Plans do have venue specific plans within. - Change Aquatic Safety Plan to "Aquatic Facility Safety Plan"

- **Comment:**

**6.3.5.2.3.3** – *The documentation is required pursuant to the Plan not as an actual part of the plan.* -- change “contain” to “require”. Change “Aquatic Safety Plan” to “Aquatic Facility Safety Plan”

**Changes to Code/Annex:**

Agree

- **Comment:**

**6.3.5.2.3.4** – *The documentation is required pursuant to the Plan not as an actual part of the plan. In aquatic facilities with larger on-site staffs, lifeguards may be tasked with specific duties/responsibilities for an emergency situation. However, they may not be tasked with duties/ responsibilities for all of emergency closing procedures and should not be tasked with knowledge of items not related to their specific duties. Also, the word “issues” is undefined and confusing. Should be “Aquatic Facility Safety Plan”* -- The Aquatic Facility Safety Plan shall require documentation that all lifeguards have demonstrated knowledge of their responsibilities in any of the aquatic venue’s emergency closing procedures”.

**Changes to Code/Annex:**

Emergency closure issues are defined in another area of the code. This could deal with fecal, vomitus, environmental, etc. The lifeguard is the frontline staff member to see and report these issues first.

- **Comment:**

**6.3.5.2.3.5** – *The documentation is required pursuant to the Plan not as an actual part of the plan. Should be “Aquatic Facility Safety Plan* -- The Aquatic Facility Safety Plan shall require documentation of all in-service training.”

**Changes to Code/Annex:**

Agree with comment - The Aquatic Facility Safety Plan shall require documentation of all in-service training.

- **Comment:**

**6.3.5.2.3.6** – *Last sentence is not necessary. Should be “Aquatic Facility Safety Plan”* -- The Aquatic Facility Safety Plan shall contain an Emergency Action Plan that details the levels of response to specific aquatic emergencies and should identify the appropriate responder, tasks and equipment.

**Changes to Code/Annex:**

Agree to edit to - The Aquatic Facility Safety Plan shall contain an Emergency Action Plan that details the levels of response to specific aquatic and non-aquatic emergencies and should identify the appropriate responder(s), tasks and equipment. The emergency response shall be consistent with the agency training in 6.2.2.3 to 6.2.2.5.1.

- **Anthony Pollack, Keylime Cove Water Resort (Gurnee, IL)**

- **Comment:**

**4.6.5.3 to 4.6.5.5** – Other lifeguarding agencies do not mandate what equipment be carried as long as the standard can be met by lifeguard staff. (Excluding Supplemental Oxygen and Automated External Defibrillator) ..... A stocked first aid room does require different resources across different environments. (i.e. Bee stings, sun burns, and snake bites in an indoor environment)

**Changes to Code/Annex:**

Agreed. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.8.5.2.3 to 4.8.5.2.4** -- There are no further guidelines for exceptions on size of body of water or depth requiring this equipment. .... There is no information regarding placement of this equipment in a larger facility. .... Was alternative lifeguarding equipment considered such as rescue tubes and rescue cans?

**Changes to Code/Annex:**

Partially agree. The code has been revised to clarify and specify equipment necessary for guarded and unguarded facilities

- **Comment:**

**4.8.5.2.5** – Does not provide guidelines as to what is specifically required and where its placement is to be ..... Also, an offsite communication device from the emergency can delay vital information to 911 and create a potential for misinformation to be provided.

**Changes to Code/Annex:**

Partially agree. See current Annex Section 5.8.5.2.2.1.2 for explanation and Code has been revised to require signage in Section 5.8.5.2.2.3.2

- **Comment:**  
**5.8.5.2.2** – Does not provide specific guidelines as to what is expected or required to comply. .... Were all Aquatic environments taken into consideration? (ie Indoor waterpark environments)

**Changes to Code/Annex:**

Disagree. The wording is performance-based instead of prescriptive language being used. Several options should be available to meet the standard to be readily identifiable, regardless of the environment.

- **Comment:**  
**5.8.5.2.3** – Does this take into consideration the splash pads and pools that may have 6 inch – 1 foot of water?

**Changes to Code/Annex:**

Disagree. See Annex for explanation.

- **Comment:**  
**6.2.2.4.1** – Does not provide information regarding other certifying agencies compliance and whether or not those agencies would have a variance. .... It does not state whether or not other CPR certifying agencies would be acceptable. .... Were other agencies taken into consideration when writing this code?

**Changes to Code/Annex:**

Disagree. See Annex for explanation for how these standards/protocols are established and by whom.

- **Comment:**  
**6.2.2.5.1** – Does not provide information regarding other certifying agencies compliance and whether or not those agencies would have a variance. .... It does not state whether or not other first aid certifying agencies would be acceptable. .... Were other agencies taken into consideration when writing this code?

**Changes to Code/Annex:**

Disagree. See Annex for explanation for how these standards/protocols are established and by whom.

- **Comment:**  
**6.3.1.3** – Does not provide information regarding the “Headguard” position or other guidelines for supervisors. .... Does not specify whether or not younger individuals can

handle these roles with supervision of an individual of 18 or older.

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised.

- **Comment:**

**6.3.3.1 #7** – Was the payroll aspect of operations taken into consideration for larger sized aquatic facilities? Was consideration paid to year round facilities and multiple attraction facilities?

**Changes to Code/Annex:**

Safety is the prime issue. This requirement was deleted.

- **Nicole VanWinkle, Riverside County Regional Park and Open Space District (Riverside, CA)**

- **Comment:**

**4.8.5.1.1** – *In many waterpark situations, it is more of a nuisance than a help to use a stand or chair. Perhaps there should be language suggesting chair/stand use at a certain water depth.* -- When Chairs/Stands are used, they shall be venue appropriate and zone specific structures positioned as to provide an unobstructed view of the entire zone of patron surveillance responsibility for that lifeguard station.

**Changes to Code/Annex:**

Section 4.8.5 is related to the design of chairs and stands. This section was reworded to clarify the design of the locations of chairs and stands to follow the plan for zones of patron surveillance, to provide unobstructed view per the plan, and to provide UV protection. It is also clarified to indicate only when elevated chairs are used so as not to presume an elevated chair would always be used.

- **Comment:**

**4.8.5.2.5** – *Many AHJ may suggest that a 911-only telephone needs to be installed as per the language as is.* -- A telephone or other communication device that is hard wired and capable of directly dialing 911 or other emergency notification system shall be provided and accessible to all aquatic facility users. Device can be an office telephone but must also be in an area accessible to patrons in an emergency.

**Changes to Code/Annex:**

Disagree. Code allows for other communication device-see Annex Section 5.8.5.2.2.1.2

- **Comment:**

**5.8.5.1.1** – *Definition of routine maintenance.* -- Inspection of all lifeguard stations shall be done as routine maintenance so they are always in good working order and safe condition. Routine maintenance is defined as \_\_\_\_\_.

**Changes to Code/Annex:**

Partially agree. Code modified. Requirements for routine inspection of equipment have already been included in other modules.

- **Comment:**

**5.8.5.2.3** – *Tubes in a shallow waterpark setting are more of a hindrance than use.* -- Each lifeguard conducting patron surveillance with the responsibility of in-water rescue 3.5-5 feet of water shall have a rescue tube immediately available for use. Immediately available for use is defined as \_\_\_\_\_.

**Changes to Code/Annex:**

Disagree. See Annex for explanation.

- **Comment:**

**5.8.5.2.5** – *Requiring a specific type of sunglasses will be a financial burden on public agencies. The benefit to polarized glasses is minimal compared to the cost of this implementation,* -- ~~Lifeguards shall wear polarized glasses while conducting patron surveillance when it is necessary to reduce the impact of glare.~~

**Changes to Code/Annex:**

Disagree. The code does not require employers to supply. Polarized sunglasses can be found for similar price as regular sunglasses. The requirement is to address glare as it affects patron surveillance. The benefits of wearing polarized sunglasses to enable seeing below the water surface for patron surveillance can be substantial.

- **Comment:**

**5.8.5.2.7** – *Too vague for uninformed AHJ (health department inspectors)* -- Signaling devices capable of communicating emergency and/or non-emergency information shall be immediately available for each lifeguard conducting patron surveillance. Immediately available is described as \_\_\_\_\_.

**Changes to Code/Annex:**

Disagree. Intent of "immediately available" should be clear from Annex discussion. However, Code revised for clarification.

- **Comment:**

**5.8.5.2.8** – *Lifeguards wear hip packs with first aid supplies.* -- First Aid supplies shall be

kept in good working condition.

**Changes to Code/Annex:**

Partially agree. The first aid requirements in the Operation and Maintenance section have been revised.

- **Comment:**

**6.2.4** – How will this be evaluated/enforced?

**Changes to Code/Annex:**

As with any code requirement, the AHJ will evaluate for conformance/compliance with code requirements. Note, requirements for Supervisor training and staffing have been revised.

- **Comment:**

**6.3.1.1** – *Not on duty at all times.* -- Aquatic facilities that are required to have lifeguards shall have at least one employee designated as the aquatic supervisor who meets the requirement of this Code to be an Aquatic Supervisor on payroll.

**Changes to Code/Annex:**

Not clear what/if changes are requested. Requirements for Supervisors have been revised.

- **Comment:**

**6.3.2.2** – The lifeguard shall be able to reach the furthest extent of the assigned zone of patron surveillance from middle of assigned zone within 20 seconds

**Changes to Code/Annex:**

Disagree with comment -needs to be able to do this from the lifeguards assigned position(s).

- **Comment:**

**6.3.3.1** – *This is the single most important section of this module. There needs to be more specificity in order to enforce this policy effectively. How do “amusement rides” play into this? Does the amusement ride code trump MAHC? There is a conflict in some of the policies here.* -- This section is too vague and can be easily misinterpreted by uninformed AHJ (Health inspectors who are not LG certified or history with aquatic operations). Will Shallow Water Attendants fall into this category? #1- Should be dependent upon the facility type (competition pool, lap pool, waterpark, etc.) #5- For entire venue or for each body of water? , #6- FlowRider and slow moving rivers should not be included. FlowRider does not have standing water (though FA certification should be required), and SlowMoving rivers (1 mph) does not affect balance; #7- Should be based upon pool depth.

**Changes to Code/Annex:**

Some venues without standing water maybe excluded from this code by the AHJ. Check revised wording.

- **Comment:**

**6.3.3.4** – *LG plans vary based upon programming, bather load, and elements.* -- It is unrealistic to provide lifeguard diagrams for every situation.

**Changes to Code/Annex:**

Disagree with comment. Comment fails to recognize code guidance on staffing that does not relate to any programming activities.

- **Comment:**

**6.3.4.4.1** – *Too general. Each day? Before each season? How is this evaluated?* -- ~~Prior to active duty, aquatic supervisors shall ensure that lifeguards can proficiently perform the skills required for a rescue, as outlined in the Safety Plan specific to that aquatic facility or aquatic venue.~~

**Changes to Code/Annex:**

Unclear comment. Wording of code and annex has been extensively re-written.

- **Comment:**

**6.3.4.1.5** – *Lifeguards should not be making that decision.* --Documentation shall be maintained and be available for inspection that all ~~lifeguards~~ Aquatic Supervisors have demonstrated knowledge for all the venue's emergency closure issues before active patron surveillance.

**Changes to Code/Annex:**

Disagree with comment. The lifeguards are the frontline people who will generally see this issue first regardless of decision-making authority. It is not saying one way or the other if they have closure authority. They need to be able to identify the need and notify the supervisor.

- **Comment:**

**6.3.4.1.6** – *There are many facilities who assign a lifeguard to help with patron surveillance, but they are also in charge of swim tests. This lifeguard is not absolutely required for patron surveillance but are an added layer.* -- Lifeguards assigned for the direct surveillance of bathers shall not be assigned other tasks that intrude on patron surveillance, except in the case of when there are more lifeguards than needed. At that point, the lifeguard can be reassigned to non-patron surveillance duties.

**Changes to Code/Annex:**

These extra lifeguards should not be assigned a specific zone of patron surveillance but rather should be assigned other tasks as primary responsibility. If they can provide some sort of additional surveillance coverage, then that is even better.

- **Comment:**

**6.3.4.1.9** – *It is not reasonable or possible for a supervisor to continually ensure that a LG is wearing their corrective lenses at all time.* -- The aquatic supervisor Lifeguard shall ensure that any corrective lenses that are required must be worn while on duty.

**Changes to Code/Annex:**

Disagree - There is no standard mentioned - just if the lifeguard requires correctives lenses for normal activities they must wear them on duty. Just like you may require the lifeguard to have a whistle for doing the job.

- **Comment:**

**6.3.4.2.2.2** – *There needs to be a time designation.* -- Documentation of all in-service trainings from the preceding 3 years shall be kept on file readily available for inspection

**Changes to Code/Annex:**

Annex information to support that the committee came up 4 hours a month as a minimum. Documentation of all in-service trainings shall be kept on file readily available for inspection in accordance with aquatic facility record retention policy. Direction can be provided as to minimum length of time records should be kept if so desired.

- **Comment:**

**6.3.4.2.4** – *Many AHJ inspectors (Health Department) send out slightly informed inspectors. Though they have the code in front of them, they are in no way actually qualified to interpret that code according to the needs of the customer and the operations.* -  
- The AHJ shall have the discretion to check or inspect any or all of the aquatic facility lifeguards and aquatic safety team members on any required performance standards, certifications, and inservice training records and can ask for any skill specified in-service training or pre-service requirements to be demonstrated. The AHJ inspector shall be a certified lifeguard and have documented experience operating an aquatic facility of similar size and scope to the one they are evaluating.

**Changes to Code/Annex:**

Disagree - it saying in the annex that the AHJ has the ability to review that the venue or facility is in compliance with the code.

- **Comment:**

**6.3.5.1.1.3** – *LG coverage varies depending upon programming, user, bather load, and*

*elements.* -- Not all situations can be diagramed.

**Changes to Code/Annex:**

Disagree with comment. It is currently being done and is entirely possible and necessary to avoid confusion and lack of coverage. A Zone of Patron Responsibility Diagram is a graphic illustration of a lifeguard's position and Zone boundaries and, as such, must illustrate the area to which the lifeguard is assigned swimmer protection. A Zone of Patron Responsibility Diagram should also illustrate any overlapping areas of responsibility with those of adjacent Zones (where applicable).

- **Comment:**

**6.3.5.1.1.4 & 5** – *In regards to 6.3.5.1.1.4, the code seems fine, but the annex references language that can be interpreted as a lifeguard needs to have a surveillance break every 60 minutes. Though they can rotate stations more often than every 60 minutes, providing a break every 60 minutes is not always feasible for operations.* -- The lifeguard rotation plan shall contain period(s) of non-patron surveillance activity.

**Changes to Code/Annex:**

Partially agree. Code and annex revised for clarity. Note, the requirement has been revised to clearly indicate that a period of non-patron surveillance activity is needed after 60 minutes maximum of continuous patron surveillance activities.

- **Comment:**

**6.3.5.2.2** – *Cost-prohibitive and lifeguards do not keep them for reference. Having them available for their reference is more effective and they can be updated as necessary.* -- Lifeguards and aquatic facility safety team shall keep on file an acknowledgement of facility policies and procedures and retain a copy of policy and procedures for the specific aquatic facility personnel to be referenced at any time.

**Changes to Code/Annex:**

Disagree with comment. These documents can electronic, printed or other low cost means. The Aquatic Facility Safety Team member needs to have their own copies.

- **Comment:**

**6.3.5.2.3** – *Too vague* -- All aquatic venues requiring a lifeguard(s) shall have an Aquatic Safety Plan which documents their conformance to ~~certain items~~ in this Code.

**Changes to Code/Annex:**

Agreed to cut "certain items"

- **Comment:**

**6.3.5.2.3.2** – These documents and trainings are meant to be fluid and change over time.

Always using the same inservice trainings are not effective.

**Changes to Code/Annex:**

Content may change but overall plan of attack does not. If it changes, the code will have the ability to update when justified. It also says it is not limited to the following.

- **Comment:**

**6.3.5.2.3.4** – The Aquatic Safety Plan shall contain documentation that all Aquatic Supervisors have knowledge for all the venue’s emergency closure issues contained in 6.3.4.1.11 of this Code

**Changes to Code/Annex:**

Emergency closure issues will be defined in another area of the code. This could deal with fecal, vomitus, environmental, etc. The lifeguard is the frontline staff member to see these issues first.

- **George Rohman, Morey’s Piers Inc. (Wildwood, NJ)**

- **Comment:**

**4.6.5** – *Too broad in scope, doesn’t apply to all facilities.* -- All items in 4.6.5 related to a First Aid Station should not apply to unguarded aquatic facilities or facilities where a first aid station isn’t practical.

**Changes to Code/Annex:**

Agree. We changed this to a designated area for first aid equipment, not a dedicated station, knowing that first aid supplies still need to be accessible even in unguarded facilities but a full scale station is not necessary.

- **Comment:**

**4.6.5.1** – *May not apply to every aquatic facility. Too broad in scope.* -- Not all aquatic facilities have first aid stations, particularly facilities that do not require lifeguards such as hotels and/or health clubs. Suggest wording that allows facilities without designated first aid stations to provide signage that provides instruction in the event a guest needs first aid.

**Changes to Code/Annex:**

Agree. The annex has been edited to reflect the changes in the code. This language reflects the change to a designated area for first aid equipment.

- **Comment:**

**4.6.5.2** – *Not practical, may not apply to all Aquatic Facilities ..... Overly burdensome, especially for unguarded or smaller facilities.* -- Not all aquatic facilities have first aid stations, and some may not have advanced "functioning emergency communication

equipment”. For unguarded facilities, it may not be practical to man and operate a first aid station. Suggest re-wording to allow aquatic facilities to be able to provide guest signage as to what to do in the event of an emergency. Included in this signage can be where communication equipment is located and how to contact a member of the facility staff.

**Changes to Code/Annex:**

The committee made several changes to reflect the commentary:

1. The specific first aid supply requirements were moved to section 5 for operation and maintenance
2. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level
3. Required signage to designate a location for first aid equipment/supplies vs requiring a station knowing unguarded facilities and small facilities may not warrant a station
4. Moved discussion on ANSI first aid supplies requirements to the annex
5. Included functioning communication equipment for the facility but not specifically located at the first aid station since it is now a designated area, not a station
6. Removed the requirement for contacting management during an emergency and state to call EMS.

- **Comment:**

**4.6.5.3 & 4.6.5.4** – *Just doesn't apply to all aquatic facilities and is too broad in scope.* -- All references to first aid stations may not apply to all facilities as there are some facilities where a designated first aid station simply isn't practical. Examples are unguarded facilities such as hotel pools and condominium associations.

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.4 #5** – *Clarification, BVM equipment requirement for some facilities is not practical.* -- Define “bag”. Assuming that “bag” means “Bag Valve Mask”, this equipment serves no purpose as a requirement in an unguarded or a single guarded facility. A BVM requires two trained personnel to use in patient care. Also suggest requirement include non-latex gloves and pocket mask.

**Changes to Code/Annex:**

Agreed. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.5** – Too broad. “Minimum items” is subjective. Replacement of used items shall take

place as required to provide adequate care in the event of an emergency.

**Changes to Code/Annex:**

Agreed. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.6** – Too broad. Bather load may or may not have anything to do with a design parameter of a first aid station. The first aid station had to be constructed to reasonable serve the anticipated needs of patrons/guests at the facility.

**Changes to Code/Annex:**

Agreed. Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station

- **Comment:**

**4.6.5.7** – See comments above for Section **4.6.5.1, 4.6.5.2, 4.6.5.3 & 4.6.5.4**. First aid stations should be provided when practical and when reasonable.

**Changes to Code/Annex:**

Agreed. Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station. MAHC Section 4.6.5.7 was removed as a requirement.

- **Comment:**

**4.8.5.1.1** – We disagree that every lifeguard chair/stand must have an unobstructed view of the entire zone of protection. In some cases, secondary monitoring devices such as a mirror or camera can be used to accomplish the same result. These devices (mirrors, cameras) are useful and effective tools for zone coverage. Also, there is no reference made or exception made for pools with roving guards or splash pools where lifeguards are in the water.

**Changes to Code/Annex:**

The code and annex have been revised and restructured. The design section for lifeguard chairs now only addresses criteria for permanently installed chairs. Zones of patron surveillance responsibilities are addressed in the Aquatic Facility Management section.

- **Comment:**

**4.8.5.1.2** – Not all lifeguard positions need a specific shade structure as natural or

constructed elements can serve this purpose in some cases. Suggest re-wording so lifeguard positions where lifeguards that are be exposed to ultraviolet radiation, they must have face, eyes and upper torso protection while performing on-duty lifeguard tasks.

**Changes to Code/Annex:**

Agreed. The chair should have UV protection but this may be afforded by surrounding features. To not provide it would allow operators to not provide shade to guards when a stationary chair is provided. If they can provide the chair, they can provide the shade in whatever form it can be accomplished.

We have edited the personal protective equipment for guards to include the option of sunscreen or shading the face, eyes, and upper torso.

- **Comment:**

**4.8.5.2.3** –“Aquatic venue” should be changed to “Aquatic Facility”. For single or unguarded facilities, it makes sense to have this equipment. However for large scale facilities and waterparks, there is no practical or functional reason to have a throwing device at each catch pool at a multi-guard facility. It is simply not a best practice. It is also unnecessary to have these at small play areas of zero depth to 24 inches. Should read “when appropriate”.

**Changes to Code/Annex:**

Partially agree. The code has been revised to specify facility vs. venue and restructured to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.4** – The true need of an approved reaching pole is at unguarded facilities. Poles should be used when appropriate and practical.

**Changes to Code/Annex:**

Partially agree. The code has been revised to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.5** –A phone does not necessarily need to be hard wired to provide a reliable form of communication. Cell phones and radios have proven to be dependable forms of communication in dealing with emergency situations

**Changes to Code/Annex:**

Partially agree. See current Annex Section 5.8.5.2.2.1.2 for explanation.

- **Comment:**

**5.8.5.2.3.2** – Repetitive, this is addressed in the previous two sections. Remove this

section.

**Changes to Code/Annex:**

Agree. Code revised. Details regarding zones, # of guards, diagrams, etc removed from this section and now included under Section 6.3 Aquatic Facility Management.

- **Comment:**

**5.8.5.2.4** – The need to have sunscreen protection lotion is a personal responsibility of the lifeguard based on the occupational hazards of the job. The need to have lotion available at each venue may be overly burdensome, especially where other forms of protection (i.e. umbrellas) are available.

**Changes to Code/Annex:**

Partially agree. The code has been revised to allow for alternate means of sun protection that provide shading of the face, eyes and upper torso such as umbrellas, protective clothing or hats. The sunscreen requirement has been deleted.

- **Comment:**

**5.8.5.2.5** – The use of polarized sunglasses as a requirement should be the personal responsibility of the lifeguard. Lifeguards should be educated on the advantages of polarized glasses and should be held accountable for providing themselves with this necessary piece of equipment. It is over burdensome for facility management to determine daily, if lifeguards are in compliance with this requirement. “Glasses” should be changed to “*Sunglasses*”

**Changes to Code/Annex:**

Agree. The requirement is to address glare as it affects patron surveillance, therefore adherence/compliance is not at the discretion of an individual lifeguard and is the responsibility of the facility owner/operator. The code has been amended to include under "Lifeguard Responsibilities" the lifeguard's responsibility to wear polarized sunglasses when needed. Agree. Code modified to specify polarized sunglasses.

- **Comment:**

**5.8.5.3.1** – This is not practical for unguarded facilities. There would be no one available to activate the EAP, and also no one available to participate in the communication procedure. There would also be no trained employees at an unguarded facility. Finally, there are so many different possible scenarios that can take place, you can't just make a blanket statement regarding this.

**Changes to Code/Annex:**

Disagree. Safety plan requirements have been revised, reorganized, and address details for implementation at unguarded facilities.

- **Comment:**  
**5.8.5.3.2** – There is no national certification for BBP training. What if no staff is present at the facility? Does this person need to be on site at all times? I understand what you are trying to accomplish, but it just isn't practical, especially for unguarded and single guard facilities.

**Changes to Code/Annex:**

Partially agree. The provisions in the code regarding facility management, staffing and safety plan have been reorganized and revised.

- **Comment:**  
**5.8.5.3.3** – Telephones do not need to be wired. Cell phones and radios are acceptable forms of communication.

**Changes to Code/Annex:**

Partially agree. Code revised to accept alternate communication systems. See Annex for rationale for requirement.

- **Comment:**  
**5.8.5.3.4.1** – Only should apply to unguarded facilities.

**Changes to Code/Annex:**

Partially agree. The code has been revised to specify facility vs. venue and restructured to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**  
**5.8.5.3.4.2** – Only should apply to unguarded facilities.

**Changes to Code/Annex:**

Partially agree. The code has been revised and restructured to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**  
**5.8.5.3.6** – All that you need is a posted sign that instructs a guest what to do outlining the process for reporting problems and closures. Really all that you need is a contact number or extension of a staff member.

**Changes to Code/Annex:**

Agree. Code revised.

- **Comment:**

**5.8.5.3.7.1** – A response by management should be based on the nature of the complaint. By creating a time limit to respond, it places an unnecessary burden on facility management to take action based on time not on the severity of the incident.

**Changes to Code/Annex:**

Agree. Code revised- response to complaints/emergencies to be addressed in required Safety Plan.

- **Comment:**

**6.2.2.5.1 #2** – Land based spinal injuries contain skills that is beyond what lifeguards are taught. C-spine protocols are EMT level skills and require specialized training. Additionally, every EMS department / Fire Company has specific recommendations on how they want to handle land based situations. Take out. Not in the scope of the responsibility of a lifeguard.

**Changes to Code/Annex:**

Disagree - the code speaks to the emergency care of a suspected spinal injury on land. Care does not necessarily mean backboard.

- **Comment:**

**6.2.3.3.1** – Course length should be determined by the training agency and based on their requirements.

**Changes to Code/Annex:**

Disagree. The model code provides minimum common elements to be included in an acceptable lifeguard training course. The course length must be adequate to cover the required content, practice, skills and evaluation of competency.

- **Comment:**

**6.2.3.5.2** – Needs rewording, instructors are not certified by any AHJ. They are certified by an “approved training agency” as recognized by the AHJ.

**Changes to Code/Annex:**

Agree. Re-worded.

- **Comment:**

**6.2.3.6.1** – Suggested Additions: *Training Agency Certifications shall be issued only to lifeguards who successfully meet the requirements of the course.*

**Changes to Code/Annex:**

Agree. Re-worded.

- **Comment:**  
6.2.3.6.4 – "*Shallow Water Lifeguard*" should be listed as a definition in "Definitions" section above.

**Changes to Code/Annex:**

Partially agree. Code revised-term "shallow water lifeguard " eliminated; and wording regarding training/certification..

- **Comment:**  
6.2.3.7 – Continuing Education is used elsewhere in this code to delineate CEU's used to maintain/renew a certification so using here is inconsistent. Suggest changing this to: "*Additional Education and Training*"

**Changes to Code/Annex:**

Partially agree. The code has been revised and restructured and "Continuing Education" has been removed.

- **Comment:**  
6.2.3.9.1 – The length of valid certification should follow the training agency protocol or the AHJ.

**Changes to Code/Annex:**

Disagree. Statistically/scientifically it has been shown that skills begin to erode after only 3 months. The AHA Guidelines for CPR states: "Education and Implementation: The quality of rescuer education and frequency of retraining are critical factors in improving the effectiveness of resuscitation. Ideally retraining should not be limited to 2-year intervals. More frequent renewal of skills is needed, with a commitment to maintenance of certification..." The Resuscitation Council of the UK states: "For guidance, skills should be refreshed at least once a year, but preferably more often." There are many other studies that reflect this.

- **Comment:**  
6.2.4.1 #1 – "EPAs" should be "EAPs"

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**  
6.2.4 – A Supervisor that is not required to be trained in CRP/FA/AED does not have the ability to "identify the extent of trauma in an incident and be able to make a decision on the

necessity of advanced care. Furthermore this entire section is facility specific and isn't necessary for seasonal supervisor to do their jobs correctly. MAHC should not get into how facilities are managed. For example, a facility manager can do a perfectly fine job managing a facility without a lifeguard certification. The managers need to manage and run the facility which is a different skillset than say a lifeguard.

**Changes to Code/Annex:**

Partially agree. Supervisor training has been revised and now includes, among other elements, first aid, CPR/AED training/certification. Disagree with comment about being facility specific and unnecessary. Supervisors are intended to supervise/manage the lifeguards to ensure the lifeguard staff is performing as trained and expected. Note, requirements for Supervisor training and staffing have been revised.

- **Comment:**

**6.2.4.2 #2** – The supervisor does not have to be the one to implement training but must be able to oversee the process

**Changes to Code/Annex:**

Agree. Changes made.

- **Comment:**

**6.3.1.3** – Maturity is not necessarily related to age. It should be up to the facility to determine who has the appropriate skills and competence to be having supervisory responsibilities. There are many instances where a 16 year old is just as mature as a 22 years old and vice versa. It is irresponsible to generalize that those under 18 are not mature enough for a particular job. That is for the facility to decide.

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised.

- **Comment:**

**6.3.1.4** – The term Aquatic Supervisor should be changed to “employee responsible for safety.” There is no standard definition for positions such as “lead guard”, “head guard” or “aquatic supervisor”.

**Changes to Code/Annex:**

Disagree. Supervisor is defined in the code.

- **Comment:**

**6.3.1.5** – Disagree. If the Lifeguard is trained, why does the Supervisor have to be? Flight attendants don't know how to fly a plane. This gets too specific into facility operation which

can vastly vary across different facilities.

**Changes to Code/Annex:**

Disagree. Statement doesn't support proposal to delete. Supervisors are intended to supervise/manage the lifeguards to ensure the lifeguard staff are performing as trained and expected, as such the supervisor must be knowledgeable in the training requirements. Supervision has been proven to directly impact performance and safety, and as such must be a part of best practices for aquatic facility operations. Note, requirements for Supervisor training and staffing have been revised.

- **Comment:**

**6.3.1.6** – This section is an exact duplicate of Section **6.2.4.2** (repeated from section **6.2.4.2**) and should be removed.

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised, code re-structured and duplications eliminated.

- **Comment:**

**6.3.3.1** – Because facilities differ greatly, there is no way that you can have a blanket “when you need a lifeguard” code entry. This cannot be a one entry fits all approach as needs are different across different facilities.

**Changes to Code/Annex:**

Code and Annex have been extensively revised. Some venues without standing water maybe excluded from this code by the AHJ.

- **Comment:**

**6.3.3.2** – Suggest changing to: “Any aquatic venue that requires a lifeguard, and is a single lifeguarded aquatic venue, shall at a minimum, have an additional staff person, on-site and available, that has current CPR/AED certification (same level as Lifeguards), training in water extrication of an unconscious guest, and spinal management techniques/extrication from an on-deck perspective.”

**Changes to Code/Annex:**

Agree. Section revised.

- **Comment:**

**6.3.3.2** – This may have a significant impact on pool management companies (or similar entities) who may not have any other personnel at the facility they guard (i.e. apartment complexes and home owners association pools.)

**Changes to Code/Annex:**

Agreed. The code and annex have been extensively revised

- **Comment:**

**6.3.3.3** – There is no current standard for any guarded pool for response time within an EAP...and specifically not a requirement for anyone to be present on-site to meet this requirement. Suggest removing this entry all together or support it with properly written and inclusive code language.

**Changes to Code/Annex:**

Agreed. Section revised.

- **Comment:**

**6.3.4.1.2** – Training in this area should comply with standard OSHA blood borne pathogen training. All that is needed is OSHA compliance.

**Changes to Code/Annex:**

Disagree with comment - there is other training required by OSHA and other agencies.

- **Comment:**

**6.3.4.1.3** – Lifeguard competency is documented at the time certification is conferred. Documentation of skills proficiency verification prior to active patron surveillance should not be necessary beyond this.

**Changes to Code/Annex:**

It is LG Training record as well as site-specific training records for that venue/facility. Documentation shall be maintained and be available for inspection verifying that all lifeguards have demonstrated water rescue competency for the specific aquatic venue prior to active patron surveillance, including but not limited to being able to submerge to the deepest point of the aquatic facility and perform a water rescue.

- **Comment:**

**6.3.4.1.8** – Agency specific content.

**Changes to Code/Annex:**

Disagree

- **Comment:**

**6.3.4.1.8.2 to 6.3.4.1.8.4** – The phrase “water rescue sequence” should be removed. Agency specific items should be removed from MAHC.

**Changes to Code/Annex:**

Disagree - but would be willing to change if a better suggestion for the "water rescue sequence" was suggested.

- **Comment:**

**6.3.4.1.8.2 to 6.3.4.1.8.4** – Any and all references or use of agency specific content should be stricken from this draft and/or final code.

**Changes to Code/Annex:**

Disagree with comment - this is annex information and not the code. In terms of the published, peer-reviewed USLSC report, it was an evidence-based review process that was followed. This was a structured, validated and scientifically valid process which included both participant review and open comment period. As such these guidelines represent the first comprehensive evidence based review of the subject and are not only compliant with accepted evidence based processes but actuality exceed these for Evidence-Based Practice and scientific reviews.

- **Comment:**

**6.3.4.1.9** -- Wearing corrective lenses is a personal responsibility of the lifeguard. It is unreasonable for a facility to assume responsibility for compliance. Driver's licenses have vision restrictions, but no one is required to confirm compliance before one operates a vehicle. It is personal responsibility. Same for FAA pilots.

**Changes to Code/Annex:**

Disagree - There is no standard mentioned - just if the lifeguard requires correctives lenses for normal actives they must wear them on duty. Just like you may require the lifeguard to have a whistle for doing the job.

- **Comment:**

**6.3.4.2.4** – This entry presents a Liability exposure to the AHJ. The code gives them authority to check/inspect. However, the reality is, the actual inspector of the AHJ most likely will not have the actual training knowledge or competency to adequately and properly evaluate performance standards or skills. By and large the AHJ will not avail themselves of this ability, however, when a facility has failed to provide, and where AHJ has failed to check, both the owner/operator and AHJ will be liable for the resulting negligent actions.

**Changes to Code/Annex:**

Disagree - it saying in the annex that the AHJ has the ability to review that the venue or facility is in compliance with the code.

- **Comment:**

**6.3.5.1** – This section should address single guarded facility rotation plans. Guidelines must

be established for these facilities.

**Changes to Code/Annex:**

Agree with comment - “Single lifeguard facilities shall have a rotation plan that indicates a minimum of 10 minutes per hour of non-patron surveillance time for the lifeguard. Rotation Plan should address procedure for accomplishing this without compromising patron surveillance during this time.”

- **Comment:**

**6.3.5.1.1** – Single guarded facilities should have a rotation plan that provides at least 10 minutes of non-patron surveillance for the lifeguard time. This Rotation Plan should address procedure for accomplishing this without compromising patron surveillance during this time.

**Changes to Code/Annex:**

Agree with comment - “Single lifeguard facilities shall have a rotation plan that indicates a minimum of 10 minutes per hour of non-patron surveillance time for the lifeguard. Rotation Plan should address procedure for accomplishing this without compromising patron surveillance during this time.”

- **Comment:**

**6.3.5.1.1.4** – Suggest clarifying: Lifeguard should not remain at the same patron surveillance location for more than 60 minutes.

**Changes to Code/Annex:**

Agree. Section revised.

- **Scot Hunsaker, Councilman-Hunsaker (St. Louis, MO)**

- **Comment:**

**4.8.5.1.1** – *There does not appear to be the ability to use a walking/standing guard for lifeguarding coverage.* -- Chairs/Stands shall be venue appropriate and zone specific structures positioned as to provide an unobstructed view of the entire zone of patron surveillance responsibility for that lifeguard station. **On-foot lifeguards are permitted for additional surveillance responsibility should the venue require more lifeguards than what the minimum chair/stand requirement would dictate based on pool size.**

**Changes to Code/Annex:**

Section 4.8.5 is related to the design of chairs and stands. This section was reworded to clarify the design of the locations of chairs and stands to follow the plan for zones of patron surveillance, to provide unobstructed view per the plan, and to provide UV protection. It is also clarified to indicate only when elevated chairs are used so as not to presume an elevated chair would always be used.

- **Comment:**

**6.2.3.9.1** – *The United States Lifeguarding Standards Coalition final report, the scientific review by the American Red Cross, and the technical committee agree that lifeguarding skills need to be refreshed as often as possible. The time periods listed in this Code are acceptable only if ongoing in-service and pre-service standards are followed. There does not appear to be an actual number of years provided. Should be directly stated, not referenced by another code. -- Length of Valid Certification shall be a maximum of two years for lifeguarding and first aid, and a maximum of one year for Cardiopulmonary Resuscitation (CPR/AED).*

**Changes to Code/Annex:**

Annex comment. Partially agree. Statistically/scientifically it has been shown that skills begin to erode after only 3 months. The AHA Guidelines for CPR states: "Education and Implementation: The quality of rescuer education and frequency of retraining are critical factors in improving the effectiveness of resuscitation. Ideally retraining should not be limited to 2-year intervals. More frequent renewal of skills is needed, with a commitment to maintenance of certification..." The Resuscitation Council of the UK states: "For guidance, skills should be refreshed at least once a year, but preferably more often." There are many other studies that reflect this.

- **Comment:**

**6.3.1.3** – *The Technical Committee agreed that 18 and above was an adequate age level to consider a person as being mature enough for this position. This was a starting point but many other factors with regard to experience, training, management skills and others were equally or more important. 18 should be a preferred with 15 being adequate. The United States Lifeguard Standards did not reference any challenges for 15-17 year old lifeguards under normal surveillance. This could cause numerous pools across the country to close due to lack of staff. -- Persons with supervisory responsibility shall be of at least ~~18~~ **15** years of age to manage lifeguards, emergencies, and guest issues.*

**Changes to Code/Annex:**

Partially agree. Requirements for Supervisor training and responsibilities have been revised.

- **Comment:**

**6.3.3.1** – *3) If there is a one on one lesson being performed, can the instructor be the lifeguard? 4) Is it currently the industry standard to have a lifeguard on duty for pools over 5 feet deep? Is this language changing the industry standard? What makes a pool 4 feet deep safer? Certainly patrons can still drown in shallower water. 6) Could a wall inlet be misconstrued by the legal system that this is a current pool? Suggest better definition for current features. Maybe say current feature not a part of the filtration system. -- Aquatic venues with any of the following environmental factors are required to have a lifeguard(s) conducting patron surveillance at all times the aquatic facility is open. This list includes but shall not be limited to the following: 3) Any aquatic venue while it is being used for training,*

*including but not limited to competitive swimming, lifeguard training, and swimming lessons. **An exception is granted for one-on-one private lessons in which case the lifeguard may also be the instructor.** 4) Any aquatic venue deeper than 5 feet (1.52 m) at any point built since the acceptance of this Code. Current aquatic venues having water depths greater than 5 feet (1.52 m) will have 5 years from the date of acceptance of this Code to come into compliance. 6) Any aquatic venue with an induced current or wave action **that is not a part of the filtration system (e.g. currents created by wall inlets)** including but not limited to wave aquatic venues, cortex aquatic venues, and endless/leisure or lazy rivers.*

**Changes to Code/Annex:**

Wording has been revised. Some venues without standing water maybe excluded from this code by the AHJ.

- **Comment:**

**6.3.4.1.6** –*For clarification. I assume that it is acceptable for a guard to be completing other tasks when they are not providing direct surveillance.* -- Lifeguards assigned for the direct surveillance of bathers shall not be assigned other tasks that intrude on patron surveillance. **Lifeguards may complete other tasks while not tasked to provide direct surveillance.**

**Changes to Code/Annex:**

Agree. Code changed for clarification

- **Comment:**

**6.3.4.1.9** –*This puts a burden on the supervisor that they cannot control and not qualified to enforce. The Supervisor has no way of determining if a lifeguard requires corrective lenses. They are not a doctor. Putting the burden on the supervisor that they wear glasses if required is also inappropriate. This burden belongs with the lifeguard.* -- ~~The aquatic supervisor shall ensure that any lifeguard that requires corrective lenses must wear the corrective lenses while on duty.~~

**Changes to Code/Annex:**

Disagree - change the word requires to uses - There is no standard mentioned - just if the lifeguard "uses" correctives lenses for normal actives they must wear them on duty. Just as you may require the lifeguard to have a whistle for doing the job.

- **Suzanne Ringbauer, Cory Hintze, & Stephanie Weiser – Joliet Park District (Joliet, IL)**

- **Comment:**

**4.6.5.1** – Change the phrase “aquatic venue” to “aquatic facility.” Signs should be used to

guide the bathers to the first aid station, but for a smaller facility with multiple venues, a sign is not necessary at every venue.

**Changes to Code/Annex:**

Agree. The code and annex have been reviewed and edited for the correct use of the respective terms.

- **Comment:**

**4.6.5.2** – What qualifies as emergency communication equipment? Is a telephone required, or are walkie-talkies sufficient? The annex provides additional information, but clarification in the actual code is required.

**Changes to Code/Annex:**

Agree. Code revised for clarity.

- **Comment:**

**4.6.5.2** – Change the phrase “aquatic venue” to “aquatic facility.”

**Changes to Code/Annex:**

Agree. The code and annex have been reviewed and edited for the correct use of the respective terms.

- **Comment:**

**4.6.5.2** – Remove the phrase “manager's contact information,” and replace it with “emergency contact information.” Posting an employee's personal information in a public place can create a security issue for that employee.

**Changes to Code/Annex:**

The committee made several changes to reflect the commentary:

1. The specific first aid supply requirements were moved to section 5 for operation and maintenance
2. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level
3. Required signage and new construction to designate a location for first aid equipment/supplies vs requiring a station knowing unguarded facilities and small facilities may not warrant a station
4. Moved discussion on ANSI first aid supplies requirements to the annex
5. Included functioning communication equipment for the facility but not specifically located at the first aid station since it is now a designated area, not a station
6. Removed the requirement for contacting management during an emergency and state to call EMS.

- **Comment:**

**4.6.5.6** – The phrase “appropriately sized” is very vague. Who determines what is appropriately sized? A less ambiguous way of phrasing this would be to say “deemed appropriately sized by the facility's management.”

**Changes to Code/Annex:**

Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station

- **Comment:**

**4.8.5.1.1** – The section is vague. Who determines what is venue appropriate? A less ambiguous way of phrasing this would be to say “deemed appropriate by the facility's management.”

**Changes to Code/Annex:**

Section 4.8.5 is related to the design of chairs and stands. This section was reworded to clarify the design of the locations of chairs and stands to follow the plan for zones of patron surveillance, to provide unobstructed view per the plan, and to provide UV protection. It is also clarified to indicate only when elevated chairs are used so as not to presume an elevated chair would always be used.

- **Comment:**

**ANNEX 4.8.5.1.1** – Different venues pose different challenges. One type of chair, such as an elevated chair, may be beneficial in some circumstances, but not in other circumstances. The management should determine which type of station works best, whether it is a walking station, a lifeguard chair, or an elevated lifeguard chair.

**Changes to Code/Annex:**

Section 4.8.5 is related to the design of chairs and stands. This section was reworded to clarify the design of the locations of chairs and stands to follow the plan for zones of patron surveillance, to provide unobstructed view per the plan, and to provide UV protection. It is also clarified to indicate only when elevated chairs are used so as not to presume an elevated chair would always be used.

- **Comment:**

**4.8.5.2.1** – This section is very broad. There are many types of sun protection including shade structures, sunscreen, sunglasses, a t-shirt, etc. What type of protection is required and when? A lifeguard whose station is in the water or is a roving station cannot easily utilize a shade structure. This section needs to be expanded so that facility management can better enforce the code.

**Changes to Code/Annex:**

The chair should have UV protection. To not provide it would allow operators to not provide shade to guards when a stationary chair is provided. If they can provide the chair, they can provide the shade in whatever form it can be accomplished.

We have edited the personal protective equipment for guards to include the option of sunscreen or shading the face, eyes, and upper torso.

- **Comment:**

**4.8.5.2.2** – This section creates an unnecessary burden on facilities. By requiring facilities to use impermeable backboards, this code forbids the use of CJ Aquatics wooden backboards, which many facilities use with great success. The word impermeable should be removed.

**Changes to Code/Annex:**

Agree. This was clarified to state that they are constructed of material easily sanitized and disinfected.

- **Comment:**

**4.8.5.2.3** – “Aquatic Venue” should be “Aquatic facility.” It is unnecessary to have a throwing device at every venue when it is a multiple guard facility.

**Changes to Code/Annex:**

Partially agree. The code has been revised to specify facility vs. venue and restructured to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.5** – What about facilities that have phone systems which require a user to dial 9 before they dial an external number? Requiring a facility to completely redo their communication system, so that an external number can be dialed directly, would be a great burden.

**Changes to Code/Annex:**

Disagree. Code does not preclude this access to " 911"

- **Comment:**

**5.8.5.2.3** – What does “immediately available” mean? Must they have a rescue tube on them or just in the facility? What is the proximity required to satisfy the phrase “immediately available?”

**Changes to Code/Annex:**

Disagree. See Annex for explanation.

- **Comment:**

**5.8.5.2.3.2** – The diagram should also indicate where the rescue tube is located, if it does not have to be kept on the lifeguard's person.

**Changes to Code/Annex:**

Agree. Code revised. Details regarding zones, # of guards, diagrams, etc. removed from this section and now included under Section 6.3 Aquatic Facility Management.

- **Comment:**

**5.8.5.2.3.2** – “Necessarily” instead of necessary.

**Changes to Code/Annex:**

Agree. Code revised. Details regarding zones, # of guards, diagrams, etc. removed from this section and now included under Section 6.3 Aquatic Facility Management.

- **Comment:**

**5.8.5.2.4** – “Aquatic venues” should be changed to “The management of aquatic facilities.” The venue is not going to provide sunscreen. Also, a more practical way to incorporate this policy is to require sunscreen if a lifeguard may be exposed to ultraviolet radiation at any station in the facility.

**Changes to Code/Annex:**

Agree. Comments incorporated in revised text.

- **Comment:**

**5.8.5.2.5** – Should read “polarized sunglasses,” instead of “polarized glasses.”

**Changes to Code/Annex:**

Agree. Code modified to specify polarized sunglasses.

- **Comment:**

**5.8.5.2.5** – What indicates when it is necessary to reduce glare?

**Changes to Code/Annex:**

The requirement is to address glare as it affects patron surveillance. Code revised to clarify intent and when needed.

- **Comment:**

**5.8.5.2.6** – What does “immediately available” mean? Must they have the PPE on their

person, or just in the facility? What is the proximity required to satisfy the phrase “immediately available?”

**Changes to Code/Annex:**

Commenter did not propose a suggested change, however, the revised Annex provides a response to the questions posed.

- **Comment:**

**5.8.5.2.7** – What does “immediately available” mean? Must they have the signaling device on them, or just in the facility? What is the proximity required to satisfy the phrase “immediately available?”

**Changes to Code/Annex:**

Intent of "immediately available" should be clear from Annex discussion. However, Code revised for clarification.

- **Comment:**

**5.8.5.2.8** – Does this mean that supplies cannot be stored anywhere else in the facility?

**Changes to Code/Annex:**

Code revised.

- **Comment:**

**6.2.4.1 #1** – EPAs should read EAPs.

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**6.2.4.2** – This section lacks practical application for all facilities. First, who provides this training? Where is information provided about this training? How often must they be trained? This overarching requirement for training does not provide enough information about the source of the training. Second, this does not consider larger facilities with multiple supervisors who oversee different operational aspects. Some facilities have a supervisor whose specialty is lifeguard training. If that supervisor is the only person who is going to be handling training, then there is no reason for all supervisors to be trained in training.

**Changes to Code/Annex:**

Disagree. Supervisors are intended to supervise/manage the lifeguards to ensure the lifeguard staff are performing as trained and expected. The requirements for Supervisor training and staffing have been revised and includes specifications for course development, delivery and certification.

- **Comment:**

**6.3.1.2 #1** – Where does an aquatic supervisor obtain this training? Is there a training program already in existence that is set forth by an organization? Is this a training program that is developed by each facility?

**Changes to Code/Annex:**

Partially agree. Requirements for Supervisor training have been revised.

- **Comment:**

**6.3.1.6** – This is repetitive from section 6.2.4.2. If they must demonstrate these skills, then they must have some training in order to perform them.

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised, code re-structured and duplications eliminated.

- **Comment:**

**6.3.1.7** – Who determines what risks are inherent?

**Changes to Code/Annex:**

The Code has been revised and re-structured, this "Demonstrate Knowledge" item has been eliminated

- **Comment:**

**6.3.1.7** – "The person in charge of the lifeguards," is that the aquatic supervisor? If so, use the same terminology.

**Changes to Code/Annex:**

The Code has been revised and re-structured, this "Demonstrate Knowledge" item has been eliminated

- **Comment:**

**6.3.1.7** – How does someone demonstrate these requirements?

**Changes to Code/Annex:**

The Code has been revised and re-structured, this "Demonstrate Knowledge" item has been eliminated

- **Comment:**  
**6.3.1.8** – What are priority items?

**Changes to Code/Annex:**

The Code has been revised and re-structured, this "Demonstrate Knowledge" item has been eliminated

- **Comment:**  
**6.3.3.1 #7** – The description in this section is very confusing. This needs to be worded in a way that makes the meaning clear on how to measure a slide.

**Changes to Code/Annex:**

Section revised.

- **Comment:**  
**6.3.3.2** –“Aquatic venue” should say “aquatic facility.” If there is a multiple lifeguard facility, but only one lifeguard at a venue, then an additional person is not required because there are other lifeguards in the facility who can respond to the venue to assist the lifeguard. This should be specific to single lifeguard facilities, not single lifeguard venues.

**Changes to Code/Annex:**

This section has been revised.

- **Comment:**  
**6.3.3.2** – Where can a person be trained in water extrication without taking the lifeguard class?

**Changes to Code/Annex:**

Agencies presently teach that a single person may have to recruit and instruct a patron on how to help.

- **Comment:**  
**6.3.3.3** – This section requires the person to be trained in First Aid, but 6.3.3.2 does not require First Aid training.

**Changes to Code/Annex:**

CPR/AED and water extrication training is what is needed to help the rescuer remove the victim from the pool and also help in the case the primary rescuer tires during CPR.

- **Comment:**  
**6.3.3.3** – Putting a time requirement on response creates a significant liability for facilities.

The time requirement should be stricken.

**Changes to Code/Annex:**

Agree. Section revised.

- **Comment:**

**6.3.4.1.3** – What type of documentation is required to demonstrate water rescue competency? Is a training attendance sheet sufficient?

**Changes to Code/Annex:**

Agreed. Documentation required can be better defined here.

- **Comment:**

**6.3.4.1.4** –“Aquatic venue” should say “aquatic facility.”

**Changes to Code/Annex:**

Agree. Note- Code revised and restructured, EAP’s and Aquatic Facility Safety Plans, are detailed in the revised code.

- **Comment:**

**6.3.4.1.5** – How does a lifeguard demonstrate this knowledge? This should be a topic for pre-service training, something to be discussed, but demonstration would be difficult.

**Changes to Code/Annex:**

Testing at completion of training... performing during in-service training, check list review etc...

- **Comment:**

**6.3.4.1.9** – How does an aquatic supervisor know if a lifeguard requires corrective lenses?

**Changes to Code/Annex:**

Disagree - change the word requires to uses - There is no standard mentioned - just if the lifeguard "uses" correctives lenses for normal actives they must wear them on duty. Just as you may require the lifeguard to have a whistle for doing the job.

- **Comment:**

**6.3.4.1.11** – Who performs this training? Is there an agency that teaches this, or is this developed by the facility?

**Changes to Code/Annex:**

Facility specific training done in-house - along with MAHC guidelines for pool closures.

- **Comment:**

**6.3.4.2.2** – What is an Aquatic Venue Safety Team? This is not in the definitions section. It is important to use the same language throughout. This phrase should be replaced with Aquatic Facility Safety Team.

**Changes to Code/Annex:**

Agreed. Definition added.

- **Comment:**

**6.3.4.2.2** –“Aquatic venue” should say “aquatic facility.” Larger facilities have multiple venues at which the staff work. They should know the facility's emergency procedures which would include those of the venues

**Changes to Code/Annex:**

Agree.

- **Comment:**

**6.3.4.2.3** – A venue cannot be responsible for maintaining anything. The facility's management should be responsible for maintaining a high quality of lifeguards.

**Changes to Code/Annex:**

Agree.

- **Comment:**

**6.3.4.2.3** – What does it mean to “ensure the performance?” When is this to be done?

**Changes to Code/Annex:**

Regular evaluation done consistently

- **Comment:**

**6.3.4.2.4** –“Aquatic Safety Team” should say “Aquatic Facility Safety Team.”

**Changes to Code/Annex:**

Agree.

- **Comment:**

**6.3.5.2** – The header of this section calls the plan “Aquatic Facility Safety Plan and Procedures,” but in the subsections, the plan is often referred to as the, “Aquatic Safety

Plan.” The same term should be used throughout.

**Changes to Code/Annex:**

Agree.

- **Comment:**

**6.3.5.2.1** – “Venue’s” should say “facility’s”

**Changes to Code/Annex:**

Agree.

- **Comment:**

**6.3.5.2.2** – Should say “the aquatic facility safety team.”

**Changes to Code/Annex:**

Agree.

- **Comment:**

**6.3.5.2.2** – Are the policy and procedures for the facility, or are they personnel policies? For instance, are these facility rules such as no diving, or are they personnel policies such as, pay checks will be distributed every other Friday?

**Changes to Code/Annex:**

Policies applicable to them so they can do their job.

- **Comment:**

**6.3.5.2.3** – This section does not make sense, because it is incredibly vague. First of all, “Aquatic venues” should say “Aquatic facilities.” Second, the plan “documents their conformance to certain items in this Code,” but this is so vague that it cannot be properly adhered to. What items must be conformed to? How are the documents to demonstrate conformance? With so little information, this cannot be properly enforced or adhered to.

**Changes to Code/Annex:**

Agree to edit to the following - All aquatic facilities requiring a lifeguard(s) shall have an Aquatic Facility Safety Plan which documents their conformance to this Code.

- **Comment:**

**6.3.5.2.3.2 #5** – What type of plan for Lifeguard Supervision/ Management? What is the plan supposed to detail?

**Changes to Code/Annex:**

As outlined in 6.3.1.-6.3.1.6

- **Comment:**  
**6.3.5.2.3.3** – What type of documentation? Is a pre-service attendance record sufficient?

**Changes to Code/Annex:**

As required by the AHJ

- **Gina Claassen, Herschend Family Entertainment Corp. Waterparks (Branson, MO)**

- **Comment:**  
**4.6.5.1** – Define “aquatic venue area” where signage is supposed to be posted.

**Changes to Code/Annex:**

Disagree. Too many variations in design to define exactly where to located signage.

- **Comment:**  
**4.6.5.2** – Posting of contact information is not necessary for facilities with onsite emergency personnel and management.

**Changes to Code/Annex:**

Agree. Removed the requirement for contacting management during an emergency and state to call EMS.

- **Comment:**  
**4.6.5.6** – As worded, would not be a practical design to house all bathers at facility.

**Changes to Code/Annex:**

Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station

- **Comment:**  
**4.8.5.1.2** – Lifeguards shall be provided with a form of ultraviolet protection

**Changes to Code/Annex:**

The chair should have UV protection. To not provide it would allow operators to not provide shade to guards when a stationary chair is provided. If they can provide the chair, they can provide the shade in whatever form it can be accomplished.

We have edited the personal protective equipment for guards to include the option of sunscreen or shading the face, eyes, and upper torso.

- **Comment:**

**4.8.5.2.3** – Does not make sense when a lifeguard is stationed in water or where run-outs are present – lifeguard agencies do not train on use of throwing device.

**Changes to Code/Annex:**

Partially agree. The code has been revised to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.4** – Does not make sense when a lifeguard is stationed in water or where run-outs are present – lifeguard agencies do not train on use of throwing device.

**Changes to Code/Annex:**

Partially agree. The code has been revised to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.5** – Not necessary for facilities with onsite emergency personnel and management

**Changes to Code/Annex:**

Disagree. There are different types of emergencies such as a chemical incidents (erroneous chlorine /acid mixing ) requiring fire department and/or hazmat response.

- **Comment:**

**5.8.5.1.1** – Who is responsible for performing inspection and how often

**Changes to Code/Annex:**

Partially agree. Code modified. Requirements for routine inspection of equipment already included in other modules.

- **Comment:**

**5.8.5.2.3** – Does not make sense when a lifeguard is responsible for a wet deck, spray ground, or run-outs

**Changes to Code/Annex:**

Disagree. See Annex for explanation.

- **Comment:**

**5.8.5.2.5** – Recommended but not require

**Changes to Code/Annex:**

Disagree. The requirement is to address glare as it affects patron surveillance, therefore adherence/compliance is not at the discretion of an individual lifeguard.

- **Comment:**

**5.8.5.2.7** – *What type of signaling devices? Are hand signals and whistles sufficient?*

**Changes to Code/Annex:**

Code revised for clarification.

- **Comment:**

**5.8.5.3.7.1** – Response to a complaint shall be the right of the management and no mandated timeframe should even be considered

**Changes to Code/Annex:**

Disagree. Management should be responsible to respond to a complaint where patron or staff health or safety is jeopardized. Code revised- response to complaints/emergencies to be addressed in required Safety Plan.

- **Comment:**

**6.2.2.5.1** – Remove LAND based spinal injuries – requires in-depth training not provided by any lifeguard certifying agency

**Changes to Code/Annex:**

Disagree - the code speak to the emergency care of a suspected spinal injury on land. Care does not necessarily mean backboard.

- **Comment:**

**6.2.4.1** –Do not need the ability to develop EAP's but should know how to activate and their responsibilities should be listed in the EAP's and only medical technicians/doctors are qualified to identify levels of trauma

**Changes to Code/Annex:**

Partially agree. Code revised to remove "develop" and include "activate" and "execute" Emergency Action Plans. Additionally, Aquatic Supervisor training has been revised to include, among other elements, first aid, CPR/AED training/certification. The requirement in 2) "Knowledge to identify the extent of trauma in an incident and to be able to make a decision on the necessity of advanced care." has been deleted.

- **Comment:**  
6.2.4.2 – Supervisor should be responsible for over-seeing but does not have to implement

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**  
6.3.1.8 – Remove “Produce” and replace with “Ability to present”

**Changes to Code/Annex:**

The Code has been revised and re-structured, this "Demonstrate Knowledge" item has been eliminated

- **Comment:**  
6.3.3.3 – There should not be a posted timeframe

**Changes to Code/Annex:**

Disagree. No data to support proposed deletion. The code has been revised and restructured, this section has been modified and clarified. The code now states "The Aquatic Facility Safety Plan shall specify that a person trained and certified in CPR/AED and first aid must be able to respond to the lifeguard's EAP activation within at least 3 minutes. " The revised annex addresses rationale for a time element.

- **Comment:**  
6.3.4.1.9 – Difficult to enforce with large numbers of employees

**Changes to Code/Annex:**

Disagree - change the word requires to uses - There is no standard mentioned - just if the lifeguard "uses" correctives lenses for normal actives they must wear them on duty. Just as you may require the lifeguard to have a whistle for doing the job.

- **Comment:**  
6.3.4.2.2.2 – For how long?

**Changes to Code/Annex:**

Should be defined by the AHJ.

- **Comment:**  
6.3.4.2.4 – Will this person be trained through every lifeguard certifying agency? Is there a min/max number of times the AHJ can request this to be done? Inclusion of

owner/operators rights to request demonstration be performed after/before facility hours should be present. Detriment to owner/operator right to operate their business?

**Changes to Code/Annex:**

Disagree - it saying in the annex that the AHJ has the ability to review that the venue or facility is in compliance with the code. This part is dealing with facilities and training agencies.

- **Comment:**

**6.3.5.1.1.1** – Re-word to “there shall be an established lifeguard rotation...” Does not need to place responsibility

**Changes to Code/Annex:**

Unclear on intent of comment

- **Comment:**

**6.3.5.2.1** – *Impractical to distribute to every lifeguard. Should be readily available and accessible but not required to distribute copies--* Lifeguards and other members of the aquatic facility safety team shall receive a copy ‘or have access to a copy’ and training on the venue’s EAP

**Changes to Code/Annex:**

Disagree with comment - Members of the aquatic facility safety team shall receive a copy of, and training on, the facility's/venue’s Emergency Action Plan for their specific job title/responsibilities at the Aquatic Facility

- **Eden Dowler, Midwest Pool Management (Independence, MO)**

- **Comment:**

**4.6.5.3** – *MAHC should acknowledge that EMS recommendations should supersede MAHC* -- After “Workplace First Aid Basic Kit” add the phrase “or as required or recommended by local EMS providers or AHJ”

**Changes to Code/Annex:**

Agreed. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.8.5.1.1** – *Not all guard zones are best surveyed from a chair or stand. Some zones are best supervised by a roving guard or lifeguard in the water.* -- Delete “Chairs/Stands” and replace with “Lifeguard Placement shall be venue appropriate and zone specific and be positioned so as to have an unobstructed view of the entire zone of patron surveillance

responsibility for that lifeguard station.”

**Changes to Code/Annex:**

Section 4.8.5 is related to the design of chairs and stands. This section was reworded to clarify the design of the locations of chairs and stands to follow the plan for zones of patron surveillance, to provide unobstructed view per the plan, and to provide UV protection. It is also clarified to indicate only when elevated chairs are used so as not to presume an elevated chair would always be used.

- **Comment:**

**4.8.5.2.3 & 4.8.5.2.4** – *A throwing device is not useful in some bodies of water, such as spas, and small and shallow wading pools, etc.* -- Change the phrase “at any pool” to “at any pool with a depth over 4 feet and square footage over 200 square feet”.

**Changes to Code/Annex:**

Partially agree. The code has been revised to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.5** – *Many communication devices need to be secured indoors at night and protected from weather. It is the operator’s responsibility to insure that batteries are charged on cordless devices, much the same as they are responsible to make sure that main drain grates are secure. It is nearly impossible to get a pay phone these days and the cost of other options can be onerous for small facilities in low income areas.* -- Delete the phrase “that is hard-wired”. Change the sentence to read “A telephone or other communication device must be provided, capable of reaching 911 or other emergency notification system.”

**Changes to Code/Annex:**

Disagree. See current Annex Section 5.8.5.2.2.1.2 for explanation.

- **Comment:**

**6.3.1.3** – *The focus should be on the supervisor’s experience and abilities, not age.* -- Delete minimum age requirement.

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised.

- **Comment:**

**6.3.3.1 to 6.3.3.3** – *The requirement of a lifeguard and second responder will cause a financial burden to aquatic venues in low income areas resulting in many aquatic venues closing for lack of funds to accommodate the lifeguard and second responder requirement stipulated in this draft. Fewer pools result in fewer people who know how to swim.* -- Delete

number 4 and 5; the requirement to have a lifeguard based upon the depth of water or the size of the pool. Rather limit the use of these pools to require those under 16 years to be accompanied by an adult to use the pool.

**Changes to Code/Annex:**

Partially agree. Section revised.

- **Comment:**

**6.3.3.2 to 6.3.3.3** – *Requiring a second responder for one guard pools, might cause an aquatic venue to opt to operate without a guard as the cost to a one guard aquatic venue doubles by adding a second staff member. I believe this will cause numerous aquatic venues to close, limiting access to pools for lower income areas.* -- Remove these two sections.

**Changes to Code/Annex:**

Partially agree. Section revised.

- **Comment:**

**6.3.4.1.8.3** – *Training agencies are the appropriate agency to detail proper method to extricate given specific circumstances. They are geared to make changes to their protocols as the science becomes available.* -- Delete section

**Changes to Code/Annex:**

Agree to change to - "A lifeguard shall be able to extricate a victim from the aquatic venue according to the Emergency Action Plan."

- **Comment:**

**6.3.4.1.9** – *The committee agrees that there is no established guideline of what the minimum level of visual acuity needed to lifeguard without corrective lenses.* -- Delete this section.

**Changes to Code/Annex:**

Disagree - change the word requires to uses - There is no standard mentioned - just if the lifeguard "uses" correctives lenses for normal activities they must wear them on duty. Just you may require the lifeguard to have a whistle for the doing the job.

- **Mike Espino, YMCA of the USA (Chicago, IL)**

- **Comment:**

**ANNEX 6.3.2.1** – Editorial Comment: *The annex does not provide the rationale or matches the intent of the stated code (6.3.2.1) - "The number of lifeguards and lifeguard stations shall be established so that the lifeguard is capable of viewing the entire area of the zone of patron surveillance, including from the bottom to the surface and above the water column."*

*The annex states – “Both the ANSI/APSP 1 Public Swimming Pools and ANSI/APSP 9 standards state that the lifeguard “shall be positioned and provided equipment in order to reach the victim within 20 seconds of identification of a trauma or incident.” Some training agencies have mandated this in their management programs. Currently many lifeguards are being held to this standard in a court of law.” There is no relation to the code and the annex. The code indicates what a lifeguard can see (scan) within his or her zone of responsibility and not the response time within that zone. -- Delete annex section*

**Changes to Code/Annex:**

Agree. The code and annex have been revised and restructured.

- **Comment:**

**ANNEX 6.3.4.2** – *Please indicate what NEHA is. There is no mention of this in the code’s list of acronyms.*

**Changes to Code/Annex:**

Agreed.

- **Comment:**

**ANNEX 6.3.4.1.6** – Correction: *The YMCA of the USA as well as the National Aquatic Safety Company does not reference the RID Factor within their respective lifeguarding programs. Y-USA does indicate “Limit Distractions: While scanning. Lifeguards should have no duties other than to focus on scanning and preventing accidents. Never stop scanning even when speaking with a patron or supervisor. Even a brief distraction can cause you to miss important information that might prevent an accident or aid a victim.” -- Many lifeguarding agencies indicate that distractions and performing non-patron surveillance tasks while on duty contribute to the lack of victim recognition by a lifeguard . Nothing should be allowed to interfere with a lifeguard’s duty to perform patron surveillance. The Committee all agreed that lifeguards performing patron surveillance should not be doing other tasks that could distract them. – **REFERENCE:** YMCA On the Guard manual (2011) \*\*\*\*\* National Aquatic Safety Company Lifeguard Textbook (rev. 2011), <http://nascoaquatics.com/wp-content/uploads/2012/02/lifeguard-textbook-2012.pdf>*

**Changes to Code/Annex:**

The terms are used to illustrate intent and are valid. Wording revised.

- **Comment:**

**ANNEX 6.3.4.1.7** – Correction: *The YMCA of the USA as well as the National Aquatic Safety Company does not reference the RID Factor within their respective lifeguarding programs. Y-USA does indicate “Limit Distractions: While scanning. Lifeguards should have no duties other than to focus on scanning and preventing accidents. Never stop scanning even when speaking with a patron or supervisor. Even a brief distraction can cause you to miss important information that might prevent an accident or aid a victim.” Point of*

***Information:** The United States Lifeguards Standards Coalition report includes the following information on distractions: **Scanning Techniques Distractions:** It is possible that an increase in incidents or rule violations interrupts scanning. Increasing the number of distractions decreases search performance. Also, as the number of children in a pool increases, lifeguards tend to observe the children more than the adults. **Guideline:** Lifeguard certifying agencies and supervisors should provide training programs and in-service protocols that cover the following: (1) Emphasize scanning all fields within a scanning zone using maximal head movements. (2) Require new lifeguards to practice scanning with supervision and feedback. (3) Emphasize that when individuals within a population are similar in appearance, it takes longer to identify potential drowning incidents. (4) Inform lifeguards that distractions greatly affect the scanning process. When training aquatic supervisors, include information regarding the benefits of supervision and frequent encouragement. ----- Many lifeguarding agencies indicate that distractions and performing non-patron surveillance tasks while on duty contribute to the lack of victim recognition by a lifeguard. Nothing should be allowed to interfere with a lifeguard's duty to perform patron surveillance. The Committee all agreed that lifeguards performing patron surveillance should not be doing other tasks that could distract them. – **REFERENCE:** YMCA On the Guard manual (2011) ..... National Aquatic Safety Company Lifeguard Textbook (rev. 2011), <http://nascoaquatics.com/wp-content/uploads/2012/02/lifeguard-textbook-2012.pdf> .....United States Lifeguard Standards Coalition, An evidence-based review and report by the United States Lifeguard Standards Coalition (2011), [http://lifeguardstandards.org/pdf/USLSC\\_FINAL\\_APPROVAL\\_1-31-11.pdf](http://lifeguardstandards.org/pdf/USLSC_FINAL_APPROVAL_1-31-11.pdf)*

**Changes to Code/Annex:**

The terms are used to illustrate intent and are valid. Wording revised.

- **Corey Federle, National City Municipal Pool (National City, CA)**

- **Comment:**

**4.6.7.3** – *Re-word to make clearer – what exactly does a First-Aid Station have to be? Could be construed that a facility be required to have a whole separate room -- Will need modification to be clearer.*

**Changes to Code/Annex:**

Agreed. Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station. MAHC Section 4.6.5.7 was removed as a requirement.

- **Comment:**

**4.10.4.5.6** – *Mandating that all mirrors would need to be replaced places a financial burden*

*on facilities* -- Remove item 4.10.4.5.6

**Changes to Code/Annex:**

Not relevant. This is related to a different module.

- **Comment:**

**5.10.5.2** – *Disinfecting noodles and kickboards after each use would create a situation where the items would have to be strictly monitored after each use and then the items would not be able to be used for hours or a day afterward – this could place a severe financial burden on facilities to try to staff and/or have a huge stockpile of equipment* -- Remove item 5.10.5.2

**Changes to Code/Annex:**

Comment not relevant to Lifeguard/Bather supervision module

- **Comment:**

**5.10.5.2.3** – *Making Facilities purchase multiple bins for multiple items could create a huge burden on facilities for storage purposes and financial purposes* -- Delete 5.10.5.2.3.

**Changes to Code/Annex:**

Comment not relevant to Lifeguard/Bather supervision module

- **Comment:**

**6.3.3.4** – *Zones often change throughout the day – mandating specific zones would create a system that is too inflexible.* -- Remove item number 6.3.3.4.

**Changes to Code/Annex:**

Disagree - Entirely possible and currently being done at many facilities

- **Comment:**

**6.3.4.1.8.3** – *Does not take into account one guard facilities.* -- Remove item number 6.3.4.1.8.3.

**Changes to Code/Annex:**

Agree to change to - "A lifeguard shall be able to extricate a victim from the aquatic venue according to the Emergency Action Plan."

- **Comment:**

**6.3.5.11.4** – *Does not take into account one guard facilities.* -- The item number should take into account 1 guard facilities

**Changes to Code/Annex:**

–Edited to “Single lifeguard facilities shall have a rotation plan that indicates a minimum of 10 minutes per hour of non-patron surveillance time for the lifeguard. Rotation Plan should address procedure for accomplishing this without compromising patron surveillance during this time.”

- **Eric Jacobson, NASCO (Dickinson, TX)**
- **Comment:**  
**ABSTRACT** – *It is not code. If included at all, its place would be in the annex -- This entire abstract should be deleted.*

**Changes to Code/Annex:**

Each module contains an abstract. The abstract has been edited and additional wording below edited and moved to section 6.

- **Comment:**  
**GLOSSARY “Aquatic Safety Team”** – *This definition should be called the Aquatic Facility Emergency Response Team. Current Definition is for a broader group that is part of an overall Risk Management Process. -- Redefine/Rename... Aquatic Safety Team.*

**Changes to Code/Annex:**

Disagree. Defined in glossary.

- **Comment:**  
**GLOSSARY “Aquatic Supervisor”** – *This is inappropriate as it does not define a supervisor and references a part of the code that is at best controversial. -- Delete the definition of Aquatic Supervisor.*

**Changes to Code/Annex:**

Partially agree. Definition revised.

- **Comment:**  
**GLOSSARY “Qualified Lifeguard”** – *This definition should better reflect the agencies requirements as they are more dynamic and are better suited to meet the needs of the Aquatic Industry. They will certainly make changes and adapt to the needs of their clients/members/service providers before this standard’s committees will be able to reconvene and promulgate new standards that will address the challenges that would have already been addressed by the certifying agencies. -- Delete last section of “Qualified Lifeguard” definition: (Delete)... according to this code. (Replace with)... according to the*

certifying agency.

**Changes to Code/Annex:**

Definition has been revised.

- **Comment:**

**4.0** – *This entire annex should be deleted and rewritten as very little of it either explains the inclusion of code items or adds definition of code items. It seems the authors felt a compelling need to comment on every single item without any regard for the user of the annex. In addition, this annex did not receive sufficient review by the entire committee, and as such, represents in numerous places the opinions of special interest groups.* -- Delete:  
4.0 Design and Construction Annex

**Changes to Code/Annex:**

Persuasive. Modifications have been made to keep content relevant to the current language in the code and remove all other non-supporting information.

- **Comment:**

**4.6.5** -- *It is not the function of a lifeguard or aquatic facilities to treat even minor injuries for the bathers. This exposes them to major litigation if the injury becomes worse. EMS or trained EMTs should treat the bathers. Lifeguards only try to keep the bather from further injuring themselves while waiting for EMS and work a drowning as they were trained.* -- Delete: **First Aid Station.** The First Aid Station is a convenient and designated location that can be maintained and kept clean for use when bathers with minor injuries and/or illness need to be provided first aid care. The first aid station must be easy to locate and must have first aid supplies to care for minor injuries and more serious injuries until emergency assistance can arrive

**Changes to Code/Annex:**

Not persuasive. Lifeguards are trained in basic First Aid and it is appropriate for staff to respond to non-life-threatening emergencies and contacting/transferring care to EMS whenever appropriate to do so. Care provided should be limited to scope of First Aid training received. The annex has been edited to reflect the changes in the document. This language reflects the change to a designated area vs. station for first aid equipment.

- **Comment:**

**4.6.5.1** – *Delete sections 4.6.5.1 to 4.6.5.5 as none of these add to the code. Include suggestions for blood borne pathogen kit.* -- Delete: Effective signage must communicate where first aid assistance can be obtained. This is especially important in smaller aquatic venues and at aquatic venues not requiring lifeguards where the first aid station might be outside the immediate pool area. Signage is also important at very large aquatic venues where the first aid station might be harder to find. Effective signage should follow the standards established by ICC A117.1-2009 and ADAAG including sign height, raised or

Braille lettering, and placement

**Changes to Code/Annex:**

The committee made several changes to reflect the commentary:

1. The specific first aid supply requirements were moved to section 5 for operation and maintenance
2. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level
3. Required signage to designate a location for first aid equipment/supplies vs requiring a station knowing unguarded facilities and small facilities may not warrant a station
4. Moved discussion on ANSI first aid supplies requirements to the annex
5. Included functioning communication equipment for the facility but not specifically located at the first aid station since it is now a designated area, not a station
6. Removed the requirement for contacting management during an emergency and state to call EMS.

• **Comment:**

**4.6.5.2** – *Delete sections 4.6.5.1 to 4.6.5.5 as none of these add to the code. Include suggestions for blood borne pathogen kit.* -- Delete: The first aid station must be provided with the tools necessary for rapid and effective emergency communication. These tools might include a telephone, emergency band radio or other effective means of communication. Post contact information for emergency personnel and the emergency notification list for the aquatic venue.

**Changes to Code/Annex:**

ANNEX comment. Partially agree. The code and annex have been extensively revised and restructured.

• **Comment:**

**4.6.5.3** – *Delete sections 4.6.5.1 to 4.6.5.5 as none of these add to the code. Include suggestions for blood borne pathogen kit.* -- Delete: The first aid supply list is based on the ANSI /ISEA Z308.1-2009 standard for a Workplace First Aid Basic Kit. The listed contents are based on the minimum size for a small workplace. In almost all cases the minimum contents will need to be increased to provide supplies based on: 1. The maximum number of bathers and staff at the pool; 2. The anticipated or actual number and types of injuries; 3. Providing enough supplies to handle a reasonably significant injury; 4. To provide enough supplies that the kit does not need continuous restocking. There should be enough supplies to last between first aid kit supply inspections, plus the time needed to obtain and replace the supplies. The contents should be inspected and resupplied often enough to maintain the supplies in good condition

**Changes to Code/Annex:**

Agree. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.4** – *Delete sections 4.6.5.1 to 4.6.5.5 as none of these add to the code. Include suggestions for blood borne pathogen kit.* -- Delete: Below is a list of additional supplies that are anticipated to be needed in an aquatic environment including the contents for a bodily fluid cleanup kit. Minimum Requirements for First Aid Supplies ANSI/ISEA Z308.1-2009..... CPR valve faceshield, gloves, antiseptic

**Changes to Code/Annex:**

Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.5** – *Delete sections 4.6.5.1 to 4.6.5.5 as none of these add to the code. Include suggestions for blood borne pathogen kit.* -- Delete: The supplies must be stored at the first aid station. If the venue is large and multiple lifeguards, it is also recommended that supplies be provided at locations where they can be quickly accessed by staff responding to emergencies. The supplies must be stored in such a manner to protect them from moisture and extremes of heat and cold that will cause deterioration. Supplies must be periodically checked for expiration dates and replaced as needed.

**Changes to Code/Annex:**

Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.8.5.1** – *Delete this section. This is an attempt to insert code into the annex and does not reflect current practice on how stands are located.* -- Delete: The location of the chairs must give the lifeguards complete visibility to all parts of the pool area. The number of chairs is determined by the water surface size, the anticipated bather load, and the ability to provide complete surveillance of the zone.

**Changes to Code/Annex:**

Agree. The annex has been edited to reflect the changes in the code. This section is related only to the design location of elevated chairs, when utilized.

- **Comment:**

**4.8.5.1.2** – *Delete, as I have no idea what this means.* -- Delete: Provide in those situations where sun is a factor, the ability to use with sun protective devices

**Changes to Code/Annex:**

Agree. Annex has been revised.

- **Comment:**

**4.8.5.2.1** – *Delete 4.8.5.2.1 to 4.8.5.2.2 as this adds nothing to the understanding of the code. This means it does not do what the annex was designated to do. It neither expands anything in the code, explains anything in the code, defines anything in the code nor gives an example of anything in the code.* -- Aquatic facilities shall provide the equipment listed under the following subsection 4.8.5.2 and maintain it in good working order.

**Changes to Code/Annex:**

Agree. Annex has been revised.

- **Comment:**

**4.8.5.2.2** – *Delete 4.8.5.2.1 to 4.8.5.2.2 as this adds nothing to the understanding of the code. This means it does not do what the annex was designated to do. It neither expands anything in the code, explains anything in the code, defines anything in the code or gives an example of anything in the code.* -- Delete: At pools providing lifeguards, spinal injury board must be provided that is constructed of impermeable material, easily sanitized/disinfected, with a head immobilizer, and a minimum of 3 body straps. The aquatic venue must provide boards that meet the standards of the local Emergency Medical Services provider. Boards must be properly maintained and in good repair (An example is using a wooden backboard that is worn so the wood is exposed and no longer cleanable. In this case refinishing it with a waterproof finish should again make it cleanable.)

**Changes to Code/Annex:**

Partially agree. Annex has been revised.

- **Comment:**

**4.8.5.2.3** – *Delete this entire section as it is remarkably ignorant of modern throwing devices such as throw bags and shows little understanding of how such devices are used. In point of fact, there is little evidence to support that such a device has every been of use in a pool environment* -- Delete: A rescue throwing device is a buoyant life ring, torpedo buoy or other easily thrown buoyant device that is designed for such use. Fifty feet of ¼ inch minimum rope securely attached to the device is required. The device must be kept ready for use, and the rope must be coiled to prevent tangles and to facilitate throwing the device. At least one such device must be provided at any pool allowed to have only one lifeguard on duty. Before using, uncoil enough rope to step on the end of the rope to prevent it following the throwing device into the pool. Often there is a knot or ball on the end to help with this. Throwing the device to the swimmer is quite difficult. It is best to throw it well past the swimmer and then draw the device back for them to grab. This allows the rescuer the flexibility to direct the device to the swimmer by moving back and forth along the pool edge while drawing in the excess rope.

**Changes to Code/Annex:**

Partially agree. This is a comment on the Annex, the annex has been revised to remove instructions for use of the throwing device.

- **Comment:**

**4.8.5.2.4** – *Delete this section. This information belongs in a text on lifeguarding, not in a code or its annex.* -- Delete: A reaching pole, shepherd's crook or life hook is a handy rescue device particularly for non-trained individuals and pools staffed with single-lifeguards. Use of the pole is often taught during swim lessons. The pole is intended to reach out to a swimmer in distress and to allow them to grab a hold of the pole. The pole should be submerged when introducing it to the swimmer to prevent injury. In some cases the "hook" can be used to encircle a non-responsive swimmer to draw them to the side. Do not hook the bather's neck; submerge the hook and encircle their chest or even buttocks. Use of the device involves reaching out to the swimmer and then pulling the pole straight back to the side, along with the swimmer. The pole cannot be swung around to the side as the strength required exceeds that of most people, and the pole is not that durable. Since the pole is pulled back to the side, a telescoping pole is not appropriate as it can pull apart. This Code asks for a 12 to 16-foot pole. Ideally the pole can reach to the middle of many smaller pools making the entire pool reachable from the side with the pole. In some indoor pools, with narrow decks and low ceilings, the longer 16-foot pole is not useable as there is not room enough to retrieve the swimmer to the pool edge; the wall and ceiling are in the way. In these pools, it is recommended that a shorter pole be provided, while trying to keep it as long as possible. In most pools there should be enough room to use a pole at least 12 feet long. The pole must be equipped with a "lifhook" or "shepherd's crook". For safety, the hook must be a looped frame-type hook, not the single metal hook. The hook protects the swimmer from being injured by the pole, as well as allows a non-responsive swimmer to be pulled in. In addition the pole should be inspected periodically to replace the pole if any stress damage, sharp edges, or bolts that can injure a swimmer are noted. To prevent injury, use only the hook attachment bolts supplied by the manufacturer. This will prevent hooks and snags, caused by using the improper bolts, which can injure the swimmer.

**Changes to Code/Annex:**

Agree. Annex has been revised.

- **Comment:**

**5.8.5.3.5** – *What does this have to do with posting operational hours?* -- Delete: For example, a swimming pool which is not provided with adequate artificial lighting is not safe for swimming when dark.

**Changes to Code/Annex:**

Agree. Annex comment, Annex revised.

- **Comment:**

**5.8.5.3.6** – *This needs desperately to be rewritten. What is a fecal? This adds nothing to the code. It neither expands anything in the code, explains anything in the code, defines anything in the code or gives an example of anything in the code.* -- Delete: A sign indicating reasons requiring closure especially at venues where an operator or lifeguard is not present should be posted listing specific incidents which would require the venue to immediately close. Examples of such incidents include fecal and vomit. A contact number should be provided to notify the owner/operator of an incident.

**Changes to Code/Annex:**

Partially Agree. Annex comment. Annex revised.

- **Comment:**

**4.6.5.2** – *Reflects a low level of understanding of modern aquatic venues. Should read **management contact information**, not manager's contact information* -- Delete: The first aid station shall contain functioning emergency communication equipment with posted emergency personnel and aquatic venue manager's contact information.

**Changes to Code/Annex:**

Agree. Included functioning communication equipment for the facility but not specifically located at the first aid station since it is now a designated area, not a station

Removed the requirement for contacting management during an emergency and state to call EMS.

- **Comment:**

**4.6.5.3** – *This entire section should be deleted. It is too specific and does not reflect how first aid is done at an aquatic facility. It implies, for example, that significant treatment should be done at the facility which is not appropriate. The facility should maintain life and wait for advanced care to arrive in serious incidents and should never apply medication. The writing group has confused what first aid material should be available for employee treatment and what should be available for the use on the general public.* -- Delete the section: The first aid supplies shall include, at a minimum, the supplies required by ANSI /ISEA Z308.1-2009 for a Workplace First Aid Basic Kit which are as follows: 1) 1 - First Aid Guide; 2) 1 - Absorbent compress, 4 x 8 in. minimum (206 sq. cm); 3) 16 - Adhesive bandages, 1 x 3 in. (2.5 x 7.5 cm); 4) 1 - Adhesive tape 2.5 yd (228.6 cm); 5) 10 - Antiseptic treatment applications, 0.5 gm each; 6) 6 - Burn treatment applications, 0.9 gm each; 7) 4 - Sterile pads, 3 x 3 in. minimum (7.5 x 7.5 cm); 8) 2 - Pair medical exam gloves; 9) 1 - Triangular bandage, 40 x 40 x 56 in. minimum (101 x 101 x 142 cm); 10) 6 - Antibiotic treatment applications 0.5 gm each.

**Changes to Code/Annex:**

Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.4** – *Remove 1), 3), and 4) as being inappropriate for this venue -- Delete 1), 3), and 4):* The first aid supplies shall also include but not be limited to: 1) a large absorbent compress [at least 8 x 10 inches (200 x 250 mm)]; 2) scissors; 3) 2 - elastic wrap [2-inch by 15-feet (50 mm by 1500 mm)]; 4) an emergency blanket

**Changes to Code/Annex:**

Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.4** – *Should read and/or. Also Is this a response bag, or a Bag Valve Mask (BVM) and/or a resuscitation barrier mask? Standard is not clear. -- Rewrite: 5) resuscitation equipment (bag and pocket mask),*

**Changes to Code/Annex:**

Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.4** – *This addition in the annex is completely out of touch with reality. This is more appropriate at a chemical refinery where a mass casualty emergency is a possibility. This should be simply left as additional supplies should be available to meet the demands of the attendance of the aquatic venue. -- In the Annex, the section listed as additional supplies should be deleted*

**Changes to Code/Annex:**

Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.5** – *Delete: Supplies shall be sufficient to keep the minimum items continuously stocked.*

**Changes to Code/Annex:**

Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.6** – *Delete: Construction of new aquatic facilities shall include an area designated as*

a first aid station appropriately sized to accommodate the bather load.

**Changes to Code/Annex:**

Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station

- **Comment:**

**4.8.5.1.1** – *This is more of a definition, not a requirement. It implies, because of the way that it is written that all positions should have a chair/stand and such is not the case. Should read: Chairs/stands, where required for adequate supervision and surveillance, -- Standard should begin with: Chairs/stands, where required for adequate supervision and surveillance,*

**Changes to Code/Annex:**

Section 4.8.5 is related to the design of chairs and stands. This section was reworded to clarify the design of the locations of chairs and stands to follow the plan for zones of patron surveillance, to provide unobstructed view per the plan, and to provide UV protection. It is also clarified to indicate only when elevated chairs are used so as not to presume an elevated chair would always be used.

- **Comment:**

**4.8.5.1.2** – *This may be impossible to adhere to in some positions. Additionally, UV may reflect up off of the water surface making this standard the way it is currently written impossible to meet. Also in very windy locations, the use of umbrellas can be hazardous to the LG and patrons -- Rewrite this code to: Means to reduce exposure to ultraviolet radiation should be provided where practical/possible.*

**Changes to Code/Annex:**

The chair should have UV protection. To not provide it would allow operators to not provide shade to guards when a stationary chair is provided. If they can provide the chair, they can provide the shade in whatever form it can be accomplished.

We have edited the personal protective equipment for guards to include the option of sunscreen or shading the face, eyes, and upper torso.

- **Comment:**

**4.8.5.1.2** – *Again, This may be impossible to adhere to in some positions. The UV may reflect up off of the water surface making this standard the way it is currently written impossible to meet. Not to mention the fact that the height of the chair may be problematic as the chair is too high and injuries are likely from entering the water from these elevated positions for LG's and patrons. -- In the Annex, This standard states that it the chairs can*

be raised to minimize the effects of glare. Delete these suggestions.

**Changes to Code/Annex:**

The chair should have UV protection. To not provide it would allow operators to not provide shade to guards when a stationary chair is provided. If they can provide the chair, they can provide the shade in whatever form it can be accomplished.

We have edited the personal protective equipment for guards to include the option of sunscreen or shading the face, eyes, and upper torso.

- **Comment:**

**4.8.5.2.3** – *Is a throwing device really required in a pool that is only two foot deep whose participants are mainly 4 year olds? What will happen when this device is used? This equipment is more useful at unguarded facilities.* -- Delete this section: When the aquatic facility safety plan documents and the Health Authority agrees that one lifeguard staffing is appropriate for an aquatic venue, then an approved aquatic rescue throwing device, with at least a quarter-inch thick rope whose length is 50 feet shall be required.

**Changes to Code/Annex:**

Partially agree. The code has been revised to specify facility vs. venue and restructured to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.4** – *Is a reaching device really required in a pool that is only two foot deep. Additionally, some venues may not have sufficient deck space or overhead clearance to use a reach pole.* -- Delete this section: When the aquatic facility safety plan documents and the Health Authority agrees that one lifeguard staffing is appropriate for an aquatic facility then an approved reaching pole of 12 to 16 foot in length, non-adjustable nor telescopic, light in weight with an securely attached Shepherd's Crook (life hook), and the shepherd's crook aperture of at least 18 inches shall be required.

**Changes to Code/Annex:**

Disagree. The intent is in a single guard facility if the guard is engaged in a rescue and another patron is in distress, the reaching pole allows an untrained person to assist the distressed person.

- **Comment:**

**4.8.5.2.5** – *A hardwired device available to all users may be impossible to provide and incur exceptional cost for inappropriate use. Also those phones that are permanently mounted are subject to vandalism and theft in some locations. Also the abuse of the 911 system from "911 hang ups" has also proven costly financially and further taxes EMS resources. Cell Phone may prove to be a better remedy; as of June 2011, it was reported that the number of cell phones in the US is 103% the current population.* -- A telephone or other

communication device that is capable of directly dialing 911 or other emergency notification system should be available.

**Changes to Code/Annex:**

Disagree. See current Annex Section 5.8.5.2.2.1.2 for explanation.

- **Comment:**

**5.8.5.2.3** – *Overly burdensome as a guard in very shallow water has little use for a rescue tube and maybe a hindrance. Should be omitted.* -- Delete: Each lifeguard conducting patron surveillance with the responsibility of in-water rescue in less than 5 feet of water shall have a rescue tube immediately available for use.

**Changes to Code/Annex:**

Disagree. See Annex for explanation.

- **Comment:**

**5.8.5.2.3.1** – *Are the LG's in the water? I believe the committee was trying to address positions where the water depth was  $\geq 5'$ . And they were not in the water.* -- Delete current code: Each lifeguard conducting patron surveillance in a water depth of 5 feet (1.52 m) or greater shall have a rescue tube on his/her person. Replace with this one: Each lifeguard conducting patron surveillance with the responsibility of in-water rescue in 5 feet of water or greater shall have a rescue tube immediately available for use.

**Changes to Code/Annex:**

Agree. Code revised for clarity.

- **Comment:**

**5.8.5.2.3.2** – *So is a diagram required? If so, where is it located?* -- The Aquatic Facility Safety Plan shall identify those zones where the lifeguard is required to have a rescue tube on their person at all times.

**Changes to Code/Annex:**

Agree. Code revised. Details regarding zones, # of guards, diagrams, etc. removed from this section and now included under Section 6.3 Aquatic Facility Management.

- **Comment:**

**5.8.5.2.5** – *Very costly and unduly burdensome. Especially when prescription lenses are required. When is it necessary to reduce the impact of glare?* -- Delete: Lifeguards shall wear polarized glasses while conducting patron surveillance when it is necessary to reduce the impact of glare

**Changes to Code/Annex:**

Disagree. Employer is not required to supply. Polarized sunglasses can be found for similar price as regular sunglasses. Polarized clip-on sunglasses are available for use with prescription eye glasses. The requirement is to address glare as it affects patron surveillance. Code revised to clarify intent and when needed.

- **Comment:**

**5.8.5.2.6** – *Delete. “shall be immediately available for all lifeguards so there is neither a delay in patient care nor an increased risk of disease transmission.” This is a litigation nightmare.* -- Personal protection equipment (PPE) [a one way valve resuscitation mask and non-latex one use disposable gloves] shall be available for lifeguards

**Changes to Code/Annex:**

Partially agree. Code revised.

- **Comment:**

**5.8.5.2.7** – *“Such as a whistle” needs to be inserted. Otherwise the burden is placed on the reader to try to determine what a signaling device is.* -- Signaling devices, such as a whistle, capable of communicating emergency and/or non-emergency information shall be available for each lifeguard conducting patron surveillance

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**5.8.5.2.8** – *Delete. Already covered.* -- Delete: First aid supplies shall be stored at the first aid station.

**Changes to Code/Annex:**

Partially agree. Code revised to address design aspects only in the Design Standards and Construction Section 4.0. The first aid requirements in the Operation and Maintenance section have been revised.

- **Comment:**

**5.8.5.3.1** – *This does not seem to make any sense. If there is no staff, who is going to enact the EAP? This needs to be deleted and then rewritten to reflect the real world and include what is really needed* -- Delete: Aquatic venues not required to have lifeguards shall have a safety plan that includes all the following but not limited to: 1. Emergency Action Plan that is venue appropriate and consistent with guidelines set forth in this code; 2. Emergency Communications procedures; 3. Emergency closure guidelines; 4. Employee safety training policies and procedures.

**Changes to Code/Annex:**

Disagree. Safety plan requirements have been revised, reorganized, and address details for implementation at unguarded facilities.

- **Comment:**

**5.8.5.3.2** – *If this person is not present at the location, why is this required?* -- Delete: A person(s) responsible for the operation and maintenance of an unguarded swimming pool shall be required to be certified and be current in Blood Borne Pathogen Training, Cardiopulmonary Resuscitation (CPR/AED), and First Aid.

**Changes to Code/Annex:**

Disagree. The provisions in the code regarding facility management, staffing and safety plan have been reorganized and revised.

- **Comment:**

**5.8.5.3.3** – *This is going to be very expensive, particularly on apartment complexes and hotel/motels. It will also be abused w/o proper supervision.* -- A hard wired emergency telephone or comparable alternative emergency communication system shall be required at all unguarded aquatic facilities and be immediately accessible.

**Changes to Code/Annex:**

Partially agree. Code revised to accept alternate communication systems. See Annex for rationale for requirement.

- **Comment:**

**5.8.5.3.4.1** – *This section seems to ignore the possibility that the facility will have very shallow water.* -- Delete: An approved aquatic rescue throwing device, with at least a quarter inch rope whose length is 50 feet shall be required.

**Changes to Code/Annex:**

Partially agree. The code has been revised to specify facility vs. venue and restructured to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**5.8.5.3.4.2** – *this section seems to ignore the possibility that the facility will have very shallow water...* -- Delete: An approved reaching pole that is 12 to 16 foot in length, non-adjustable nor telescopic, light in weight with an securely attached Shepherd's Crook (life hook), and the shepherd's crook aperture of at least 18 inches shall be required. Poles shall be constructed out of non-electrical conducting materials.

**Changes to Code/Annex:**

Partially agree. Changes made.

- **Comment:**

**5.8.5.3.4.3** – *This requires something that may not even exist. Most posters show and give instructions for CPR protocols that are not current.* -- Delete: Up-to-date Cardiopulmonary Resuscitation (CPR/AED), First Aid and Prevention of Recreation Water Illness posters appropriate to an aquatic facility shall be posted at all times.

**Changes to Code/Annex:**

Partially agree. Code revised.

- **Comment:**

**5.8.5.3.6** – *What imminent health closure items?* -- Delete: A sign shall be posted outlining the required imminent health hazard closure items of an aquatic facility as defined in this code and a telephone number to call to report the problem

**Changes to Code/Annex:**

Disagree. Code has been revised for clarity, the sign is to include the specific items listed in the "Imminent Health Hazard" Section 6.6.4.

- **Comment:**

**5.8.5.3.7.1** – *How will this be documented and monitored? An after-hours call on an answering machine should not qualify as notification. Is an e-mail an acceptable means of notification? What if the e-mail is not readily available and or not read until after 30 minutes has passed? This is a litigation "gold mine" for plaintiff attorneys. Strongly consider removing this standard.* -- Delete this standard: A response by management shall be required no greater than one half hour after receiving notification of a complaint.

**Changes to Code/Annex:**

Agree. Code revised- response to complaints/emergencies to be addressed in required Safety Plan.

- **Comment:**

**5.8.5.3.7.1** – *Delete as it adds nothing to the code* -- Delete: Management must be in position to act as quickly as possible to any aquatic venue issue.

**Changes to Code/Annex:**

Agree. Annex comment. Annex revised.

- **Comment:**

**6.2.1.1** – *This is a definition, but is it a requirement? Language needs to be changed. Should state recognized by certifying agency.* -- Delete: A Qualified Lifeguard shall have successfully completed a lifeguard training course that is recognized by the Health

Authority.

**Changes to Code/Annex:**

Partially agree. The code has been restructured and revised.

- **Comment:**

**6.2.2.2.1** – *This section should include victim identification. 6) should be deleted since it is an example of 5) -- Hazards and prevention including: 1) Victim identification; 2) Identification of common hazards or causes of aquatic injuries and their prevention; 2) Responsibilities of a lifeguard in prevention strategies; 3) Basic scanning strategies; 4) Factors which impede victim recognition; 5) Health and safety issues related to lifeguarding and bather supervision, and*

**Changes to Code/Annex:**

Disagree. Victim identification is addressed in the "Emergency Response" portion of this section, and #6 is addressed as an independent line item as it represents a significant risk.

- **Comment:**

**6.2.2.3.1** – *This is way too far ranging. It implies, for example, that a LG course would have to include open water guarding techniques which are entirely different that those used in a four foot deep pool. In addition, some courses are facility unique. -- Delete: 6) Components of Emergency Action Plans (EAPs) for different types of aquatic venues.*

**Changes to Code/Annex:**

Disagree with comment. This is based on type/level of course being offered, i.e. shallow water only - vs- open water courses. Also, the overall lifeguard course is not "facility unique", the code requires pre-service and in-service training to address facility specific training.

- **Comment:**

**6.2.2.3.1** – *The annex comments which will be used as a un- discussed and un- approved expansion of this standard is way too broad! It has lengthened the training, increased the cost to both the facilities and students, and increased litigation exposure for all. It also will greatly impact the ability to acquire insurance. The annex went well beyond the simple benign statements that are stated in the standard/code. In the code, it states "...for emergencies in aquatic venues. In the annex, it implies that the LG training agencies need to "not limit emergency response training to water itself." Due to a facilities limited funds, it may prevent them from hiring EMT's the LG 's need to be responsible for land-based emergencies as well. This will expand the training time significantly. If the venue needs an EMT trained person, then they should hire an EMT. This is way beyond the scope of a LG course and far more than the current training agencies are training. The standard procedures for these types of "land-based emergencies" should be **stabilize the patient, and call EMS.** These comments in the annex open up a whole level of litigation opportunities by greatly increasing the level of responsibility for LG's. A 400 hour course is*

*what is being prescribed here, and proficiency that takes weeks of training and practice in EMT courses. Additionally, once an EMT is licensed, they will probably do these procedures and techniques 2-3 times a shift. A LG is being required to be proficient at a skill they will do once in their carrier. -- Re-define this skill set and or limit to aquatic emergencies only. The Annex states requirements and skill sets that greatly expand the requirements of LG's to be trained up to the level of EMT's.*

**Changes to Code/Annex:**

Partially agree. Annex has been revised.

- **Comment:**

**6.2.2.4.1** – *Unnecessarily proscriptive. Should just specify follow national guide lines. Why would the ECCU of American Heart be the only agency to establish guidelines? This implies that AED's have a place in the treatment of drowning. I am not aware of any documented case where AED's have been useful to treat drowning. -- Delete:* Cardiopulmonary Resuscitation (CPR/AED) and other resuscitation skills shall be professional level skills that follow treatment protocols consistent with the current Emergency Cardiovascular Care Update (ECCU) and/or, the International Liaison Committee on Resuscitation (ILCOR) guidelines for cardiac compressions and rescue breathing for infants, children, and adults,

**Changes to Code/Annex:**

Disagree. See Annex for explanation for how these standards/protocols are established and by whom.

- **Comment:**

**6.2.2.5.1** – *Another example of appeal to a unique board that no one knows or deals with. -* - Delete: Training agencies shall follow treatment guidelines as recommended by the National First Aid Science Advisory Board for the treatment of bleeding, shock, sudden illness, and muscular/skeletal injuries

**Changes to Code/Annex:**

Disagree. See Annex for explanation for how these standards/protocols are established and by whom.

- **Comment:**

**6.2.2.6.1** – *Delete as these are legal terms that are applicable to EMT's and First Responders. PD, FD, and EMT's. These are terms will not come in contact with during their normal daily routines. Under the refusal of care, a DNR may come into play and that is well beyond the scope of a LG. -- Basic Concepts related to LG's Delete*

**Changes to Code/Annex:**

Disagree. These topics should be addressed in general terms, see Annex for discussion.

- **Comment:**  
**6.2.3.2.3** – Reword: “the requirement of the lifeguard are defined by the venue or employer, not the certifying agency.

**Changes to Code/Annex:**

Disagree. This section addresses the Training Agency requirements , not an employer.

- **Comment:**  
**6.2.3.3.1** – *This should be deleted as it contains no information. What constitutes essential topics? Either a course covers the topics listed or it doesn't.* -- Course length shall provide sufficient time to cover all of the essential topics listed in Sec 6.2.2.1 through Sec 6.2.2.6.

**Changes to Code/Annex:**

Disagree. The model code provides minimum common elements to be included in an acceptable lifeguard training course. The course length must be adequate to cover the required content, practice, skills and evaluation of competency.

- **Comment:**  
**6.2.3.4.2** – *Not sure what this means. How is this statement satisfied?* -- Delete: Only course instructors with experience in aquatic facility lifeguarding as evidenced by work and/or training shall be used to teach lifeguard courses.

**Changes to Code/Annex:**

Agree. Experience in lifeguarding has been removed.

- **Comment:**  
**6.2.3.4.3** – Prior to instructing lifeguard training, instructors are required to have completed a lifeguard training course which at a minimum covers all of the topics as outlined in sec. 6.2.2 including passing both the final written and final practical exam.

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**  
**6.2.3.4.6** – *This is overly burdensome on the training agency. The burden should be on the end user, not on the national agency. This is litigation prone and will be very difficult to do.* -  
- Delete: Training agencies shall have a quality control system in place to monitor lifeguard instructors.

**Changes to Code/Annex:**

Disagree. It is the training agencies responsibility to monitor their instructor's performance, not the end users.

- **Comment:**

**6.2.3.5.1** – *Very difficult to understand what is intended. Why not: Final exam to include both theory based and practical skills?* -- Qualified Lifeguard training course providers shall include a final exam including but not limited to: 1) Final exam, which at a minimum, covers all of the topics as outlined in MAHC Section 6.2.2; 2) Final exam passing score criteria including the level of proficiency needed to pass physical skills and theoretical; 3) Final exam security procedures; 4) Final exam to include both theory based and practical skills.

**Changes to Code/Annex:**

Agree. Re-worded for clarity.

- **Comment:**

**6.2.3.6.4** – *Lacks definition of shallow water guards. What is wrong with having a shallow guard on the shallow end of a wave pool? This would preclude a shallow guard from being the person assigned to lifejackets at a wave pool.* -- Delete: Shallow water guards shall not be assigned to a body of water in which any part of the water's depth is greater five (5) feet.

**Changes to Code/Annex:**

Agree. Code revised.

- **Comment:**

**6.2.3.8.1** – *This is better language than what was used above.* -- When the period of certificate validity is expired as delineated by the training agency, certificate renewal may be achieved by retaking an entire course that meets the requirements delineated in Sec. 6.2.2 or by taking a review course that meets the course requirements delineated in Sec. 6.2.2 through passing a final exam, which includes in and out of water skills

**Changes to Code/Annex:**

Comment unclear, however the code has been revised and restructured for clarity.

- **Comment:**

**6.2.3.8.2** – *Why is this included? Certainly an agency which issues a certificate renewal will mandate that its requirements be met.* -- Delete: Accepted courses for certificate renewal shall meet requirements delineated by the training agency.

**Changes to Code/Annex:**

Agree. The code has been revised and restructured for clarity.

- **Comment:**  
**6.2.3.3.4** – *Why is this included? Certainly an agency which issues a certificate renewal will mandate that its requirements be met.* -- Delete: Any lifeguard challenge program shall be done in accordance with the agency of the certifying instructor.

**Changes to Code/Annex:**

Comment refers to Section 6.2.3.8.4. Partially agree. Code has been restructured and revised. Challenge program is further defined and clarified.

- **Comment:**  
**6.2.4** – *This is out of place. It implies that such a course must be taught.... This entire section should be deleted as it does not reflect current practice or even best practice in the industry. Many of these topics are covered in different agency instructor courses. As such it is unduly burdensome and expensive to require people to have a course that does not reflect current best practices and has no evidence to support its need.* -- **Delete entire 6.2.4 Section..... Delete Essential in Essential Topics for Lifeguard Supervision and Management Training..... Delete Training In Essential Topics for Lifeguard Supervision and Management Training**

**Changes to Code/Annex:**

Disagree. Supervision has been proven to directly impact performance and safety, and as such must be a part of best practices for aquatic facility operations. Note, requirements for Supervisor training and staffing have been revised.

- **Comment:**  
**6.2.4.1** – *This is mixing up the roles of what might be called an upper level manager and what might be described as a lower level supervisor. As such, it does not currently reflect the level of sophistication that is common in more complex facilities where the duties are relegated to different levels* -- Delete: All lifeguard supervision and management training recognized by the Health Authority shall include, at a minimum, the following teaching elements:

**Changes to Code/Annex:**

Disagree. Supervisors are intended to supervise/manage the lifeguards to ensure the lifeguard staff is performing as trained and expected. Note, requirements for Supervisor training and staffing have been revised.

- **Comment:**  
**6.2.4.1** – *This is an exceptionally high level of experience and training that is being required and is an EMS or EMT function* -- Delete: 2) Knowledge to identify the extent of trauma in an incident and to be able to make a decision on the necessity of advanced care.

**Changes to Code/Annex:**

Partially agree. Supervisor training has been revised and now includes, among other elements, first aid, CPR/AED training/certification. The requirement in 2) "Knowledge to identify the extent of trauma in an incident and to be able to make a decision on the necessity of advanced care." has been deleted.

- **Comment:**

**6.2.4.2** – *Here you are requiring vigilance which I believe is omitted from the skills listed for lifeguards. Vigilance has a technical definition and this sort of lack of understanding of technical issues related to modern lifeguarding is commonly evidenced throughout this document* -- Delete: 1) Scanning and vigilance and how to ensure that systems which accomplish these goals are in place and operational

**Changes to Code/Annex:**

Disagree. Statement doesn't support proposal to delete. Note- Supervisor training requirements have been revised and restructured

- **Comment:**

**6.2.4.2** – *How do you require ability? Should this not address something that is measurable?* -- Delete: 2) An ability to implement required training and to monitor the effectiveness of pre-service testing, in-service training, and facility specific training for lifeguards

**Changes to Code/Annex:**

Agree. Changes made.

- **Comment:**

**6.2.4.2** – *As is most of this section, this is extremely vague and non informative.* -- Delete: 3) Strategies to reduce risk and mitigate the health and safety hazards to both the patrons and the staff, and

**Changes to Code/Annex:**

Disagree. The code is identifying the necessary understanding/knowledge of concepts needed by Supervisors to be able to monitor their implementation by lifeguard staff.

- **Comment:**

**6.2.4.2** – *This is a very complicated issue and far beyond the ability of most supervisors. It also implies that once zones are set, they are static. Such is not the case as zones are moved all the time as experience in the facility dictates* -- 4) Ability to develop and evaluate zones of patron surveillance responsibility diagrams for an aquatic venue

**Changes to Code/Annex:**

Disagree. The supervisor must possess all of the skills and training as specified in the revised Supervisor training program to best supervise/manage the lifeguards to ensure the lifeguard staff is performing as trained and expected. It does not suggest or state that zones are static but rather addresses the need for the Supervisor to be able to identify the possibilities to eliminate confusion and non/inadequate-zone coverage.

- **Comment:**

**6.3.1.1** – *Delete this section as this was never vetted by the entire committee and would require a whole new course for most facilities and will be extremely costly* -- Delete: Aquatic facilities that are required to have lifeguards shall have at least one employee designated as the aquatic supervisor who meets the requirement of this Code to be an Aquatic Supervisor.

**Changes to Code/Annex:**

Disagree. Supervisors are intended to supervise/manage the lifeguards to ensure the lifeguard staff is performing as trained and expected. Supervision has been proven to directly impact performance and safety, and as such must be a part of best practices for aquatic facility operations. Note, requirements for Supervisor training and staffing have been revised.

- **Comment:**

**6.3.1.2** – *This seems, more than anything else, to be a poor attempt to mandate a particular agencies program* -- Delete: An aquatic supervisor shall 1) Have completed and documented current training on lifeguard supervision and management, or 2) Have completed lifeguard training on all items set forth in 6.2.4, have read the annex of this Code, and/or provides the documentation of experience and experiential understanding of items 6.3.1.1 through 6.3.1.6 to the owner/operator.

**Changes to Code/Annex:**

Disagree. Supervisors are intended to supervise/manage the lifeguards to ensure the lifeguard staff is performing as trained and expected. Supervision has been proven to directly impact performance and safety, and as such must be a part of best practices for aquatic facility operations. Note, requirements for Supervisor training and staffing have been revised.

- **Comment:**

**6.3.1.3** – *Not code language. Reasons go in the annex.* -- Delete: Persons with supervisory responsibility shall be of at least 18 years of age to manage lifeguards, emergencies, and guest issues.

**Changes to Code/Annex:**

Partially agree. Requirements for Supervisor training and responsibilities have been revised.

- **Comment:**

**6.3.1.4** – *Delete this section. How do you tell if someone is able to activate an EAP? --*

Delete: Aquatic supervisors and other aquatic safety team members shall be able to activate Emergency Action Plans (EAPs).

**Changes to Code/Annex:**

Disagree. Statement doesn't support proposal to delete. Determination of ability to activate EAP is based on staff performing procedures detailed in the required written EAP. Note- Supervisor training requirements have been revised and restructured

- **Comment:**

**6.3.1.5** – *Delete this section as it contains no new information. In addition, this requires a greater degree of education than currently exists for lifeguards. Without at least EMT or even paramedic experience, no one could identify the extent of a trauma. -- Delete :*

Aquatic supervisors shall have first aid and CPR/AED training in the skills necessary to identify the extent of life threatening and non-life threatening trauma in an incident

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised.

- **Comment:**

**6.3.1.6** – *Delete this section as it is redundant. -- Delete: Additional training for an aquatic supervisor shall include, but is not limited to: 1) Scanning, vigilance, and how to ensure that systems which accomplish these goals are in place and operational, 2) An ability to implement required training and to monitor the effectiveness of pre-service training, in-service training, and facility-specific training for lifeguards, and 3) Strategies to reduce risk and mitigate the health and safety hazards to both the patrons and the staff*

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised, code re-structured and duplications eliminated.

- **Comment:**

**6.3.1.7** – *Here, an operator is required to demonstrate proficiency to a health authority when the operator is the person who has true knowledge of proficiency. Most health authorities do not have the ability to make this evaluation. -- Delete: Based on the risks inherent to an aquatic facility, during inspections and upon request the person in charge of the lifeguards shall demonstrate to the health authority knowledge of the items listed in*

6.3.1.3 to 6.3.1.6 and the requirements of this Code.

**Changes to Code/Annex:**

Agree. The Code has been revised and re-structured, this "Demonstrate Knowledge " item has been eliminated

- **Comment:**

**6.3.1.8** – *This is entirely too proscriptive. Should read “has attempted in good faith to comply with this code. Almost every facility will have some minor violation at least.* -- Delete: 1) Complying with this Code by having no violations of priority items during the current inspection. And replace with 1) attempting in good faith to comply with this code

**Changes to Code/Annex:**

The Code has been revised and re-structured, this "Demonstrate Knowledge" item has been eliminated.

- **Comment:**

**6.3.1.8** – *Has aquatic safety plan ever been defined before this point?* -- Delete: “Aquatic Safety” in 3) Produce the aquatic venue’s Aquatic Safety and Emergency Action Plan that contains the items required by this Code. To read 3) Produce the aquatic venue’s Emergency Action Plan that contains the items required by this Code.

**Changes to Code/Annex:**

Plan is defined. The Code has been revised and re-structured, this "Demonstrate Knowledge" item has been eliminated

- **Comment:**

**6.3.2.1** – *No one will understand this statement. What water column? Does this mean that the LG is responsible for the air above the water? Suggest: surface, bottom and area in-between. This statement also seems to reflect an absence of knowledge about the fact that victims do not go part way down and stop.* -- Change: The number of lifeguards and lifeguard stations shall be established so that the lifeguard is capable of viewing the entire area of the zone of patron surveillance, including from the bottom to the surface and above the water column. To: The number of lifeguards and lifeguard stations shall be established so that the lifeguard is capable of viewing the entire area of the zone of patron surveillance, including from the bottom to the surface and the area in-between.

**Changes to Code/Annex:**

Partially agree. Code revised, "water column" deleted.

- **Comment:**

**6.3.3.1** – *Does this include spray grounds? Are natural bodies of water omitted?* -- Modify to address whether splashpads need lifeguards: and what to do about natural bodies of water. Aquatic venues with any of the following environment are required to have a lifeguard(s) conducting patron surveillance at all times the aquatic facility is open: This list

includes but not be limited to the following:

**Changes to Code/Annex:**

Some venues without standing water may be excluded from this code by the AHJ. The MAHC by definition does not include natural bodies of water.

- **Comment:**

**6.3.3.1** – *Should include action rivers.* -- Any aquatic venue with an induced current or wave action including but not limited to wave aquatic venues, vortex aquatic venues, and endless/leisure, action or lazy rivers

**Changes to Code/Annex:**

Agree

- **Comment:**

**6.3.3.2** – *What does available mean?* -- Available in the following statement needs to be defined. Any aquatic venue that requires a lifeguard, and is a single lifeguarded aquatic venue, shall have an additional staff person available that has current CPR/AED certification, and training in water extrication.

**Changes to Code/Annex:**

Section revised.

- **Comment:**

**6.3.3.2** – *Add 6.3.3.3 to 6.3.3.2: This should be a subsection of the statement before. Otherwise, it gets mixed up with multiple guard pools.* -- Any aquatic venue that requires a lifeguard, and is a single lifeguarded aquatic venue, shall have an additional staff person available that has current CPR/AED certification, and training in water extrication. The staff person trained and certified in CPR/AED and first aid must be able to respond to the lifeguard's EAP activation within 1 minute

**Changes to Code/Annex:**

Any aquatic venue that requires a lifeguard, and is part of a single lifeguarded aquatic  
Section revised.

- **Comment:**

**6.3.3.3** – *This should be a subsection of the statement before. Otherwise, it gets mixed up with multiple guard pools.... This is also seriously litigation prone.* -- Delete: The staff person trained and certified in CPR/AED and first aid must be able to respond to the lifeguard's EAP activation within 1 minute.... Suggest "1 minute" be replaced with "in a timely manner.

**Changes to Code/Annex:**

Section revised.

- **Comment:**

**6.3.3.4 – *Maintained where?*** -- Where are the diagrams maintained? Zones of patron surveillance responsibility diagrams for each lifeguard station configuration shall be identified and maintained at all times

**Changes to Code/Annex:**

Maintained at each aquatic facility

- **Comment:**

**6.3.4.1.1 – *This should read management staff as this document has already identified what it thinks is a supervisor.*** -- Prior to active duty, aquatic managerial staff shall ensure that lifeguards can proficiently perform the skills required for a rescue, as outlined in the Safety Plan specific to that aquatic facility or aquatic venue.

**Changes to Code/Annex:**

The supervisor must ensure but other agents can be involved in the process.

- **Comment:**

**6.3.4.1.2 – *This is impossible for most facilities. How do they know or even find out what OSHA will require of them? This is yet another instance of where the code confuses what is required for aquatic safety and what is required by other agencies.*** -- Delete: Lifeguards and aquatic safety staff shall have work place safety training requirements meeting the level of the Occupational Safety and Health Administration (OSHA), this Code and the Health Authority requirements for the specific aquatic venue.

**Changes to Code/Annex:**

Disagree - this is something facilities need to understand.

- **Comment:**

**6.3.4.1.3 –** This needs to define where this documentation will be maintained. Documentation shall be maintained and be available for inspection verifying that all lifeguards have demonstrated water rescue competency for the specific aquatic venue prior to active patron surveillance.

**Changes to Code/Annex:**

At the individual aquatic facility. Wording modified.

- **Comment:**

**6.3.4.1.4 – *There seems to be some confusion about what constitutes an EAP. This***

*requirement should be rolled into the one above it. Most LG's participation in an EAP will be limited to rescue and immediate support.* -- Delete: Documentation shall be maintained and be available for inspection that all lifeguards have demonstrated knowledge and active practice for the specific aquatic venue's Emergency Action Plan before active patron surveillance.

**Changes to Code/Annex:**

Disagree with comment.

- **Comment:**

**6.3.4.1.6** – Timing issues associated with the assignments need to be addressed: Lifeguards assigned for the direct surveillance of bathers shall not be assigned other tasks that intrude on patron surveillance

**Changes to Code/Annex:**

Wording clarified.

- **Comment:**

**6.3.4.1.7** – *This section is hopelessly proscriptive It is impossible to comply with. If you say "Hello" then you have engaged in a social conversation. So it must be okay to have a non-electronic device.* -- Delete: Lifeguards shall not engage in social conversations or have on their person or lifeguard station cellular telephones, texting devices, mp3 players or other similar non-emergency electronic devices while conducting patron surveillance

**Changes to Code/Annex:**

Disagree. Annex revised to clarify intent.

- **Comment:**

**6.3.4.1.8.5** – *This implies that AED's have a place in the treatment of drowning. I am not aware of any documented case where AED's have been useful to treat drowning.* -- Delete the AED reference: Lifeguards shall be trained in emergency response, cardio-pulmonary resuscitation (CPR) and first aid scenarios that are specific to the aquatic facility which they are employed.

**Changes to Code/Annex:**

Disagree with comment. Any incident (drowning induced or not) that progresses to loss of pulse requires immediate analysis by an AED to allow for maximum available standard of care delivery.

- **Comment:**

**6.3.4.1.9** – *Again, the term "aquatic supervisor is used when "Management" is what is meant.* -- Management shall ensure that any lifeguard that requires corrective lenses must

wear the corrective lenses while on duty.

**Changes to Code/Annex:**

Disagree - the document is consistent with use.

- **Comment:**

**6.3.4.1.10** – *Remove as it is redundant* -- Delete: Cardiopulmonary Resuscitation (CPR), Automated External Defibrillator (AED), First Aid, and Lifeguarding qualifications shall be current and taught by an authorized instructor of a training agency recognized and approved by this Code.

**Changes to Code/Annex:**

Agreed.

- **Comment:**

**6.3.4.1.11** – *Ambiguous as to what constitutes emergency closure issues.* -- Delete: The Aquatic Facility Safety Team shall be trained to recognize all emergency closure issues.

**Changes to Code/Annex:**

Defined in another area of the code

- **Comment:**

**6.3.4.2.2** – *Delete the word all as this requires psychic powers to foresee.* -- Lifeguards and other aquatic venue safety team members shall receive training on emergency procedures specific to the aquatic venue.

**Changes to Code/Annex:**

Agree with comment

- **Comment:**

**6.3.4.2.4** – *Does this code really have the power to list the authority and responsibility of the health agency?* -- Delete: The Health Authority shall have the discretion to check or inspect any or all of the aquatic facility lifeguards and aquatic safety team members on any required performance standards, certifications, and in-service training records and can ask for any skill specified in-service training or pre-service requirements to be demonstrated.

**Changes to Code/Annex:**

Disagree with comment. This code would be adopted by a health authority so it is appropriate to say that the AHJ has the ability to review that the venue or facility is in compliance with the code.

- **Comment:**

**6.3.5.1.1** – Rotation procedures needs to be defined: There shall be defined, practiced and evaluated lifeguard rotation procedures.

**Changes to Code/Annex:**

Agreed.

- **Comment:**

**6.3.5.1.1.2** – *Poorly worded. There may be some areas which are closed or out of service.* -  
- Needs to be reworded because all areas may not be in use. The lifeguard rotation plan shall identify all zones of patron surveillance and responsibilities for each lifeguard station at the aquatic facility.

**Changes to Code/Annex:**

Disagree with comment. There still needs to be a rotation plan that includes everything. It can be adjusted as attractions are not open, but still needs to be documented and communicated.

- **Comment:**

**6.3.5.1.1.5** – *Extremely poorly worded. Needs to be re-written in clear un-ambiguous language. Is there justification for 60 minutes? This is a major litigation issue.* -- Delete: The lifeguard rotation plan shall contain a change of lifeguard station for each lifeguard with no lifeguard remaining at the same station for more than 60 minutes.

**Changes to Code/Annex:**

Disagree with comment - "Single lifeguard facilities shall have a rotation plan that indicates a minimum of 10 minutes per hour of non-patron surveillance time for the lifeguard. Rotation Plan should address procedure for accomplishing this without compromising patron surveillance during this time."

- **Comment:**

**6.3.5.1.1.5** – *Another example of where the committee had something in mind but did an exceptionally poor job of explaining the issue. Suggest this section be deleted as it provides no useful content or direction.* -- Delete: The lifeguard rotation plan shall contain period(s) of non-patron surveillance activity.

**Changes to Code/Annex:**

Disagree with comment - "Single lifeguard facilities shall have a rotation plan that indicates a minimum of 10 minutes per hour of non-patron surveillance time for the lifeguard. Rotation Plan should address procedure for accomplishing this without compromising patron surveillance during this time." Off-scanning time is essential to lifeguard surveillance performance.

- **Comment:**

**6.3.5.2.1** – *Non code language. What constitutes aquatic safety team.* -- Delete: Lifeguards and other members of the aquatic facility safety team shall receive a copy and training on the venue's Emergency Action Plan.

**Changes to Code/Annex:**

Disagree with comment. It is clearly defined in code although lifeguards can be deleted as they are part of the "Aquatic Facility Safety Team" Members of the aquatic facility safety team shall receive a copy of, and training on, the facility's/venue's Emergency Action Plan for their specific job title/responsibilities at the Aquatic Facility

- **Comment:**

**6.3.5.2.3** – *Which items? Why does the code not specify what is required? Delete this section.* -- Delete: All aquatic venues requiring a lifeguard(s) shall have a Safety Plan which documents their conformance to certain items in this Code.

**Changes to Code/Annex:**

Disagree with comment but agree to edit to the following - All aquatic facilities requiring a lifeguard(s) shall have an Aquatic Facility Safety Plan which documents their conformance to this Code.

- **Comment:**

**6.3.5.2.3.2** – Delete: 5) Plan for Lifeguard Supervision/Management contained in this Code from 6.3.1 to 6.3.1.6

**Changes to Code/Annex:**

Disagree with comment - wording clarified.

- **Comment:**

**NO SECTION GIVEN** – *Delete as it adds nothing to the code. This means it does not do what the annex was designated to do. It neither expands anything in the code, explains anything in the code, defines anything in the code or gives an example of anything in the code.* -- Delete: An owner /operator contact number must be provided for notification of water quality and venue safety concerns. At venues where operators are not present at all times, it is important for patrons to be able to contact the owner/operator when water quality has been compromised (ex. Cloudy water, fecal matter, and/or other closure issues). A hard wired telephone should also be provided for the patrons to use to make contact. Not all people have cell telephones, and cell telephones do not operate in all locales. Cordless telephones can be left off chargers and have dead batteries.

**Changes to Code/Annex:**

This comment refers to Annex section 5.8.5.3.7. Note that code and annex have been revised and restructured.

- **Comment:**

**6.2.1.1** – *Typical of this entire annex, adds nothing to the code. Just paraphrases the code requirement. No justification is listed.* -- Delete: The duties of a lifeguard require specific skills and knowledge. While some of the skills and knowledge can be acquired through independent study, the understanding needed to apply this information can only be found through a properly developed training course which includes practical water skills and tests. Pre-employment testing as well as scheduled training is needed to verify that a lifeguard is qualified for the environment they are guarding. Any course must be accepted by the Health Authority before its certification will be valid in the agency's jurisdiction.

**Changes to Code/Annex:**

Partially agree. Annex comment. The code and annex have been restructured and revised.

- **Comment:**

**6.2.2.2.1** – *Citing the Lifeguard... Coalition without referencing that it is essentially an inhouse publication is inappropriate..... Delete this entire section.* -- Delete: The United States Lifeguarding Standards Coalition recommended at the level of a "Guideline" that Lifeguard certifying agencies and supervisors should provide training programs and in-service protocols that cover the following: • Emphasize scanning all fields within a scanning zone using maximal head movements; • Require new lifeguards to practice scanning with supervision and feedback; • Emphasize that when individuals within a population are similar in appearance, it takes longer to identify potential drowning incidents; • Inform lifeguards that distractions greatly affect the scanning process; • When training aquatic supervisors, include information regarding the benefits of supervision and frequent encouragement

**Changes to Code/Annex:**

The annex and code have been restructured and revised. In terms of the peer-reviewed and published USLSC report, it was an evidence review process that followed a structured, validated and scientifically valid process which included both participant review and open comment period. As such, these guidelines represent the first comprehensive evidence based review of the subject and are not only compliant with accepted evidence-based processes but actually exceed these for Evidence-Based Practice and scientific reviews.

- **Comment:**

**6.2.2.2.1** – *This is wrong and has no evidentiary support.* -- Delete: • Emphasize scanning all fields within a scanning zone using maximal head movements.

**Changes to Code/Annex:**

Partially agree. Annex and code have been restructured and revised.

- **Comment:**

**6.2.2.2.1** – *There is no research to support this statement of which I am aware. Typical of the poor job done in the annex.* -- Delete: • Emphasize that when individuals within a population are similar in appearance, it takes longer to identify potential drowning incidents.

**Changes to Code/Annex:**

Partially agree. Annex and code have been restructured and revised.

- **Comment:**

**6.2.2.2.1** – *This is so naïve as to be completely inappropriate.* -- Delete: • When training aquatic supervisors, include information regarding the benefits of supervision and frequent encouragement.

**Changes to Code/Annex:**

Partially agree. Annex and code have been restructured and revised.

- **Comment:**

**6.2.2.2.1** – *This seems to have been lifted from the aforementioned lifeguard coalition. As such, its inclusion is inappropriate. Delete this entire section. Standard - Where did this come from? Under these guidelines, almost everything submitted would be at best an option. The authors have done almost nothing to show compelling reasons in the annex for the items included in the code. Starting from “The anticipated benefits. . .” This seems to imply, if it seems ok, then do it.* -- Delete: “Scientific Review and Evidence Grading Guideline Definitions for Evidence-Based Statements.... responsibilities among them when the number of patrons rises. No Recommendations”

**Changes to Code/Annex:**

Partially agree. Annex and code have been restructured and revised.

- **Comment:**

**6.2.2.3.1** – *This text book material for someone’s text but adds nothing to the code so it should be deleted. This statement also misses the point that some courses are facility unique and implies that one shoe should fit everyone.* -- Delete: Lifeguards should have a clear understanding of the responsibilities and actions of not only the physical skills, but the cognitive and decision making skills involved in an emergency response. Training agencies should develop appropriate skills to address the variety of water depths in which a victim may be found. These skills should be trained not only for the technical aspects of the skill, but also how the skill is incorporated into a venue’s Emergency Action Plan.

**Changes to Code/Annex:**

Partially agree. Annex has been revised.

- **Gary Fraser, Washington State Dept. of Health (Olympia, WA)**

- **Comment:**

**4.8.5.1.1** – *While chairs/stands provide a location that oftentimes improves a guard's field of vision, they are not always required, nor are they always a desirable station.* -- **When lifeguard stands/chairs are provided**, chairs/stands shall be venue appropriate and zone B specific structures positioned as to provide an unobstructed view of the entire zone of patron surveillance responsibility for that lifeguard station. – **REFERENCE:** Our rules removed previous citation for lifeguard chairs in 2004. Lifeguards do not always belong in the chair. If veiling reflections keep them from seeing their assigned area they need to get out of the chair and move to where they can see. This changes throughout the day and seasons.

**Changes to Code/Annex:**

Section 4.8.5 is related to the design of chairs and stands. This section was reworded to clarify the design of the locations of chairs and stands to follow the plan for zones of patron surveillance, to provide unobstructed view per the plan, and to provide UV protection. It is also clarified to indicate only when elevated chairs are used so as not to presume an elevated chair would always be used.

- **Comment:**

**4.8.5.2.1** – *Some of the equipment would not be useful for some facilities. There are some additional equipment pieces that should be included for lifeguarded facilities.* -- Consider designating certain requirements for lifeguarded facilities and others for non guarded facilities. Consider adding requirements for some additional safety equipment at lifeguarded facilities, including “rescue tube or buoy”, “whistle or other signaling device for lifeguard” – **REFERENCE:** As our state wrote our rules, the aquatic managers noted that guarded facilities do not use reaching poles for rescues, the guards make the rescue in the pool. If a victim is a non-swimmer, they generally would not respond to a reaching pole, but it is safer to have the rescue pole for a non-guarded facility to try to retrieve someone. A lifeguard is trained and has a duty to make a rescue.

**Changes to Code/Annex:**

Agree. We edited to designate some equipment for ALL facilities, additional equipment for lifeguarded facilities, and equipment for unguarded facilities. This content was also moved to Section 5.

- **Comment:**

**4.8.5.2.4** – Suggest removing the term “Shepherds Hook” and only allowing “double crook life hook”. The Shepherds Hook has a single point that may impale and injure a person being rescued, while the “double crook life hook” has a rounded end. -- WAC 246-260-41(11)(g)(i)

**Changes to Code/Annex:**

Disagree. See annex for description/explanation of equipment.

- **Comment:**

**5.8.5.3.4.2** – Suggest removing the term “Shepherds Hook” and only allowing “double crook life hook”. The Shepherds Hook has a single point that may impale and injure a person being rescued, while the “double crook life hook” has a rounded end. -- WAC 246-260-041(11)(g)(i)

**Changes to Code/Annex:**

Disagree. See Annex for description/explanation of equipment.

- **Comment:**

**6.2.2.3.1 #2** – *Need for lifeguards to readily distinguish different types of drowning patterns.*  
-- Suggest that the training include recognition of: “active”, “passive” and “distressed” swimmer conditions.

**Changes to Code/Annex:**

Agree. Annex revised.

- **Comment:**

**6.2.2.3.1 #6** – *Assuring readiness to respond* -- Consider adding some detail on minimum components that should be considered in the EAP. Including, roles and responsibilities of the different guards and support staff, actions to be taken by each when an emergency presents itself, communication system identified for response, consideration of some emergency conditions that will be included in the staff readiness, plans for routine testing of the EAP

**Changes to Code/Annex:**

Partially agree. Details for Aquatic Facility Safety Plan including Emergency Action Plan are contained in a different code section ( 6.3.2)

- **Comment:**

**6.2.4.1 #1** – Type (says” EPA”), think it means “EAP”

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**6.2.4.4** – Add new subsection: Aquatic managers shall document in service training and ensure all guards are evaluated and either demonstrate compliance or when compliance is

deficient, working with guards on improving their deficiencies.

**Changes to Code/Annex:**

Disagree. Section 6.2.4 addresses course/training requirements for Aquatic Supervisor training. The code and annex have been revised and restructured, in-service training, with documentation, is included in the Aquatic Facility Management Section.

- **Comment:**

**6.3.3.1 #4** – *Concern is this condition while desirable will not be economically feasible for most of the pool facilities at apartments, condominiums, homeowner associations, mobile home parks, etc. that already have pools that exceed 5 feet in depth. Perhaps encouraging shallow water pools for new facilities may help, but this seems like a tough issue. In our state we have experienced resistance to the lifeguarding requirements that we have in place now. -- While I value lifeguards at facilities, this condition will require all aquatic facilities greater than 5 feet in depth to have lifeguards. Has any state developed a rule that requires lifeguards in these conditions?*

**Changes to Code/Annex:**

Agree. Section revised.

- **Comment:**

**6.3.3.1 #7** – *Ensure if I understand what is meant by 8 feet of elevation? Are you talking of distance from the top of the slide to the water level, the water depth at the end of the slide, a runout that is 8 feet out? If you are running with a depth of 5 feet for lifeguards in item (4), why would you accept a greater depth (if it does refer to depth) for installation of a water slide?*

**Changes to Code/Annex:**

The code has been revised and restructured , slide height has been deleted as a determining factor.

- **Comment:**

**6.3.3.3** – *Assurance that person is included in EAP and properly responds. -- Possibly add a sub point with this, but have the additional person that has the training, also participate in in-service training to ensure their readiness to respond to their duties.*

**Changes to Code/Annex:**

Agree. Changes made. The code has been revised and restructured, this section has been modified and clarified.

- **Comment:**

**6.3.3.4.1** – *Improve flexibility for assuring guard stays on task. -- It would be preferable that this section provide “flexibility” for assuring the guard is stationed within their assigned area*

to assure their position is dynamic to the conditions presented. For instance, if the original context is to have the guard in a chair, but glare issues reduce their effectiveness to cover their assigned zone, the provide the flexibility for the guard to have a range of area to achieve their need to observe their zone and maintain vigilance. Suggested modification follows: The zone of patron surveillance responsibility diagrams shall ~~indicate~~ **ensure the lifeguard is able to effectively observe their assigned zone and includes provision for maintaining vigilance**, whether the lifeguard is in an elevated stand, walking, in-water and/or other approved lifeguard

**Changes to Code/Annex:**

Flexibility is already there, just needs to be defined properly when creating documents. Conditions listed need to be accounted for as they change.

- **Comment:**

**6.3.4.2.4** – *Provides some detail that the AHJ needs to include within their inspection routine.* -- Not sure all environmental health staff could accurately assess all of these conditions to ensure compliance, but it could help improve their abilities. It seems that another piece is needed here though, related to the depth of inspections., Possibly in a subset of this or a new point. To the effect of: **The AHJ shall include review of the Aquatic Safety Plan and review assessment skills documentation provided for the guards by the aquatic manager as part of their inspection duties to assure the lifeguard skills are being routinely evaluated.**

**Changes to Code/Annex:**

The AHJ shall have discretion to check aquatic facility lifeguards and aquatic safety team members required certifications and in-service training records and whatever else is in the code.

- **Bert Forde, Midwest Pool Management (Maryland Heights, MO)**

- **4.6.5.3** – *MAHC should acknowledge that EMS recommendations should supersede MAHC* -- After "Workplace First Aid Basic Kit" add the phrase "or as required or recommended by local EMS providers or AHJ"

**Changes to Code/Annex:**

Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.8.5.1.1** – *Not all guard zones are best surveyed from a chair or stand. Some zones are best supervised by a roving guard or lifeguard in the water.* -- Delete "Chairs/Stands" and

replace with “Lifeguard Placement shall be venue appropriate and zone specific and be positioned so as to have an unobstructed view of the entire zone of patron surveillance responsibility for that lifeguard station.”

**Changes to Code/Annex:**

Section 4.8.5 is related to the design of chairs and stands. This section was reworded to clarify the design of the locations of chairs and stands to follow the plan for zones of patron surveillance, to provide unobstructed view per the plan, and to provide UV protection. It is also clarified to indicate only when elevated chairs are used so as not to presume an elevated chair would always be used.

- **Comment:**

**4.8.5.2.3 & 4.8.5.2.4** – *A throwing device is not useful in some bodies of water, such as spas, and small and shallow wading pools, etc.* -- Change the phrase “at any pool” to “at any pool with a depth over 4 feet and square footage over 200 square feet”.

**Changes to Code/Annex:**

Partially agree. The code has been revised to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.5** – *Many communication devices need to be secured indoors at night and protected from weather. It is the operator’s responsibility to insure that batteries are charged on cordless devices, much the same as they are responsible to make sure that main drain grates are secure. It is nearly impossible to get a pay phone these days and the cost of other options can be onerous for small facilities in low income areas.* -- Delete the phrase “that is hard-wired”. Change the sentence to read “A telephone or other communication device must be provided, capable of reaching 911 or other emergency notification system.”

**Changes to Code/Annex:**

Disagree. See current Annex Section 5.8.5.2.2.1.2 for explanation.

- **Comment:**

**6.3.1.3** – *The focus should be on the supervisor’s experience and abilities, not age.* -- Delete minimum age requirement.

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised.

- **Comment:**

**6.3.3.1 to 6.3.3.3** – *The requirement of a lifeguard and second responder will cause a financial burden to aquatic venues in low income areas resulting in many aquatic venues*

*closing for lack of funds to accommodate the lifeguard and second responder requirement stipulated in this draft. Fewer pools result in fewer people who know how to swim. -- Delete number 4 and 5; the requirement to have a lifeguard based upon the depth of water or the size of the pool. Rather limit the use of these pools to require those under 16 years to be accompanied by an adult to use the pool.*

**Changes to Code/Annex:**

Section revised.

- **Comment:**

**6.3.3.2 & 6.3.3.3** – *Requiring a second responder for one guard pools, might cause an aquatic venue to opt to operate without a guard as the cost to a one guard aquatic venue doubles by adding a second staff member. I believe this will cause numerous aquatic venues to close, limiting access to pools for lower income areas. -- Remove these two sections.*

**Changes to Code/Annex:**

Section revised.

- **Comment:**

**6.3.4.1.8.3** – *Training agencies are the appropriate agency to detail proper method to extricate given specific circumstances. They are geared to make changes to their protocols as the science becomes available. -- Delete section*

**Changes to Code/Annex:**

Agree to change to - "A lifeguard shall be able to extricate a victim from the aquatic venue according to the Emergency Action Plan."

- **Comment:**

**6.3.4.1.9** – *The committee agrees that there is no established guideline of what the minimum level of visual acuity needed to lifeguard without corrective lenses. -- Delete this section.*

**Changes to Code/Annex:**

Disagree - change the word requires to uses - There is no standard mentioned - just if the lifeguard "uses" correctives lenses for normal actives they must wear them on duty. Just you may require the lifeguard to have a whistle for the doing the job.

- **Kevin Maher, American Hotel and Lodging Association (Washington, D.C.)**

- **ALSO SEE AMERICAN HOTEL AND LODGING ASSOCIATION LETTER at the end of this document.**

- **Comment:**

**4.8.5.2.5** – sets forth requirements that a “hard-wired” telephone or other comparable alternative emergency communication system must be immediately accessible to all aquatic facility users. The Module, however, does not provide guidelines as to what is required and where its placement is to be. Also, an offsite communication device, not being used at the scene of the incident, can delay vital information to 911 and create a potential for misinformation to be provided. Our members have raised concerns that a direct 911 access would bypass hotel staff who would be unaware of an emergency situation. This could create confusion at a property with multiple pools when the fire department arrives and asks for directions.

**Changes to Code/Annex:**

Partially agree. See current Annex Section 5.8.5.2.2.1.2 for explanation and Code has been revised to require signage in Section 5.8.5.2.2.3.2

- **Comment:**

**5.8.5.3.4.1 - 5.8.5.3.4.2** -- states that if the pool is unguarded, a ring buoy with 50' of ¼ inch rope and a 12 – 16 foot approved reaching pole with a Shepherd’s Crook with an aperture of 18inches is required. There are no further guidelines for exceptions on size or depth requiring this equipment and where placement of this equipment is to be.

**Changes to Code/Annex:**

Agree. Changes made.

- **Comment:**

**5.8.5.3.1** -- sets forth requirements that owner/operators must have documented an Aquatic Emergency Action Plan that is facility specific, emergency communication procedures, emergency closure guidelines, and employee safety training policies. The Module does not specify what documentation is being required to be assembled by an Aquatics professional.

**Changes to Code/Annex:**

Safety plan requirements have been revised, reorganized, and address details for implementation at unguarded facilities.

- **Comment:**

**5.8.5.3.4.3** -- sets forth requirements that owner/operators must have up-to-date CPR, first aid, and prevention of recreational water illness posters at all times. The Module does not define “up-to-date” nor does it state what updates or organizations are approved.

**Changes to Code/Annex:**

Agree. Code revised.

- **Comment:**

**5.8.5.3.2** -- mentions a person responsible for operation and maintenance of the pool yet does not clarify if this is a 40 hour per week position (that oversees this operation) or if these are various staff members working on various shifts during the hours when the pool is open. Would any property employee be qualified to perform maintenance work? Could requirements for CPR coverage overlap with other employee duties? This needs further discussion and clarification.

**Changes to Code/Annex:**

Agree. The provisions in the code regarding facility management, staffing and safety plan have been reorganized and revised.

- **Comment:**

**6.2.2.4.1** -- sets forth requirements that CPR/AED skills for an operator/owner must be consistent with the Emergency Cardiovascular Care Update and/or the International Liaison Committee on Resuscitation. The Module does not provide information regarding other certifying agencies compliance and whether or not those agencies would have a variance.

**Changes to Code/Annex:**

Disagree. See Annex for explanation for how these standards/protocols are established and by whom.

- **Comment:**

**6.2.2.4.1** -- sets forth requirements that First Aid skills be consistent with the Emergency National First Aid Science Advisory Board on treatment of bleeding, shock, sudden illness, and muscular/skeletal injuries. The Module does not provide information regarding other certifying agencies compliance and whether or not those agencies would have a variance.

**Changes to Code/Annex:**

Disagree. See Annex for explanation for how these standards/protocols are established and by whom.

- **Comment:**

**6.3.3.1 (5)** -- any pool whose size or shape is such that there is any point in the pool that cannot be reached by throwing a device (e.g. life ring) to reach 30 feet into the water from the deck. Does this mean that the ring must reach to the other side of the pool, which means the pool can only be 30 feet wide? Or does this mean that the ring must reach to the center of the pool from either side, which means the pool can be 60 feet wide?

**Changes to Code/Annex:**

No changes proposed by commenter. In response to the question, potentially the pool can be 60 feet wide as the code has been revised for clarity and now states " 5) Any aquatic venue with a configuration in which any point on the aquatic venue surface exceeds 30 feet from the nearest deck. "

- **Laura Whitman, Myrtle Waves Waterpark (Myrtle Beach, SC)**

- **Comment:**

**4.6.5.1 – Not practical for all Aquatic Facilities** -- Aquatic Facilities that do not require lifeguards, as defined in this code, may not have a first aid station nor would it be appropriate to have one with no one to manage/operate it. Suggest adding **4.6.5.1.1:** *“Unguarded Aquatic Facilities without a designated First Aid Station shall provide signage that provides direction for patron’s in need of First Aid.”*

**Changes to Code/Annex:**

Agree. Required signage to designate a location for first aid equipment/supplies vs requiring a station knowing unguarded facilities and small facilities may not warrant a station

- **Comment:**

**4.6.5.2 – Not practical for all existing Aquatic Facilities \*\*\*\*\* Overly burdensome** -- For many Aquatic Facilities (smaller existing facilities/unguarded facilities), the First Aid Station may not have "functioning emergency communication equipment". Suggest adding: *“Facilities without a designated First Aid Station shall be required to have functioning emergency communication equipment within the Aquatic Facility and shall have emergency procedures signage posted throughout so guests are able to quickly figure out what to do in an emergency. Additional signage shall be posted at the specific location of emergency communication equipment and shall contain emergency personnel and aquatic venue manager’s contact information, and shall meet the requirements as outlined in section 5.8.5.3.3.2 of this code.”*

**Changes to Code/Annex:**

The committee made several changes to reflect the commentary:

1. The specific first aid supply requirements were moved to section 5 for operation and maintenance
2. Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level
3. Required signage to designate a location for first aid equipment/supplies vs requiring a station knowing unguarded facilities and small facilities may not warrant a station
4. Moved discussion on ANSI first aid supplies requirements to the annex
5. Included functioning communication equipment for the facility but not specifically located at the first aid station since it is now a designated area, not a station
6. Removed the requirement for contacting management during an emergency and state to call EMS.

- **Comment:**

**4.6.5.2 – *Not practical for all Aquatic Facilities*** -- Aquatic Facilities that do not require lifeguards, as defined in this code, may not have a first aid station, nor would it be appropriate to have one with no one to manage/ operate it. Line item addressing this must be added to draft as above.

**Changes to Code/Annex:**

Agree. Required signage to designate a location for first aid equipment/supplies vs requiring a station knowing unguarded facilities and small facilities may not warrant a station

- **Comment:**

**4.6.5 – *Inadequate quality of product pushed by a “proposed CDC Timeline”*** -- All items related to a First Aid Station should not apply to Unguarded Aquatic Facilities as defined in this code. This is a perfect example of the lack of due diligence and time afforded to the sub committee to produce a quality product.

**Changes to Code/Annex:**

Agree. We changed this to a designated area for first aid equipment, not a dedicated station, knowing that first aid supplies still need to be accessible even in unguarded facilities but a full scale station is not necessary.

- **Comment:**

**4.6.5.3 – *Again, a one-size fits all approach with no room for input/supervision by local EMS. Not all of the items are relevant to each aquatic facility.*** -- Add to beginning, “If not otherwise designated by the local Emergency Medical Services provider....”

**Changes to Code/Annex:**

Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.4 – *Same comment as above*** -- Add to beginning, “If not otherwise designated by the local Emergency Medical Services provider...”

**Changes to Code/Annex:**

Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.4 #5** – We assume "bag" refers to a BVM. A BVM serves no purpose as a requirement in an unguarded or a single guarded facility as approved by this code. Suggest changing to: *5) resuscitation equipment (non-latex gloves and pocket mask)*

**Changes to Code/Annex:**

Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.4 #5** – *Inadequate quality of product pushed by a “proposed CDC Timeline”* -- This is a perfect example of the lack of due diligence and time afforded to the sub committee to produce a quality product. Specifically a BVM requires two trained personnel to use in patient care. The code vaguely suggests a “responsible person” (**5.8.5.3.2**) however the code does NOT require this “responsible person” to actually be present other than a vague reference to “management response” within 1 hour at **5.8.5.3.7.1**

**Changes to Code/Annex:**

Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.5** – Too Broad. Suggest: *"A plan shall be in place to maintain minimum requirements as listed in sections 4.6.5.3 and 4.6.5.4. Replacement of used items shall take place as required."*

**Changes to Code/Annex:**

Simplified the first aid supply requirements to be less specific and maintained at an adequate level, not a prescriptive level

- **Comment:**

**4.6.5.6** – Too broad. Suggest: *"Construction of new aquatic facilities shall include an area designated as a first aid station appropriately sized to accommodate reasonably anticipated need based on bather load of the facility."*

**Changes to Code/Annex:**

Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station

- **Comment:**  
**4.6.5.7** – See comments above for Section **4.6.5.1**

**Changes to Code/Annex:**

Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station. MAHC Section 4.6.5.7 was removed as a requirement.

- **Comment:**  
**4.6.5.7** – See comments above for Section **4.6.5.2**

**Changes to Code/Annex:**

Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station. MAHC Section 4.6.5.7 was removed as a requirement.

- **Comment:**  
**4.6.5.7** – See comments above for Section **4.6.5.4**

**Changes to Code/Annex:**

Required new construction to designate a location for first aid equipment/supplies and new & existing facilities to provide signage for first aid equipment location vs requiring a constructed station knowing unguarded facilities and small facilities may not warrant a station. MAHC section 4.6.5.7 was removed as a requirement.

- **Comment:**  
**4.8.5.1.1** – This should be accomplished without the use of secondary monitoring devices (i.e. mirrors or underwater cameras, etc.) Suggest: *"...to provide an unobstructed, direct line of sight, view of the entire zone of patron surveillance..."*

**Changes to Code/Annex:**

Disagree. There are other technologies unidentified today that could be very effective at facilitating an unobstructed view. What matters is that the location of an elevated stand, when used, should be placed to have an unobstructed view since the guard cannot move easily when in an elevated stand.

- **Comment:**  
**4.8.5.1.2** – Needs clarification. As written, one cannot tell if the intention is a shade structure (such as an umbrella) or if the availability of lotion would be sufficient. Suggest adding: (1) **4.8.5.1.2.1**: *Where stationary chairs/stands are concerned, a physical barrier*

*(umbrella, shade structure) shall be provided. (2) 4.8.5.1.2.2: For roving positions or positions in the water, operational controls (t-shirt, rash guards, sunscreen) shall be maintained...*" - or- consider an objective based statement such as: *"For all positions where Lifeguards can be exposed to ultraviolet radiation, Lifeguards must have face, eyes and upper torso protection at all times while performing on-duty lifeguard tasks."*

**Changes to Code/Annex:**

The chair should have UV protection. To not provide it would allow operators to not provide shade to guards when a stationary chair is provided. If they can provide the chair, they can provide the shade in whatever form it can be accomplished.

We have edited the personal protective equipment for guards to include the option of sunscreen or shading the face, eyes, and upper torso.

- **Comment:**

**4.8.5.1.2** – What is the intent? Is the intent for lifeguards to be protected ONLY when in a chair? This is a major liability exposure for the code and operators.

**Changes to Code/Annex:**

The chair should have UV protection. To not provide it would allow operators to not provide shade to guards when a stationary chair is provided. If they can provide the chair, they can provide the shade in whatever form it can be accomplished.

We have edited the personal protective equipment for guards to include the option of sunscreen or shading the face, eyes, and upper torso.

- **Comment:**

**4.8.5.2.2** – While this may be a best practice, marine plywood boards (such as the CJ Aquatics board) that many facilities use is not an "impermeable material" and therefore would not meet the standard as written. Suggest removal of the word "impermeable"

**Changes to Code/Annex:**

Agree. This was clarified to state that they are constructed of material easily sanitized and disinfected.

- **Comment:**

**4.8.5.2.3** –"Aquatic venue" should be changed to "Aquatic Facility" as there is no need to have a throwing device at each catch pool at a multi guard water park simply because each "venue" is a single guard "venue". It is also unnecessary to have these at small hot tubs or spray pools where there is no standing water but is still defined as an "aquatic venue". At the very least this needs to be better defined. Suggested Adding: (1) **4.8.5.2.3.1**: *When the aquatic facility safety plan documents, and the AHJ agrees, that one lifeguard staffing is appropriate for aquatic venues within an Aquatic Facility with multiple venues, then at least*

*one approved aquatic rescue throwing device, with at least a quarter-inch thick rope whose length is 50 feet (15.24 m) shall be required at the facility. (2) 4.8.5.2.3.2: When the aquatic facility safety plan documents and the AHJ agrees that no lifeguard staffing is appropriate for an aquatic venue with standing water, then an approved aquatic rescue throwing device, with at least a quarter-inch thick rope whose length is 50 feet (15.24 m) shall be required. (3) 4.8.5.2.3.3: For Aquatic venues with no standing water as defined in this code, no throwing device shall be required.*

**Changes to Code/Annex:**

Partially agree. The code has been revised to specify facility vs. venue and restructured to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.3** – The true need of an approved aquatic rescue throwing rope is at unguarded aquatic facilities and aquatic venues, as approved by this code. Section **4.8.5.2.3** does not address this. See comment above for suggested language.

**Changes to Code/Annex:**

Partially agree. The code has been revised to specify facility vs. venue and restructured to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.4** – The true need of an approved reaching pole is at unguarded facilities and venues approved by this code. **4.8.5.2.4** does not address this. Suggest reaching poles be addressed with subsections similar in language to **4.8.5.2.3.1**, **4.8.5.2.3.2**, and **4.8.5.2.3.3** as suggested above.

**Changes to Code/Annex:**

Partially agree. The code has been revised to clarify and specify equipment necessary for guarded and unguarded facilities.

- **Comment:**

**4.8.5.2.4** – Reaching Poles should not be required at single guard facilities as this is a non-lifeguard resource. Lifeguards are trained to enter the water to affect a rescue.

**Changes to Code/Annex:**

Disagree. The intent is in a single guard facility if the guard is engaged in a rescue and another patron is in distress, the reaching pole allows an untrained person to assist the distressed person.

- **Comment:**

**5.8.5.1.1** – Suggest adding: **5.8.5.1.2** “*Inspections of portable stands/chairs should confirm*

*the location allows for unobstructed, direct line of sight, visual surveillance of the entire Zone, and matches the location as defined by the Zone of Protection documents for that position.”*

**Changes to Code/Annex:**

Agree. Code revised and expanded with lifeguard locations addressed in the Policies and Management Section.

- **Comment:**

**5.8.5.2.3** – *Rescue tubes not needed for many splashdown/catch pool areas and slide runouts at waterparks -- “...less than 5 feet (1.52m) but greater than 2 feet...”*

**Changes to Code/Annex:**

Disagree. See Annex for explanation.

- **Comment:**

**5.8.5.2.3.1** – What is the intent here? Is the intent only that the rescue device be present OR is the intent to require proper wear that produces a “rescue ready” position? Suggest the following... *“Each lifeguard conducting Patron Surveillance in a water depth of 5 ft. (1.52 m) or greater shall wear the rescue tube so as to be rescue ready to enter the water when needed.”*

**Changes to Code/Annex:**

Agree. Change made to include "rescue ready".

- **Comment:**

**5.8.5.2.3.2** – This is a great example of why this code is redundant and overly verbose. This entry is a repeat for administrative means...the previous 2 entries clearly define when the rescue tube is required. DELETE this entry.

**Changes to Code/Annex:**

Agree. Code revised. Details regarding zones, # of guards, diagrams, etc removed from this section and now included under Section 6.3 Aquatic Facility Management.

- **Comment:**

**5.8.5.2.4** – The need to have lotion available at each venue may be overly burdensome, especially where another form of protection (i.e. umbrellas) is also available or required in **4.8.5.1.2**

**Changes to Code/Annex:**

Partially agree. The code has been revised to allow for alternate means of sun protection that provide shading of the face, eyes and upper torso such as umbrellas, protective clothing or hats.

- **Comment:**

**5.8.5.2.4** – Suggest replacing with objective language... *“Lifeguards must have face, eyes and upper torso protection at all times while performing on-duty lifeguard tasks.”*

**Changes to Code/Annex:**

Partially agree. The code has been revised to allow for alternate means of sun protection that provide shading of the face, eyes and upper torso such as umbrellas, protective clothing or hats.

- **Comment:**

**5.8.5.2.4** – *Is it necessary to state a specific spf number in the code? What if new technologies arise? It is difficult and time consuming to amend governmental regulations.* -  
- All aquatic venues where lifeguards can be exposed to ultraviolet radiation shall provide appropriate sunscreen protection.

**Changes to Code/Annex:**

Partially agree. The code has been revised to allow for alternate means of sun protection that provide shading of the face, eyes and upper torso such as umbrellas, protective clothing or hats. See Annex for further discussion on SPF.

- **Comment:**

**5.8.5.2.5** – *Is it necessary to state “polarized” in the code? What if new technologies arise? It is difficult and time consuming to amend governmental regulations.* -- Lifeguards, while conducting patron surveillance, shall wear appropriate eyewear when it is necessary to reduce the impact of glare

**Changes to Code/Annex:**

Disagree. Currently, polarized sunglasses are the only product we are aware of that reduces the effects of glare. Should new technologies arise, amendments to the MAHC can be made during the planned biannual update process. In addition the MAHC has provisions to allow for alternate methods for compliance.

- **Comment:**

**5.8.5.2.5** – “Glasses” should be changed to *“Sunglasses”*

**Changes to Code/Annex:**

Agree. Code modified to specify polarized sunglasses.

- **Comment:**

**5.8.5.2.6** – *Need local flexibility here.* -- Add to beginning “Unless otherwise directed by local Emergency Medical Services providers,…”

**Changes to Code/Annex:**

Disagree. No rationale provided to support not providing immediately available personal protective equipment.

- **Comment:**

**5.8.5.2.8** – *Covered by 4.6.5.2* -- Delete as repetitive

**Changes to Code/Annex:**

Partially agree. Code revised to address design aspects only in the Design Standards and Construction Section 4.0. The first aid requirements in the Operation and Maintenance section have been revised.

- **Comment:**

**5.8.5.3** – Define under what circumstances a facility can operate without a lifeguard.

**Changes to Code/Annex:**

Staffing requirements are contained in Section 6.3, Aquatic Facility Management.

- **Comment:**

**5.8.5.3.1** – This is a perfect example of the lack of due diligence and time afforded to the sub committee to produce a quality product. This section confuses us a bit as there may be a need for the entries listed here if they are applied to unguarded aquatic venues within an Aquatic Facility that **does** have lifeguards/supervisors on duty. However, there is no need for them if the facility itself is unguarded as comment below addresses. This is a piece that needs much more thought to cover the different scenarios that the code allows with respect to guarded and unguarded venues as stand alone facilities or as part of a larger Aquatic Facility that does have lifeguards. This cannot be a one entry fits all approach as needs are different here.

**Changes to Code/Annex:**

Partially agree. The provisions in the code regarding facility management, staffing and safety plan have been reorganized and revised.

- **Comment:**

**5.8.5.3.1** – This is a perfect example of the lack of due diligence and time afforded to the sub committee to produce a quality product. If this is for Aquatic facilities WITHOUT lifeguards, who would 1) be available or part of an EAP? 2) Who would initiate/participate in, a communications procedure? 3) What employees are being trained at an

UNGUARDED facility?

**Changes to Code/Annex:**

Partially agree. The provisions in the code regarding facility management, staffing and safety plan have been reorganized and revised.

- **Comment:**

**5.8.5.3.2** – What is the intent of this entry? There is no requirement for this person to be present at the facility, at any time, yet the code assumes (and the public will expect) that the code elements are met, which they cannot be IF there is no one present.

**Changes to Code/Annex:**

Agree. The provisions in the code regarding facility management, staffing and safety plan have been reorganized and revised.

- **Comment:**

**5.8.5.3.2** – Suggest adding: *“This person(s) must be on site at all times of operation”*, as there is no purpose in requiring this training if they are not present.

**Changes to Code/Annex:**

Partially agree. The provisions in the code regarding facility management, staffing and safety plan have been reorganized and revised.

- **Comment:**

**5.8.5.3.2** – Suggest adding: *“This person (s) shall also be trained in imminent health hazard closure items of an aquatic facility as defined in this code and shall be authorized to make said closures as necessary.”*

**Changes to Code/Annex:**

Partially agree. The provisions in the code regarding facility management, staffing and safety plan have been reorganized and revised.

- **Comment:**

**5.8.5.3.2** – If there is an on-site requirement for this person, then some of the other comments listed within this document may need to be revisited for appropriateness and/or alteration.

**Changes to Code/Annex:**

Partially agree. The provisions in the code regarding facility management, staffing and safety plan have been reorganized and revised.

- **Comment:**

**5.8.5.3.3** – Suggested Addition: **5.8.5.3.3.3**: *Unguarded Aquatic Facilities shall be required to have emergency procedures signage posted throughout the facility directing patrons to the emergency communication system location and outlining the process for summoning help.*

**Changes to Code/Annex:**

Agree. Code revised to include directions to location of emergency communication system in signage requirements.

- **Comment:**

**5.8.5.3.4.1** – Add to the end: *“...shall be required at each aquatic venue holding standing water.”*

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**5.8.5.3.4.2** – Add to the end: *“...shall be required at each aquatic venue holding standing water.”*

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**5.8.5.3.6** – If an operator is required to be on-site, as suggested above in section **5.8.5.3.2**, the process for reporting these closure items to the operator on-site should also be outlined on this sign. Suggestion: *“A sign shall be posted outlining the required imminent health hazard closure items of an aquatic facility or specific aquatic venue within an aquatic facility, as defined in this code. Sign shall include the process for reporting the closure item to the operator on-site, and a telephone number to report the problem if an operator cannot be located at the facility.”*

**Changes to Code/Annex:**

Agree. Code revised.

- **Comment:**

**5.8.5.3.7** – This should also include how to contact the on-site operator, as suggested in section **5.8.5.3.2**.

**Changes to Code/Annex:**

Agree. Code revised.

- **Comment:**

**6.2.1.1** – *Different aquatic venues may have significantly different training requirements.* -- A Qualified Lifeguard shall have successfully completed a lifeguard training course provided by a training agency, as approved by the AHJ, for the particular type of facility and/or venue for which the lifeguard will be assigned.

**Changes to Code/Annex:**

Partially agree. The code has been restructured and revised. Pre-service and in-service requirements address venue specific issues.

- **Comment:**

**6.2.2 et al** – *These items should be specifically tailored to the type of aquatic facility/venues for which the lifeguard is trained. The training agency should have flexibility in designing the type of training/instruction provided. One size does not fit all here – especially for a waterpark environment. There is way too much detail and specificity in the draft. The AHJ oversight here will assure that proper training is being carried out for the particular facility/venue.* -- Delete all under 6.2.2 (6.2.2.1 through 6.2.2.6.1

**Changes to Code/Annex:**

Disagree. The model code provides minimum common elements to be included in an acceptable lifeguard training course. Pre-service and in-service requirements in the code address venue specific issues.

- **Comment:**

**6.2.2.2.1 #1** – Suggest changing to: *"1) Identification of common hazards or causes of injuries at aquatic facilities, and their prevention."* Not just aquatic injuries.

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**6.2.2.4.1** – *Local EMS guidelines should be followed not other standards.* -- add "or as required by the Aquatic Facilities' Emergency Medical Services provider".

**Changes to Code/Annex:**

Disagree. See Annex for explanation for how these standards/protocols are established and by whom.

- **Comment:**

**6.2.2.5.1** – Add "or as required by the Aquatic Facilities' Emergency Medical Services

provider”

**Changes to Code/Annex:**

Disagree. See Annex for explanation for how these standards/protocols are established and by whom.

- **Comment:**

**6.2.2.5.1 #2** – Emergency Care skills for LAND based suspected spinal injuries contain skills/student content/Instructor content that is beyond professional level CRP/Standard FA training. These land based skills for neck/back injuries are found in EMT level courses and require more than 6-8 hours of specialty content, training and equipment in order to provide care. This includes the use of a c-collar that has been and should continue to be a skill managed by responding EMS or in-house EMT level trained individuals. Patients with land based neck/back injuries are not in any danger of drowning and, as such, is out of the purview/scope of a lifeguard.

**Changes to Code/Annex:**

Disagree - the code speaks to the emergency care of a suspected spinal injury on land. Care does not necessarily mean backboard.

- **Comment:**

**6.2.2.5.1 #2** – REMOVE the reference to LAND bases suspected spinal injuries and related skills.

**Changes to Code/Annex:**

Disagree - the code speaks to the emergency care of a suspected spinal injury on land. Care does not necessarily mean backboard.

- **Comment:**

**6.2.2.5.1 #4** – Treatment of bleeding, shock, sudden illness, and muscular/skeletal injuries are already addressed in section **6.2.2.5.1** subsection 1) above

**Changes to Code/Annex:**

Agree. Change made to eliminate duplication.

- **Comment:**

**6.2.3.4.3** – Suggested Change: *“Prior to instructing lifeguard training, instructors are required to have completed a lifeguard training and a lifeguard instructor training course which, at a minimum, covers all of the essential topics as outlined in section 6.2.2, including passing both the final written and final practical exams.”*

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**6.2.3.4.3** – *The training agencies should be able to determine proper instructor training requirements.* -- change all after “course” to read “from a training agency, as approved by the AHJ.”

**Changes to Code/Annex:**

Disagree with Comment. Evaluation of skill competencies should be part of the instructor certification process.

- **Comment:**

**6.2.3.4.6** – Quality Control. This entry needs additional requirements. Several lifeguard-training agencies DO NOT require Lifeguard Instructors to re-qualify essential lifeguard skills that they are teaching to lifeguard candidates. Any quality control program MUST require re-qualification, at a maximum, every two years. How can an Instructor, who may not have been able to perform rescue skills or pre-requisite skills as a Lifeguard/Lifeguard Instructor, be considered a quality Instructor?

**Changes to Code/Annex:**

Disagree - there are exceptional instructors in all walks of life who can teach far better than most but cannot do basic skills that they previously could do. Someone else can demonstrate a skill and the instructor can explain it while it is being demonstrated.

- **Comment:**

**6.2.3.4.6** – Suggest the following be added: *“Lifeguard Instructors are required to re-qualify, at a maximum, every two years, by completing a Renewal Instructor Program. Renewal Instructors must objectively complete Pre-requisite screening, all skills to Instructor level demonstration quality, complete the Practical and written test in order to renew their Instructor credentials.”*

**Changes to Code/Annex:**

Partially agree. A requirement for instructor recertification/reauthorization has been added.

- **Comment:**

**6.2.3.5.1** – *See comments regarding 6.2.2* -- A Qualified Lifeguard training course shall include a final exam with the following requirements:” 1) Coverage of all of the essential topics; 2) Theoretical, experiential and physical skills; 3) Passing score criteria including the level of proficiency needed to pass required skills; 4) Examination security procedures.

**Changes to Code/Annex:**

Disagree . The model code provides minimum common elements to be included in an acceptable lifeguard training course, with corresponding final exam . Final exam requirements have been re-worded for clarity.

- **Comment:**

**6.2.3.5.2** – Needs rewording, as Instructors are not certified by any AHJ. They are certified by an “approved training agency” as recognized by the AHJ. Suggested Change: *“The instructor of record, certified by an approved training agency as recognized by the AHJ, shall be physically present during all the written and physical testing.”*

**Changes to Code/Annex:**

Agree. Re-worded and revised to require the instructor of record to be physically present during practical testing.

- **Comment:**

**6.2.3.6.1** – Suggested Additions: **6.2.3.6.1.1:** *Training Agency Certifications shall be issued only to lifeguards who successfully meet the requirements of the course. ....*

**6.2.3.6.1.2:** *Training Agencies (or instructors) shall keep a "Course Record" for all lifeguard course conducted by the agencies certified instructors.*

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**6.2.3.6.1** – The requirement for a "Course Record" needs to be included in this section somewhere as it is mentioned but not defined. Suggestion: **6.2.3.6.1.2** *“A Course Record shall be completed for each course conducted by the training agency (or it’s instructors), and shall contain the course dates, individual lifeguard candidate names, certification numbers issued to said candidates, verification of meets/does not meet all course requirements for each candidate, and instructors signature.”*

**Changes to Code/Annex:**

Agree. Course documentation details now specified.

- **Comment:**

**6.2.3.6.1** – Add “Course Record” to the definitions section of this module.

**Changes to Code/Annex:**

Partially agree. Course documentation details now specified.

- **Comment:**

**6.2.3.6.2** – The maximum depth at which training has been conducted is the key here. Restrictions must be clearly defined based on depth that training was conducted in, not based on a depth the training agency arbitrarily assigns to a certificate. Suggest rewording: *"Training agency certifications shall clearly state the maximum depth at which the lifeguard has been trained, and any depth restrictions for which the lifeguard is qualified."*

**Changes to Code/Annex:**

Partially agree. No change to current language regarding certification however, change made to "Pre-Service" requirements to include training specific to the facility's water depth.

- **Comment:**

**6.2.3.6.3** – Eliminate "or less" as this wording suggests you can guard in 5 feet if you only trained in 3 feet, which does not clearly illustrate the intent of the depth association requirement. As an alternative, add another line that states that at least some portion of training must be done at 5 feet.

**Changes to Code/Annex:**

Agree. Code revised.

- **Comment:**

**6.2.3.6.4** – *"Shallow Water Lifeguard"* should be listed as a definition in "Definitions" section above.

**Changes to Code/Annex:**

Partially agree. Code revised.

- **Comment:**

**6.2.3.6.5** – Suggested Addition: **6.2.3.6.5.1**: *The maximum depth at which a lifeguard was trained shall be included on training agency certificate issued to the lifeguard.*

**Changes to Code/Annex:**

Partially agree. No change to current language regarding certification however, change made to "Pre-Service" requirements to include training specific to the facility's water depth.

- **Comment:**

**6.2.3.7** – Continuing Education is used elsewhere in this code to delineate CEU's used to maintain/renew a certification so using here is inconsistent. Suggest changing this to: *"Additional Education and Training"*

**Changes to Code/Annex:**

Partially agree. The code has been revised and restructured and "Continuing Education" has been removed.

- **Comment:**

**6.2.3.8.1** – This sounds like a test-out challenge. Suggested Change: *“When the period of certificate validity is expired as delineated by the training agency, certificate renewal may be achieved by retaking an entire course that meets the requirements delineated in Sec. 6.2.2, or by taking a review course that meets the course requirements delineated in Sec. 6.2.2 and passing a final exam, which includes in and out of water skills.”*

**Changes to Code/Annex:**

Partially agree. The code has been revised and restructured for clarity.

- **Comment:**

**6.2.3.8.4** – Need to define lifeguard challenge program

**Changes to Code/Annex:**

Agree. Code revised to include criteria for a challenge program.

- **Comment:**

**6.2.4.1 #1** –“EPAs” should be “EAPs

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**6.2.4** – *Inadequate quality of product pushed by a “proposed CDC Timeline” \*\*\*\*\* Liability exposure for Owner/Operator, and Code Administrator -- This entire section lacks common sense and practical application. How can a Supervisor (that is not required to be trained in CRP/FA/AED) have the ability to “identify the extent of trauma in an incident and be able to make a decision on the necessity of advanced care” (6.2.4.1 #2)? This is ludicrous and embarrassing that this type of entry is being sent to the public for comment. This is “anti-safety”...designating a responsible person who has LESS training than a lifeguard.*

**Changes to Code/Annex:**

Partially agree. Aquatic Supervisor training has been revised and now includes, among other elements, first aid, CPR/AED training/certification.

- **Comment:**

**6.2.4** – This entire section lacks common sense and practical application. How can a

Supervisor 1) establish/evaluate scanning/vigilance systems, 2) implement and monitor effectiveness of In-Service, Pre-Service, facility specific training for lifeguards, 3) gain strategies to reduce risk and mitigate health and safety hazards and 4) develop and evaluate zones of patron surveillance WHEN they are not even trained as a lifeguard? Where do they gain this “valuable and critically important knowledge and experience”?

**Changes to Code/Annex:**

Partially agree. Supervisor training has been revised and now includes, among other elements, training and previous experience as a lifeguard.

- **Comment:**

**6.2.4** – IF the elements of Supervisor responsibility are to remain in the code THEN the Supervisor must be provided and REQUIRED to be at the very least lifeguard trained, which would provide at least the basis to understand **6.2.4.1** and **6.2.4.2**.

**Changes to Code/Annex:**

Agree. Supervisor training has been revised and now includes, among other elements, training and previous experience as a lifeguard.

- **Comment:**

**6.2.4.2 #2** – The supervisor does not have to be the one to implement training but must be able to oversee the process. Suggest revising to: *“The ability to oversee and insure the implementation of required training, and to monitor...”*

**Changes to Code/Annex:**

Agree. Changes made.

- **Comment:**

**6.2.4.2 #4** – *“Zone of Patron Surveillance Responsibility Diagrams”* should be defined and included in Definitions section above.

**Changes to Code/Annex:**

Partially agree. The code and annex have been revised and restructured. Zones of Patron Surveillance Responsibility Diagrams are addressed in detail in the Aquatic Facility Staffing Plan section.

- **Comment:**

**6.3.1.1** – There is no benefit to some of the supervisor requirements if there is no requirement for a supervisor to be on site. Suggest change: *“Aquatic facilities that are required to have lifeguards shall have at least one employee, on-site during all hours of operation, designated as the aquatic supervisor who meets the requirement of this code to*

*be an Aquatic Supervisor.”*

**Changes to Code/Annex:**

Agree. Change made.

- **Comment:**

**6.3.1.2** – As stated above in the comments relative to **6.2.4**... the training and experience outlined in **6.3.1.2** Will NOT provide any person with the knowledge/ability or practical application of the knowledge to meet **6.2.4**.

**Changes to Code/Annex:**

Partially agree. Requirements for Supervisor training have been revised.

- **Comment:**

**6.3.1.3** – *Age alone does not determine supervisory ability. Supervisory responsibilities vary from aquatic facility/venue to aquatic facility/venue. An across the board requirement for a minimum age in order to perform any type of supervisory responsibility is not reasonable.* -- Suggest Change: *“Persons with lifeguard supervisory responsibilities shall have sufficient maturity and training to perform all duties assigned.”*

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised.

- **Comment:**

**6.3.1.5** – This entry attempts to provide a requirement for meeting the skills for **6.2.4**, however, First Aid is not listed and skills are required in **6.2.4** for First Aid. The entry also does not specify the level of the training, which should be equivalent to Professional Level (same as lifeguards). If not listed at all and/or not listed as Professional Level, then the Supervisor and the lifeguards would be trained in two separate protocols for delivery of CPR (layperson versus professional).

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised.

- **Comment:**

**6.3.1.6** – This section is an exact duplicate of Section **6.2.4.2** (repeated from section **6.2.4.2**) and should be removed. This also does not provide for any resource or requirement to gain the skills training...where does one receive this?

**Changes to Code/Annex:**

Agree. Requirements for Supervisor training and responsibilities have been revised, code re-structured and duplications eliminated.

- **Comment:**

**6.3.1.7** – *Not sure who the “person in charge of the lifeguards” is. However, that person should not have to demonstrate knowledge of the entire MAHC. -- Based on the risks inherent in the particular aquatic facility, the AHJ may ask the Aquatic Supervisor to demonstrate knowledge of the items listed in 6.3.1.3 to 6.3.1.6.*

**Changes to Code/Annex:**

Agree. The Code has been revised and re-structured, this "Demonstrate Knowledge" item has been eliminated

- **Comment:**

**6.3.1.7** – If **6.3.1.6** is eliminated as a duplicate section, then this section needs to include **6.2.4.2** here.

**Changes to Code/Annex:**

The Code has been revised and re-structured, this "Demonstrate Knowledge " item has been eliminated.

- **Comment:**

**6.3.1.8 #1** – *Knowledge of the Code is not always aligned with having no “priority violations”. What is a “priority violation”? This term should be deleted or be defined. -- 1) Demonstrating knowledge of Sections 6.3.1.3 through 6.3.1.6*

**Changes to Code/Annex:**

Agree. The Code has been revised and re-structured, this "Demonstrate Knowledge" item has been eliminated.

- **Comment:**

**6.3.1.8 #2** – *Need to limit the information required to that required under the Lifeguarding provisions – not the entire code. -- 2) Produce the documentation required under Section 6 of this Code*

**Changes to Code/Annex:**

Agree. The Code has been revised and re-structured, this "Demonstrate Knowledge" item has been eliminated

- **Comment:**

**6.3.2.1** – Suggested Change: *“The number of lifeguards and lifeguard stations shall be established so that the lifeguard is capable of viewing the entire area of the zone of patron surveillance, without the use of secondary monitoring devices as defined in this code,*

*including from the bottom to the surface and above the water”*

**Changes to Code/Annex:**

Partially agree. The code has been revised and restructured for clarity.

- **Comment:**

**6.3.3.1** – This is a perfect example of the lack of due diligence and time afforded to the sub committee to produce a quality product. This section confuses us a bit as there may be a need for the entries listed here if they are applied to aquatic venues with standing water. However, by definition Aquatic Venues include spray pads and other attractions, which may not contain standing water. This is a piece that needs much more thought to cover the different scenarios that the code allows with respect to guarded and unguarded venues. This cannot be a one entry fits all approach as needs are different here.

**Changes to Code/Annex:**

Wording changed. Some venues without standing water maybe excluded from this code by the AHJ.

- **Comment:**

**6.3.3.2** – Suggest changing to: *“Any aquatic venue that requires a lifeguard, and is a single lifeguarded aquatic venue, shall at a minimum, have an additional staff person, on-site and available, that has current CPR/AED certification (same level as Lifeguards), training in water extrication of an unconscious guest, and spinal management techniques/extrication from an on-deck perspective.”*

**Changes to Code/Annex:**

Section revised.

- **Comment:**

**6.3.3.2** – This may have a significant impact on pool management companies (or similar entities) who may not have any other personnel at the facility they guard (i.e. apartment complexes and home owners association pools.)

**Changes to Code/Annex:**

Understood. Section revised.

- **Comment:**

**6.3.3.3** – This is a perfect example of the lack of due diligence and time afforded to the sub committee to produce a quality product. This is a Double Standard and will pose incredible liability on owner/operators and Code Administrator. There is no current standard for any guarded pool for response time within an EAP...and specifically not a requirement for anyone to be present on-site to meet this requirement. Why would a single guard pool be

required to have a timed response standard when a Multi-Guarded pool does not have a requirement for timed response?

**Changes to Code/Annex:**  
Agreed. Section revised.

- **Comment:**

**6.3.3.3** – Not only is this a double standard, it is also not practically supported by the code. The code, as stated in earlier comments, does NOT require presence of any persons at a pool...so how, based on the code, would there be any ability to meet this standard?

**Changes to Code/Annex:**  
Section revised.

- **Comment:**

**6.3.3.3** – Suggest removing this entry all together or support it with properly written and inclusive code language.

**Changes to Code/Annex:**  
Section revised.

- **Comment:**

**6.3.4.1.2** – Once again the Lifeguards are required to have more and more advanced training than the Supervisor who is required to provide oversight and direction.

**Changes to Code/Annex:**  
The wording of code and annex has been extensively revised.

- **Comment:**

**6.3.4.1.3** – Suggest that this be added to/included in **6.3.4.1.1** as follows: *“... as outlined in the Safety Plan specific to that Aquatic Facility or Aquatic Venue. Documentation of skills proficiency verification prior to active patron surveillance shall be maintained and available for inspection.”*

**Changes to Code/Annex:**

Agree - Documentation shall be maintained and be available for inspection verifying that all lifeguards have demonstrated water rescue competency for the specific aquatic venue prior to active patron surveillance, including but not limited to being able to submerge to the deepest point of the aquatic facility and perform a water rescue.

- **Comment:**

**6.3.4.1.6** – Lifeguards assigned for the direct supervision of bathers shall not be assigned

other tasks that intrude on patron supervision.

**Changes to Code/Annex:**

Not sure what comment refers to but text has been clarified.

- **Comment:**

**6.3.4.1.8** – The phrase “water rescue sequence” should be removed. This is a term specifically generated by the Vice Chair of the committee and is directly taken from the ARC textbook and content. Agency specific items have no place in this code and in fact this item was specifically identified to be excluded as part of the draft code.

**Changes to Code/Annex:**

Disagree - this codes agrees with peer reviewed materials and review of the research.

- **Comment:**

**6.3.4.1.8.2 to 6.3.4.1.8.4** – The term “water rescue sequence” comes directly from an exclusive (non peer reviewed) document called the USLSC, which was a document produced by the ARC, YMCA and USLA, and authored by individuals who ALL have relationships or direct committee membership on one or more of the agencies listed. Comments sent by the agency sending this comment form, were never vetted, followed up, or replied to, during or after the comment period, or prior the final publication of the USLSC.

**Changes to Code/Annex:**

Disagree - this code agrees with peer reviewed materials and review of the research.

- **Comment:**

**6.3.4.1.8.2 to 6.3.4.1.8.4** – Any and all references or use of agency specific content should be stricken from this draft and/or final code.

**Changes to Code/Annex:**

Disagree - this code agrees with peer reviewed materials and review of the research.

- **Comment:**

**6.3.4.2.1** – Wording in this section most often only addresses training requirement and does not specify, “*regularly scheduled in-service (refresher) training*”. One can interpret this as only having the need for training on the subject matter and not reinforcement training of said topics. There is no mention of frequency of training or the need for regular scheduling.

**Changes to Code/Annex:**

Annex information to support that the committee came up 4 hours a month as a minimum.

- **Comment:**

**6.3.4.2.2.** – Wording in this section most often only addresses training requirement and does not specify, “*regularly scheduled in-service (refresher) training*”. One can interpret this as only having the need for training on the subject matter and not reinforcement training of said topics. There is no mention of frequency of training or the need for regular scheduling.

**Changes to Code/Annex:**

Annex information to support that the committee came up 4 hours a month as a minimum.

- **Comment:**

**6.3.4.2.2** – *There are a number of emergency procedures that may require specific professional skills not held by most lifeguards such as electrical shut down, pump operations, etc. Training should be only as to what is in the level of competency of the particular Team member. Lifeguards are part of the Team and need not be mentioned separately. Why is there a reference to “aquatic venue safety team”? Is this different than the AFST? -- Aquatic Facility Safety Team Members shall receive training on all applicable emergency procedures specific to the Aquatic Venue(s) to which they are assigned.*

**Changes to Code/Annex:**

Agree with comment

- **Comment:**

**6.3.4.2.3** – *An aquatic venue is an attraction, not a person.* -- The Aquatic Facility Aquatic Supervisor shall be responsible .....

**Changes to Code/Annex:**

Agree

- **Comment:**

**6.3.4.2.4** – This entry presents a Liability exposure to the AHJ. Why? The code gives them authority to check/inspect. However, the reality is, the actual inspector of the AHJ most likely will not have the actual training knowledge or competency to adequately and properly evaluate performance standards or skills. By and large the AHJ will not avail themselves of this ability, however, when a facility has failed to provide, and where AHJ has failed to check, both the owner/operator and AHJ will be liable for the resulting negligent actions.

**Changes to Code/Annex:**

Disagree with comment. It is saying in the annex that the AHJ has the ability to review that the venue or facility is in compliance with the code.

- **Comment:**

**6.3.5.1** – This section does not address single guarded facility Rotation Plans. Guidelines must be established for these facilities. See comments for section **6.3.5.1.1** below.

**Changes to Code/Annex:**

Agree with comment. Wording added

- **Comment:**

**6.3.5.1.1** – Suggest adding **6.3.5.1.1.2** as follows: *“Single lifeguard facilities shall have a rotation plan that indicates a minimum of 10 minutes per hour of non-patron surveillance time for the lifeguard. Rotation Plan should address procedure for accomplishing this without compromising patron surveillance during this time.”*

**Changes to Code/Annex:**

Agree with comment - “Single lifeguard facilities shall have a rotation plan that indicates a minimum of 10 minutes per hour of non-patron surveillance time for the lifeguard. Rotation Plan should address procedure for accomplishing this without compromising patron surveillance during this time.”

- **Comment:**

**6.3.5.2.3 & 6.3.5.2.3.1** – *all references should be to the “Aquatic Facility Safety Plan” not the “Aquatic Safety Plan” ..... It is unreasonable to require each venue to have a full blown Safety Plan. ... Most of the information required is facility wide. Additional information can be added for particular venues when required. -- All aquatic facilities requiring a lifeguard shall have an Aquatic Facility Safety Plan which documents conformance with this Code.”*

**Changes to Code/Annex:**

Agree to edit to the following - All aquatic facilities requiring a lifeguard(s) shall have an Aquatic Facility Safety Plan which documents their conformance to this Code.

- **Comment:**

**6.3.5.2.3.3** – *The documentation is required pursuant to the Plan not as an actual part of the plan. -- change “contain” to “require”. Change “Aquatic Safety Plan” to “Aquatic Facility Safety Plan”*

**Changes to Code/Annex:**

Agree

- **Comment:**

**6.3.5.2.3.5** – *The documentation is required pursuant to the Plan not as an actual part of the plan. Should be “Aquatic Facility Safety Plan -- The Aquatic Facility Safety Plan shall*

require documentation of all in-service training.”

**Changes to Code/Annex:**

Agree with comment - The Aquatic Facility Safety Plan shall require documentation of all in-service training.

- **Comment:**

**6.3.5.2.3.6** – *Last sentence is not necessary. Should be “Aquatic Facility Safety Plan” --*  
The Aquatic Facility Safety Plan shall contain an Emergency Action Plan that details the levels of response to specific aquatic emergencies and should identify the appropriate responder, tasks and equipment.

**Changes to Code/Annex:**

Agree to edit to - The Aquatic Facility Safety Plan shall contain an Emergency Action Plan that details the levels of response to specific aquatic and non-aquatic emergencies and should identify the appropriate responder(s), tasks and equipment. The emergency response shall be consistent with the agency training in 6.2.2.3 to 6.2.2.5.1.

Tom Hellman Document



CALIFORNIA PARK & RECREATION SOCIETY  
AQUATIC SECTION



September 27, 2012

MAHC Coordinator  
Waterborne Disease Prevention Branch  
Division of Foodborne, Waterborne, and Environmental Diseases  
Centers for Disease Control and Prevention, Mailstop C-09  
1600 Clifton Rd NE  
Atlanta, GA 30329-4018

The attached Draft Module Review Comment Form is submitted by the Board of Directors from the CPRS Aquatic Section. The Aquatic Section comprises over 185 members in California that operate public swimming pools for local Park & Recreation Departments.

We appreciate the opportunity to comment on the Lifeguarding and Bather Supervision module and look forward to your response.

Respectfully,

California Park & Recreation Society, Aquatic Section  
Board of Directors

Stacey Zarazua, President  
*City of Ventura*

Pete DeQuincy, President-Elect  
*East Bay Region Park District*

Tom Hellmann, Past-President  
*Cosumnes CSD*

Dan McCormick, Treasurer  
*East Bay Regional Park District*

Jenni Worsham, Secretary  
*City of Cypress*

Peter Beireis, Region I Representative  
*City of Newark*

Jennie Tucker, Region II Representative  
*City of San Bruno*

Dee Pearson, Region III Representative  
*Conejo Recreation & Park District*

Courtney Maglio, Region IV Representative  
*City of Glendale*

Darcie Flanders, Region V Representative  
*City of El Segundo*

ADVOCATES FOR AQUATIC SAFETY – UNITING AQUATIC PROFESSIONALS

**AMERICAN HOTEL AND LODGING ASSOCIATION LETTER**



October 12, 2012

MAHC Coordinator  
Waterborne Disease Prevention Branch  
Division of Foodborne, Waterborne, and Environmental Diseases  
National Center for Emerging and Zoonotic Infectious Diseases  
Centers for Disease Control and Prevention  
Mailstop C-09  
1600 Clifton Rd NE  
Atlanta, GA 30329-4018

RE: Model Aquatic Health Code: Lifeguarding and Bather Supervision Module

Dear Sir/Madam:

The American Hotel & Lodging Association respectfully submits these comments to the Centers for Disease Control Model Aquatic Health Code: Lifeguarding and Bather Supervision Module.

Serving the hospitality industry for more than a century, AH&LA is the sole national association representing all sectors and stakeholders in the lodging industry, including individual hotel property members, hotel companies, student and faculty members, and industry suppliers. Many of our members operate small businesses with just a few properties, or even one property.

Our industry applauds the mission of the CDC to improve the public health and many of our members are among the first to turn to CDC for information and recommendations on flu and other pandemic outbreaks. However, AH&LA questions whether the CDC is the appropriate agency to address non-

**AMERICAN HOTEL AND LODGING ASSOCIATION LETTER, cont.**

disease related issues that are addressed in this model aquatic code. AH&LA would like to state at the outset that providing a safe experience for all travelers is a fundamental goal of the lodging industry and we support flexible solutions towards this end.

The Module fails, unfortunately to address the most significant source of pool and spa related accidents and injuries. According to the May, 2012 U.S. Consumer Product Safety Commission report “Pool or Spa Submersion: Estimated Injuries and Reported Fatalities, 2012 Report” at least 85% of fatalities to children 5-years-old or younger occur at private pools. Furthermore, the recent “*Virginia Graham Baker Pool and Spa Safety Act*” adds significant new entrapment safeguards on commercial pool and spa operators—making it much less likely for pool and spa accidents to occur at commercial pools

AH&LA is concerned that by developing these Model Aquatic Codes, the CDC is in fact writing new regulations. These codes will be used in litigation and adopted by local jurisdiction which is tantamount to new regulations. Unfortunately, it does not appear that the CDC is following proper procedures as required by the Administrative Procedures Act and other laws. These codes will have significant impact on businesses and important questions remain unaddressed by the CDC, including:

- Has the CDC estimated the costs associated with hiring and managing teams of lifeguards and purchasing and maintaining equipment and supplies?
- Has the CDC estimated the costs and effects on small businesses?
- Has the CDC solicited input from the Small Business Administration?
- Has the CDC studied the environmental impacts?
- Has the CDC estimated the implications of a significant lifeguard demand on the available supply?”

The draft Module appears to present confusing and troubling conflicts with existing local codes as well as Federal law. Our members have pointed out that many local jurisdictions have already adopted requirements for bather supervision which would be in conflict with the CDC Module and likely to create tremendous confusion and duplication of requirements.

**AMERICAN HOTEL AND LODGING ASSOCIATION LETTER, cont.**

AH&LA generally supports the exemption of shallow pools and those that do not allow unsupervised swimming by children under age 14. However, our members are concerned that many jurisdictions will adopt the Module and not include these exemptions. Our members have pointed out that the Module may present conflicts or create confusion with existing regulations on such issues as signage and existing lifeguard requirements

Several sections of the Module appear to conflict with the Americans with Disabilities Act and the ADA-Amendments Act. Directives to limit what types of employees to hire may conflict with ADA-AA requirements. Furthermore, the January 31, 2012 guidance from the Department of Justice requiring a pool lift at all pools and spas would appear to present challenges as to how lifeguards monitor pools by adding what is in essence a “diving board” at the shallow end of the pool.

Based on comments received from our members, AH&LA offers the following comments and/or questions of specific sections of the Module.

**(SEE LIFEGUARDING AND BATHER SUPERVISION PUBLIC COMMENTS DOCUMENT)**

We have heard from many of our members that requiring lifeguards at lodging swimming pools and spas will, in many cases, cause owners and operators to either severely restrict the hours of operation for the pool in order to minimize the industry’s lifeguard costs or cause the pools and spas to be permanently closed. Both outcomes are not in the best interests of the lodging industry and the travelling public.

The lodging industry has already been saddled with the mandate that every pool and spa provide a permanent pool lift to enable guests with disabilities to access these bodies of water. In addition, the costly mandates for drain covers and suction inhibiting equipment as required by the Virginia Graham Baker Pool and Spa Safety Act are born by the lodging industry. However, having to maintain lifeguard coverage at a hotel pool will become a burdensome ongoing financial obligation that could be the determining factor as to whether the hotel is able to profitably conduct its business. Having adequate signage and lifesaving equipment is the norm today and should remain so.

**AMERICAN HOTEL AND LODGING ASSOCIATION LETTER, cont.**

The American Hotel & Lodging Association welcomes the opportunity to discuss these important issues with the CDC in the coming months.

Thank you.



Kevin Maher

Senior Vice President of Governmental Affairs

American Hotel & Lodging Association

1201 New York Ave., NW

Washington, DC 20005

(202) 289-3147

**Changes to Code/Annex**

Partially agree. The MAHC was created by a coalition of public health, academic, and aquatics sector personnel with CDC taking ultimate ownership and responsibility for the content. The MAHC is intended to be guidance for state and local health departments in creating, revising or updating their pool codes and as such is not regulatory in nature: CDC is not a regulatory agency. CDC agreed to early and preliminary posting of the MAHC modules to truly maximize the impact of public comment on the committee thinking and direction. The large number of first round public comments was extremely useful in considering the content of this module. As a result of the public comments, the Lifeguarding and Bather Supervision module has been extensively revised and re-written, which appears to have addressed most comments in this document. CDC has also built in another public comment period to review revised content in the context of the complete MAHC document. We look forward to more constructive comments and improvements and ultimate release of the MAHC 1<sup>st</sup> Edition. The MAHC believes that this is the true intent and purpose of public comment period.