



**WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE AND
CONSUMER PROTECTION**

DIVISION OF FOOD AND RECREATIONAL SAFETY

TITLE: Reinspection Criteria Water Recreation

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Reinspection Criteria for Water Recreational Facilities

This document will assist in the determination of when a reinspection is warranted. Reinspections are to be conducted as soon as possible, based on the scheduled date for the correction(s).

If a return visit is required to verify compliance, a reinspection and reinspection fee will be required if applicable. As indicated below, if documentation or other evidence is provided to show satisfactory compliance, a reinspection may not be required:

Category 1 – Imminent Hazards

Whenever an inspection or complaint investigation reveals the existence of a violation that is potentially hazardous to the health and safety of patrons or employees and the violation cannot be corrected during the inspection or investigation, the inspector must return to the establishment to verify that the violation has been corrected.

**Note- Category 1 violations apply specifically to items 1-12 as identified below.*

Category 2 –Priority Violations

Whenever an inspection reveals that 6 or more priority violations have been observed and noted, a reinspection will occur whether the violations were corrected onsite or not, to verify active managerial control has been established.

Category 3 – Repeat Violations

Whether corrected on-site or not, repeat violations that are documented over 3 inspections (routine, complaint or onsite) will result in a reinspection.

Category 4 – Excessive Violations

An excessive number of violations may result in a reinspection. The inspector and their supervisor will determine if there is a lack of active managerial control based on the quantity and criticality of the observed violations.

**Note- Category 2, 3 and 4 violations apply to all the violations as identified in the "Water Recreation" Marking Instructions" document.*

The following violation(s) will result in a reinspection and applicable reinspection fee under category 1

1. The presence of a hazardous substance, object, material, chemical or condition in the pool or pool area that creates an immediate danger to health or safety that is likely to cause injury or illness. Examples of hazards include, but are not limited to, the following:
 - a. Physical hazards, such as sharp objects, protrusions, glass, missing barriers, missing guardrails or entrapment dangers such as a drain cover that is missing, damaged, altered or missing screws, missing required documentation of installation and replacement or if it is replaced with a different cover that is not “like for like” unless approved by Department of Safety and Professional Services (DSPS).
 - b. Biological hazards such as a fecal, vomit or blood incidences or microbial growth.
 - c. Chemical hazards such as a pesticide, improper use of a chemical, use of a chemical not intended for pools, or if a chemical release event occurred.
2. The water quality requirements do not comply with ATCP 76.16.
 - a. Pool water contains chemical, physical and microbial substances known to be, or suspected of being, capable of creating toxic reactions or skin or membrane irritations.
 - b. The main drain is not readily visible from the pool deck due to lack of water clarity which contains more than 0.5 Nephelometric Turbidity Units.
 - c. Bacteriological testing by a DATCP accredited laboratory exceeds the water quality standards amounts in ATCP 76.16 (3)(b) for total coliform, heterotrophic plate count and staphylococci.
3. The pool water is not supplied from an approved source or the water source is not protected from back siphonage due to a lack of backflow preventative devices on hose bibs or the potable water supply line is below the overflow point of the receiving basin.
4. The disinfectant levels are below the minimum levels established in Table ATCP 76.14 or over the maximum values of 10 ppm for chlorine and 20 ppm for bromine. The level must be beyond the degree of error of the test kit.
5. The pH is not within the range of 7.2- 7.8. The level must be beyond the degree of error of the test kit.
6. A circulation pump, filter, or disinfectant feeder is not operational or has resulted in the following health or safety hazard:
 - a. The disinfectant feeder is not automatic or able to provide continual feeding, disinfectant is handfed into the pool manually to maintain routine disinfection or the feeders are not maintained and operated in accordance with the manufacturer’s recommendations.
 - b. The disinfectant feeder system was converted to a different type of system without the required DSPS plan review.
 - c. The disinfectant feeder lacks the required safeguards which prevent chemical release events. The disinfectant feeder pump is not electrically connected to the recirculation pump control circuit, the chemical feeder does not have flow control valves both upstream and downstream, the

- chemical feeder does not have anti-siphon safeguards to prevent feeding during a recirculation pump failure or the ozone generator is not electrically interlocked with the recirculation pump.
- d. Pools that use chlorine gas do not conduct staff safety training, the gas tanks are being changed when the pool is open to the public, a spare respirator, filter, cartridge, or canister element for the self-contained breathing apparatus is not available, a self-contained breathing apparatus was not located outside the chlorine gas storage room and a leak detection system is not in place in the chlorine gas storage area.
7. The lifeguard or attendant requirements do not comply with the following of ATCP 76.22, 23 and 24:
 - a. The lifeguard quantity is inadequate according to the approved plan compliant with ATCP 76.
 - b. Their location based of Table A, B and instructional programs is inadequate.
 - c. The instructor acting as the lifeguard for their instructional program cannot supervise their entire group or a lifeguard is not available to supervise the general public if required while the instructional program occurs.
 - d. The lifeguard has distracting duties or is assigned multiple pool areas that prevents them from adequately scanning and performing lifesaving response procedures.
 - e. The lifeguard does not have a rescue tube while on duty.
 - f. The certifications for first aid, CPR/AED, lifeguarding, and water attraction (if applicable) are expired, not onsite or able to be verified through other means, or the certification course is not approved by the department.
 8. Active managerial control and supervision is inadequate.
 - a. The operator or responsible supervisor is not present or available by phone during hours of operation or they cannot show or demonstrate knowledge to maintain health and safety.
 - b. The pool closure criteria, ATCP 76.30, was not followed.
 9. The temperature of the pool/whirlpool water is greater than 104°F. The reading must be beyond the degree of error of the thermometer.
 10. The rescue equipment required in ATCP 76.26(1) is missing from the immediate pool area, is in such condition or is maintained in such a way which prevents proper use, is not mounted, is inconspicuously mounted, is not readily accessible, is missing the rope from the buoy, or does not have the head immobilizer or straps in place on the spine board.
 11. The emergency telephone is missing, not properly located, maintained, operational, or an approved type of phone or communication device.
 12. The gate or door to the pool enclosure is not being maintained or is not self-closing, latching and lockable.