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February 2021

Public Aquatic Venue Owners / Operators

All public aquatic venues within the New Mexico Environment Department (NMED) jurisdiction are inspected and permitted annually.

Due to the Coronavirus disease (COVID-19) facilities that are permitted to operate must follow the Center of Disease Control and Prevention (CDC) considerations. Please review the website at <https://www.cdc.gov/coronavirus/2019-ncov/community/parks-rec/aquatic-venues.html>

Owners and Operator must follow the Public Health Order (PHO) set forth by the Governor of New Mexico and the New Mexico Department of Health that applies to their facilities. To review the most current PHO please go to the website <https://cv.nmhealth.org/public-health-orders-and-executive-orders/> . You may contact the local NMED office or NMED inspector to determine if your facility will be permitted to operate under the PHO. You can also visit the NMED website where there is a COVID-19 area at the top of the home page. www.env.nm.gov/pools/pools-program/

The following “*frequently asked questions*” about the inspection and permitting process is being provided to assist aquatic venue owners and operators with key reminders.

Q: How do I receive an operating permit?

A: Steps that must be followed to receive an operating permit are listed below.

- 1. Call your local NMED Office to schedule an inspection if the aquatic venue has been closed or not operating for a period of 30 days or more. The facility cannot open to bathers until an inspection has been conducted and facility received an “approved” inspection. If there has been a transfer of ownership you must close immediately and contact NMED. Pursuant to 7.18.1.14.H NMAC, operating permits are non-transferable between facilities and persons. Visit <https://www.env.nm.gov/district-field-offices/> for a list of NMED offices.*
- 2. When you call, verify your permit fee amount. You may request an invoice prior to your inspection and permit expiration date.*
- 3. Have a check or money order for the permit fee ready on the date of the inspection, Checks or money orders are to be made payable to the “New Mexico Environment Department”. The aquatic facility will not receive a permit until the facility aquatic venue/s have been inspected and received an “approved” inspection.*

4. Once you receive an “approved” inspection, the permit fee must be paid **before** you will receive an operating permit. If a re-inspection is required, **an additional \$50 re-inspection** fee will be due before permit will be issued.
5. NMED is requesting each facility to provide an email address at time of inspection or when scheduling the inspection.

Q: Do I need a certified aquatic venue operator? Where can I get an operator certified?

A: You must have a certified aquatic venue operator on staff or under contract to open your aquatic venue. Go to <https://www.env.nm.gov/pools/certified-operator-training-courses/> for a list of instructors. The one-day aquatic venue operator course offered through the City of Albuquerque will no longer be accepted if taken after July 1, 2017. All operators that took the class through the City of Albuquerque prior to July 1, 2017, NMED will accept your certificate until it expires.

Q: Where can I find the aquatic venues rules, checklists, forms, guidance’s etc.?

A: You can find a copy of the new NMAC 7.18.1-2 Public Aquatic Venues: General Provisions and fees at <https://www.env.nm.gov/pools/new-mexico-pool-regulations/>.

The NMAC 7.18.1 includes the adoption by reference of the MAHC (Model Aquatic Health Code First Edition) and covers any modifications, additions and omissions to the MAHC. A copy of the MAHC can be obtained from the link above.

Q: What changes are required for my aquatic facilities this year.

*A: All aquatic venues were required by August 1, 2018 to install and have in operation on every vessel an automated disinfectant and PH controller (ORP). See MAHC 4.7.3.2.8.1. **If the venue does not have an operating controller, the facility will not be approved to operate.** The only venue not required to have an automated controller would be spray pads that do not recirculate the water and where the water goes to waste. Please note all spas and wading pools should already have an ORP that have been installed since 2007.*

A: On August 1, 2020 no outdoor spas or therapy pools shall use cyanuric acid or stabilized chlorine. MAHC 5.7.3.1.3. All indoor aquatic facilities should not be using these chemicals since March of 2005. Please check with manufacture of your equipment about changing chemicals. Disinfection units are certified through the National Sanitation Foundation (NSF) and each unit is certified for an approved disinfection chemical. If the wrong chemical is used it could void the NSF certification. Using the incorrect chemical in a unit may result in a fire and/or explosion.

A: Inspection reports are to be posted in a conspicuous place or signage instructing how a person may obtain a copy of the most recent inspection.

A: All facilities are required to have Aquatics Facility Operations Plan. You may build your own or you may use the template on the NMED Pool Regulation page labeled Emergency Action Plan Template. <https://www.env.nm.gov/pools/new-mexico-pool-regulations/>

Q: What are Recreational Water Illnesses (RWIs)? What can I do to prevent RWIs?

*A: Information and tools about RWIs can be found on the CDC web site:
<https://www.cdc.gov/healthywater/swimming/swimmers/rwi.html>*

Q: What do we have to do to comply with the new ADA rules?

A: The New Mexico Environment Department does not regulate the ADA (Americans with Disabilities Act). Contact the US Department of Justice at www.ada.gov to find the information on ADA.

Prior to changing any pool equipment or remodel contact your local NMED inspector.