

**WAC 246-260-171 Compliance.** (1) Except as provided in subsections (2), (4), and (5) of this section, existing water recreation facilities with approved plans prior to October 31, 2004, that do not fully comply with the design, construction, and equipment requirements in WAC 246-260-031, 246-260-041, 246-260-051, 246-260-061, 246-260-071, and 246-260-081 may be continued in use.

(2) Owners of all facilities shall comply with the operational requirements in WAC 246-260-101 through 246-260-151.

(3) Owners of facilities designed and constructed after the effective date of these regulations shall comply with all applicable sections of the design, construction and equipment requirements in WAC 246-260-021 through 246-260-091.

(4) Facilities constructed prior to the effective date of these regulations shall comply with the barrier protection requirements in WAC 246-260-031 (4) and (5) and the emergency equipment requirements established in WAC 246-260-041 (11)(h); 246-260-071(7); and 246-260-081(4) by the compliance deadlines specified in the regulations. Barrier modifications or emergency shutoff switches made prior to the compliance deadlines shall meet the requirements in WAC 246-260-031 (4) and (5); and WAC 246-260-041 (11)(h); 246-260-071(7); and 246-260-081(4) at the time the modifications are made.

(5) When owners are modifying the physical plant of their facilities, they are required to upgrade the area of the physical plant being modified to conform to current requirements. For example, when owners having pool facilities with single main drains are changing or modifying their main drains they shall modify the main drains in compliance with the current requirements. This includes, but is not limited to:

- (a) Resurfacing of pools that involves alteration of the drains;
- or
- (b) Changes to the main drain outlet sump or its recirculation piping.

[Statutory Authority: RCW 70.90.120. WSR 05-09-004, § 246-260-171, filed 4/7/05, effective 5/8/05. Statutory Authority: Chapters 70.90 and 43.20 RCW. WSR 04-18-096, § 246-260-171, filed 9/1/04, effective 10/31/04.]