

	Public Sanitation and Retail Food Safety Branch	New Public Swimming Pool and Spa Rules Effective 01/01/2021 Trained Operator Required
	Public Swimming Pools and Spas 06/16/2021	www.dshs.texas.gov/poolspa Laws and Rules

New Public Swimming Pool and Spa Regulations went into effect on January 1, 2021. These regulations impact the construction, operation and management of public swimming pools and spas in Texas. These regulations can be accessed at the website in the heading above.

One new provision is the requirement that each public pool and spa facility must have a trained and certified operator.

25 TAC §265.205. Operation and Management of Pools and Spas.

(a) Required operator certification. All Class A, Class B, and Class C pools and spas shall be maintained under the supervision and direction of a properly trained and certified operator.

(1) The operator is not required to be on-site whenever the pool or spa is open.

(2) The operator may be responsible for multiple pools and spas and shall ensure any on-site staff is properly trained in day-to-day pool and spa operations and maintenance.

(3) The trained and certified operator’s name and contact information shall be made available to on-site staff, such as lifeguards, and to property management companies, or property managers, and shall be made available at the request of the department or a local regulatory authority.

(b) Operator training and certification. Operator training and certification can be obtained by completion of one of the following courses or their equivalent:

- (1) the NRPA, “Aquatic Facility Operator;”
- (2) the PHTA, “Certified Pool Operator;”
- (3) the ASPSA, “Licensed Aquatic Facility Technician;” or
- (4) an equivalent course which requires testing and provides certification that is approved by the local regulatory authority.

1. The trained operator should be trained in the proper use and protection from chemicals in pools and spas.

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25 TAC §265.205(j) Proper use and protection from chemicals in pools and spas. Personnel in charge of maintaining a pool or spa, whether it is the trained and certified operator, or someone assigned to maintain a pool or spa when the operator is not on-site, shall be properly trained in accordance with §265.200 of this subchapter (relating to Disinfectant Equipment and Chemical Feeders).

(1) The use of chemicals at pools and spas shall be according to the chemical manufacturer's directions.

(2) No chemical shall be used in a way that violates the manufacturer's instructions for the chemical feed system or NSF 50 certification of that chemical feed system.

2. If lifeguards are required or provided at an aquatic facility the trained operator may be required to provide a lifeguard staffing plan for that facility.

§265.202(d) Lifeguard staffing plan required. A staffing plan specifying the number of on-duty lifeguards shall be prepared by the pool operator, lifeguard supervisor, or pool owner and shall be sufficient to provide adequate supervision and close observation of all users, at all times. A copy of the plan shall be available on-site and be provided to a department or local regulatory authority inspector upon request.

3. The operator shall be provided with a reliable means of water testing for all required chemical tests.

25 TAC §265.206(e) Reliable means of water testing required. A reliable means of testing for pH, free and total (combined) chlorine, bromine, cyanuric acid (when used) alkalinity, and calcium hardness, to minimum and maximum levels and levels in between shall be provided and available for the pool operator at the pool or spa when the pool or spa is open for use.

4. An operator may apply to the Consumer Protection Division for an alternate method of disinfection.

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§265.207. Request for Alternate Method of Disinfectant.

(a) Application. Pursuant to Texas Health and Safety Code, §341.064(b-1), an owner or operator may apply to use an alternate method of disinfectant.

(b) Submission. A completed application for use of an alternate method of disinfectant must be submitted to the department’s Consumer Protection Division, no later than 180 days before the opening of the pool or spa.