



Date: February 6, 2025

To: Interested Parties

From: Erica Van Ess, Program Manager  
Food, Pool & Lodging Health and Safety Program

Subject: EXTENSION OF COMMENT PERIOD: Notice of Proposed Permanent Rulemaking – OAR chapter 333, divisions 60 and 62, “Aquatic Facility (Public Pools) rule update to align with Model Aquatic Health Code (MAHC)”

**PLEASE NOTE: The written comment period for this rulemaking has been extended to 5:00 P.M. Pacific Time on February 25, 2025.**

The Oregon Health Authority (OHA), Public Health Division, Public Pool Program is proposing to repeal Oregon Administrative Rules (OARs) in chapter 333, division 60, “Public Swimming Pools” and chapter 333, division 062, “Public Spa Pools,” and adopt new rules in these divisions to reorganize and update rules relating to aquatic facility requirements. These OARs have been added onto and revised many times over the years and the program has decided to adopt the Centers for Disease Control and Prevention (CDC), Department of Health and Human Services, 2023 Model Aquatic Health Code (MAHC), 4th Edition to bring Oregon’s rules closer to the national standard for aquatic venue safety.

The goal of the reorganization is to update rule language to better address the public health concerns with modern aquatic venues as well as to group sections of related topics together so the users can more easily find information based on their responsibilities at an aquatic venue, and to use inclusive and equity-focused language. The original rules were separated by facility type with pools separated from spas. However, with this rule update, the program proposes to reorganize to include all types of aquatic venues (ex; pools, spas, splash pads)

and instead separate the rule sets by activity (construction provisions and operational provisions). This will allow both industry and regulators to utilize the rules more efficiently and include a wider variety of pool types. Most existing licensed aquatic venues will be able to continue to operate as licensed after the rule adoption, with the updated provisions of the MAHC applying to new construction only at this time.

For more details, please see the Notice of Proposed Rulemaking, including the Statements of Need and Fiscal and Racial Equity Impacts and the full text of the proposed rules, as well as the draft rule document at:

<http://www.healthoregon.org/pl>. The proposed new text begins on page 66 for division 60, “Aquatic Facilities - Design Standards and Construction” and page 132 for division 62, “Aquatic Facilities – Operations and Policies” of the Notice of Proposed Rulemaking.

Written comments may be submitted before **5:00 P.M. Pacific Time on February 25, 2025:**

- Email comments to: [publichealth.rules@odhsoha.oregon.gov](mailto:publichealth.rules@odhsoha.oregon.gov)
- Mail comments\* to: OHA, Public Health Division  
Brittany Hall, Administrative Rules Coordinator  
800 NE Oregon St. Suite 930  
Portland, OR 97232

\* Comments sent by regular mail must be postmarked by 5:00 P.M. Pacific Time on February 25, 2025.

- Send comments by fax to: 971-673-1299

Final rules will be filed after consideration of all comments.

If you have questions or would like a paper copy of the Notice of Proposed Rulemaking, please contact Erica Van Ess at [erica.vaness@oha.oregon.gov](mailto:erica.vaness@oha.oregon.gov).

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please contact us if you are considering attending the meeting and require a modification. The earlier you make a request the more likely we can meet the need.

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Page **3** of **3**