

ICC hearings in Dallas marks a new milestone for the pool industry

By Jennifer Hatfield, Government Relations Consultant

A year ago the Association of Pool & Spa Professionals (APSP) broke new ground for the industry when it started discussing with the International Code Council (ICC) the development of the first ever national swimming pool and spa code (ISPSC). These discussions led to APSP and the ICC co-developing this new code and representatives of both memberships working to develop a first draft. Two Florida representatives, Ken Gregory and Dan Johnson, participated in the drafting committee. The public was then offered an opportunity to submit code proposals to that draft and these proposals were vetted May 16 in Dallas, Texas in front of a new committee. Florida was represented on this committee by Dan Johnson, Ken Gregory, and Tom Allen (BOAF). It is important that Florida have a voice in these hearings, as the state has its own swimming pool code and can provide insight in the ICC development.

Historically pool and spa issues occupied a very limited part of the ICC codes and tended to focus only on two issues: barriers and entrapment. Recognizing the opportunity for a greater role in the ICC Codes and processes, APSP has continued to have a greater presence within the ICC code development and hearings; including the International Green & Construction Code (IGCC) and International Energy & Conservation Code (IECC). With the Dallas hearings, the APSP has taken on an entirely new role with the ICC, as a partner, as well as an active commenter. Not only did APSP provide input or assistance on most of the 100 code proposals vetted by the International Swimming Pool & Spa Committee (ISPSC), but it also had a major presence at the IGCC hearings held that same week. The IGCC addresses diverse issues related to all energy and resource conservation aspects of commercial buildings and building sites and will likely be used by many states in the near future.

Jennifer Hatfield headed up the team alongside Carvin DiGiovanni and Steven Getzoff during the ISPSC and Steve Barnes during the IGCC. With assistance on certain proposals from John O'Hare (Hayward), Nathan Coelho (Master Spas), several representatives from the automatic pool cover sector, and other APSP and industry members, the APSP received favorable recommendations on all of the key APSP submitted proposals and on virtually all of the other proposals submitted by various entities. They achieved similar success with regard to the 20 IGCC proposals that addressed pools and spas. The few items which were not resolved consistent with APSP positions will be given a second opportunity at the final action hearings in Phoenix, November 2.

A lot of time and effort were required in planning and reviewing prior to the hearings and in Dallas, where hours were spent at pre-hearing meetings, which resulted in an accord on most issues in advance of the actual hearings.

The I-codes and specifically the ISPSC have far-reaching effect on all aspects of the industry. Most of the states are likely to adopt this code in the near future. Our role as industry experts on equipment, building and design, safety, and energy efficiency has been established through the ANSI/APSP standards, and was instrumental in the development of this code. The ICC process also provides insight from other groups such as UL, NSF, and various individuals to ensure a well thought out and vetted code is what ultimately is adopted.

Read more on specific provisions that were vetted at the hearings:

- Safety Barrier provisions adopted consistent with Florida Barrier provisions:
 - A proposal submitted by APSP and that received favorable action brought the code back into alignment with the IRC, Appendix G barrier provisions. The language provides that if a dwelling wall is used as the fourth side of the barrier, a door alarm, pool cover, or self-closing/self-latching device may be used.
 - APSP's proposal recognizing automatic safety covers as a barrier was accepted – consistent with California, Florida and Indiana law.
 - Another APSP proposal that received favorable action clarified that portable spas with a lockable safety cover complying with ASTM F1346 are exempt from the barrier requirements.
 - APSP also supported and opposed several other barrier proposals; action by the committee followed the APSP positions. This included proposals by UL to clarify the type of UL 2017 pool alarm (we supported) and proposals to make changes to mesh fence requirements (we opposed).
- APSP proposals provided consistency with both ANSI/APSP-7 and ANSI/APSP-5, the suction entrapment avoidance and residential inground pool standard, respectively.
- APSP proposals clarified that certain provisions applied only to public, as opposed to residential pools, including lighting, accessibility, and hose bibbs. All were approved.
- APSP proposals exempted onground storable pools from several requirements. Others will be addressed at the ISPSC Final Action Hearing in Phoenix (example – exempting such pools from time switch requirements).
- APSP worked with Underwriters Laboratory to revise UL proposals to ensure consistency with ANSI/APSP definitions of Portable Spas, recognizing that these units may be non self contained, and either hard wires or plugged in. They look forward to working closely with UL prior to the final action hearings in Phoenix to ensure their concerns are adequately addressed.
- APSP proposals clarified listing and labeling requirements for pipe, fittings, components and equipment to NSF 50. These proposals were disapproved and APSP will need to work with manufacturers over the summer to find an approach that will address all concerns, including understanding how listing and labeling is addressed in the I-codes.
- APSP opposed a number of proposals which were intended to remove certain key requirements for public pools and spas, including signage, based on the argument that they were under the purview of State Departments of Health. These proposals were disapproved and these critical provisions will remain in the Code. .
- An APSP proposal ensured consistency with its APSP-9 Standard for Aquatic Recreation Facilities.

With regard to the International Green & Construction Code, APSP submitted various proposals, many of which made clarifications between pools, inground spas, and portable spas – a move consistent with our standards and how these vessels are addressed in the ISPSC. It is important to note this code addresses only commercial buildings and facilities, both new and existing whereas the International Energy &

Efficiency Code addresses both commercial and residential. In addition to the proposals asking for delineation between aquatic vessel types, issues that APSP addressed in Dallas included the following:

- Pools in a conditioned space and their annual energy consumption,
- Requirements for rough-ins for solar hot water,
- Cover requirements on pools and spas addressing heat-loss and water evaporation,
- Requirements that splash troughs must discharge to the pool water system, and
- Time switch requirements.

The APSP was successful in removing cover requirements, noting they are already addressed in the IECC. We achieved similar success with regard to portable spas, based on APSP-14 and the lockable barrier cover requirement. Per the IECC heated pools and inground spas must have a water vapor retardant cover. Various rough-in proposals were vetted and it appears we will still need to address in Phoenix the fact they should not be required on portable spas, but we were successful in removing metering requirements for portable spas. APSP explained to the committee how most local health departments would not allow for splash troughs to drain into the pool water system due to sanitation concerns – the committee agreed and recommended removal of this requirement. The fact some health departments require 24-hour filtration pump operation was provided as an exception to the time switch requirement.

All in and all it was a successful eight days in Dallas and APSP will continue its work as the code is finalized in Phoenix. Upon this new codes publication (March 2012), Florida will consider adoption of this ICC swimming pool and spa code; therefore, it is important FSPA members be aware of this new code and provide input. Public comment on the changes that were made in Dallas opened June 27 and will close on August 12. Look for the July *Springboard* e-newsletter for a link to view this document. Comments can be sent to Jennifer@floridapoolpro.com