



All requests for a variance from the *Rules and Regulations for Water Recreation Facilities (WRF)* (Chapter 246-260 WAC) must be submitted in writing to Spokane Regional Health District's (SRHD) Water Recreation Program. Regulations require that variance requests be submitted at least 30 days before proposed operation and/or construction. However, SRHD recommends submittals at least 60 days in advance because reviews of complex requests may be lengthy. Variance requests must be submitted by the WRF's legal owner or authorized representative. *Variations will not be approved unless the health and safety purposes behind the requirements of these regulations are met.*

Review process

1. SRHD will contact the applicant within 14 days of receiving a variance request to discuss the review process and additional information that may be needed. SRHD's review may include consultation with other local, state, and/or national experts, including legal counsel.
2. At its discretion, SRHD may request written concurrence from the Water Recreation Facilities Program Manager at the WA State Department of Health (DOH). DOH will provide written concurrence or denial within 30 days of receiving the request.
3. SRHD will send a written copy of the variance decision to the applicant within 90 days of receiving the variance request. (A copy will also be sent to DOH.) If data submitted is insufficient or if DOH does not concur, there may be a time delay.
4. Conditions may be placed on any variance approved. These conditions may include, but are not limited to, limitations affecting facility usage or other operational controls, periodic review, a limitation on the time for which the variance will be allowed and review at change of ownership.
5. Failure to comply with a variance decision may result in appropriate legal action by SRHD, which may include closing the facility, revocation of permit, injunctive or civil penalty actions and/or filing a criminal complaint.

Review Criteria

The following criteria will be considered in the determination of approval/disapproval of a variance request:

1. What is the quality/quantity of data submitted to justify the request?
2. Is there any data/research that refutes the submitted information? Is there any indication that a public health or safety hazard could result?
3. Will the variance reduce, control or eliminate an existing public health hazard?
4. What is the size and location of the facility?
5. What population could be exposed to the facility and how often? (e.g., age/number of users, etc.)
6. What is the duration of the variance?
7. What is the approval/denial history of similar variance requests?
8. What is the past injury and operational history of the facility?
9. Would variance approval conflict with other policies, codes, regulations and legislation?



Variance Request Submittal Form

Complete the following form and attach the additional information requested. It is important to provide sufficient detail to allow SRHD to make an informed decision. *Sufficient evidence must be provided to ensure the facility adequately protects public health and safety as well as water quality.* Failure to provide the proper amount of evidence may necessitate additional submittals.

Water Recreation Facility (WRF)	Facility Name:	
	Address:	
	Phone:	
	Facility Description (Describe the WRF & its proposed use – include drawings if needed):	
Owner (Legal owner of the water recreation facility)	Name:	
	Company:	
	Address:	
	Office Phone:	Cell Phone:
	Email:	
Contact (Person submitting request - must be owner's authorized representative)	Name:	
	Address:	
	Office Phone:	Cell Phone:
	Email:	

Form continued on next page

For Use by SRHD

Received by SRHD on:	SRHD VARIANCE # _____
	WRF # _____
	GP RECEIPT #: _____
Approved by SRHD on:	Denied by SRHD on:
DOH Concurrence required <input type="checkbox"/> Yes <input type="checkbox"/> No	
Date Concurrence received by SRHD:	



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When completing this form, refer to Water Recreation Facility regulations, Chapter 246-260 WAC:

<http://www.doh.wa.gov/CommunityandEnvironment/WaterRecreation/RegulatedFacilities/RulesandGuidelines.aspx>

Section/s of regulations for which a variance is requested (include specific code number):

Requirement in the regulations for which a variance is requested:

Explain why the WRF should not be required to comply with the regulations for which a variance is requested:

List the data/information attached that ensures the intent of the regulations will be met if the variance is granted (or if no data or information is attached, explain why):

Describe conditions or actions that will be implemented to alleviate any health or safety concerns so that public health or safety are not compromised by granting the variance:

SRHD charges a standard hourly rate of \$160/hr. for processing a variance, with 1.5 hours paid in advance (\$160 per hour x 1.5 hours = \$240 due up front). Additional time needed to review the variance will be billed at the standard hourly rate. The bill will be sent to the legal owner unless SRHD has been otherwise notified.

I understand that SRHD may inspect my facility to verify the conditions outlined in the variance are being implemented as required. Failure to conform to all variance conditions may result in rescinding the variance, permit suspension and/or other action as deemed appropriate by SRHD.

I have reviewed and understand the variance request process and review criteria. I am the legal owner or authorized representative of the above water recreation facility.

Signature of WRF Owner or Authorized Representative

Date