



Sent via: Email and U.S. Mail

August 10, 2011

Ms. Robin Belle Hook
Environmental Health Services Section Chief
California Department of Public Health

Mr. Jim McGowan
Deputy Executive Director
California Building Standards Commission

RE: PROPOSED CHANGES TO CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PART 2, VOLUME 2 (SWIMMING POOLS)

Dear Ms. Belle Hook and Mr. McGowan:

On behalf of my client, the California Spa & Pool Education Council (Cal SPEEC), I request that the California Department of Public Health (CDPH) withdraw its proposed amendments to Title 24 from the October 19th agenda of the California Building Standards Commission.

Cal SPEEC believes the current schedule that the CDPH proposes for adoption of the new regulations – publication set for January 1, 2012 with an effective date of July 1, 2012 – would not provide adequate time for either public review by all affected parties or implementation by local enforcement authorities. To my knowledge, neither the League of California Cities, nor the California State Association of Counties, nor the Regional Council of Rural Counties has conducted a full review of the proposed regulations. Given that local government plays a leading role in enforcing Title 24 with respect to pools, that input could be critical. Local departments of health will also need time to train their staffs, modify relevant forms and processes, and educate local contractors and pool operators on these changes. Private operators of public pools – e.g., the California Apartment Association – need to be heard on these regulatory changes as well given the many practical suggestions they could offer. Because the current schedule is so tight, these benefits can not be realized without a postponement.

Cal SPEEC suggests that the CDPH pursue its Title 24 amendments as part of the triennial building code update (the CDPH Title 22 amendments could also proceed on a similar track). This approach would provide the additional time needed for the more complete public review suggested above and also allow local government to implement these Title 24 changes as part of the broader triennial update. During the remainder of 2011 and the first

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part of 2012, the CDPH could conduct a more formal and comprehensive review process with all affected parties. This schedule would also allow the CDPH to submit the proposed regulations to the Code Advisory Committee – Building, Fire and Other, for review in advance of California Building Standards Commission consideration, a step that would promise a smoother BSC review process.

Let me reiterate that Cal SPEC stands ready to provide any information and knowledge our members possess to the CDPH in the process. Our goal has been and remains that the CDPH produce the most workable and effective set of regulations possible to promote pool safety and public health. We believe the current proposed set of regulations, while making positive changes in some aspects, could nonetheless be improved considerably if a few more months of work were allowed.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "John Norwood". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

John Norwood

cc: Mr. Michael Nearman
California Building Standards Commission

Mr. Robert E. Raymer, PE
Member, Code Advisory Committee (BFO)