

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: Roshan Khimji
“the Director”

Moyez Khimji
“the Director”

Amin Khimji
“the Director”

RE: The “whirlpool” located in Calgary, Alberta and municipally described as:
Ramada Limited Calgary Northwest - Whirlpool
2363 Banff Trail NW, Calgary, AB T2M 4L2

WHEREAS I, an **Executive Officer of Alberta Health Services**, have inspected the above noted premises pursuant to the provisions of the Public Health Act, RSA 2000, c. P-37, as amended;

AND WHEREAS such inspection disclosed that the following conditions exist in and about the above noted premises which are or may become injurious or dangerous to the public health or which might hinder in any manner the prevention or suppression of disease, namely:

- a. The bacteriological water sample submitted on July 15, 2022, and processed by the Provincial Laboratory indicated the presence of *Pseudomonas aeruginosa* and HPC >57,000 CFU/ml.
- b. The bacteriological water sample submitted on July 22, 2022, and processed by the Provincial Laboratory indicated the presence of *Pseudomonas aeruginosa* and HPC 1800 CFU/ml.
- c. The alkalinity was measured at 13 ppm during manual testing at the time of inspection.
- d. The automated controller was not working properly. The automated readings were not consistent with manual tests.
- e. The turnover rate for the whirlpool was calculated to be 18 minutes.
- f. Some reagents used to test the chemical parameters of the pool water were expired.
- g. The Water Quality Incident Response Plan was incomplete.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Public Swimming Pools Regulation, Alberta Regulation 204/2014 and the Pool Standards there under exist in and about the above noted premises, namely:

- a. The bacteriological water sample submitted on July 15, 2022, and processed by the Provincial Laboratory indicated the presence of *Pseudomonas aeruginosa* and HPC >57,000 CFU/ml. This is in contravention of Section 6.1 and Section 6.2 of the Alberta

Swimming Pool Standards July 2014 (Amended January 2018), which state “the quality of water in a public swimming pool must be maintained so that the water does not: a) have a heterotrophic plate count greater than 100 colony forming units per milliliter in a 100 milliliter sample and the quality of water in a public swimming pool operating at greater than 30 degrees Celsius must be maintained so that samples of the water do not show the presence of *Pseudomonas aeruginosa*.”

- b. The bacteriological water sample submitted on July 22, 2022, and processed by the Provincial Laboratory indicated the presence of *Pseudomonas aeruginosa* and HPC 1800 CFU/ml. This is in contravention of Section 6.1 and Section 6.2 of the Alberta Swimming Pool Standards July 2014 (Amended January 2018), which state “the quality of water in a public swimming pool must be maintained so that the water does not: a) have a heterotrophic plate count greater than 100 colony forming units per milliliter in a 100 milliliter sample and the quality of water in a public swimming pool operating at greater than 30 degrees Celsius must be maintained so that samples of the water do not show the presence of *Pseudomonas aeruginosa*.”
- c. The alkalinity was measured at 13 ppm during manual testing at the time of inspection. This is in contravention of Section 4.5.1 of the Swimming Pool Standards July 2014 (Amended January 2018) which states “The total alkalinity of the public swimming pool water must be maintained at no less than 60 milligrams per litre and no greater than 180 milligrams per litre, or at levels where chlorine and pH requirements can be maintained in accordance with Section 4.0 of the Pool Standards.”
- d. The automated controller was not working properly. The automated readings were not consistent with manual tests. This is in contravention of Section 5.3 of the Swimming Pool Standards July 2014 (Amended January 2018) which states that “Automated controller readings must be consistent with any manual tests.”
- e. The turnover rate for the whirlpool was calculated to be 18 minutes. This is in contravention of Section 3.1.1 of the Swimming Pool Standards July 2014 (Amended January 2018) which states “a recirculation rate shall be maintained so that an amount of water equivalent to 100 percent of the water volume passes through treatment and is recirculated within 15 minutes for a whirlpool with a volume of less than four cubic metres.”
- f. Some reagents used to test the chemical parameters of the pool water were expired. This is in contravention of Section 15 of Public Swimming Pools Regulation 204/2014 which states “ A public swimming pool must be equipped with automated chemical feeding and monitoring equipment for pH and chlorine. The equipment referred to in subsection (1) must be maintained in good working condition.
- g. The Water Quality Incident Response Plan was incomplete. This is in contravention of Section 3.1.1 of the Swimming Pool Standards July 2014 (Amended January 2018) which states “a Water Quality Incident Response Plan that is appropriate to the type of public swimming pool must include the following: a) the steps to be taken when any of the following occur: i) standards for microbiology, ORP, free chlorine, cyanuric acid, pH and clarity in the public swimming pool are not being met, ii) blood, food or chemicals foul the water, or iii) fecal material or vomit foul the water, and b) the name of the appropriate contact person and emergency contact numbers.”

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **Closed**.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner immediately close the above noted premises.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Treat the whirlpool water to eliminate any possible source of contamination.
 - b. Repair/calibrate the automated controller.
 - c. Replace the expired pool test reagents with new reagents.
 - d. Chemically balance the swimming pool water.
 - e. Repair/calibrate the recirculation system to achieve a turnover period of 15 minutes or faster.
 - f. Submit a bacteriological water sample of the whirlpool water to the Provincial Laboratory.
 - g. Develop and implement a Water Quality Incident Response Plan that adheres to the requirements in Schedule A of Swimming Pools Standards: “Contamination Management for Public Swimming Pools”.
3. That until such time as the work referred to above is completed to the satisfaction of an Executive Officer of Alberta Health Services; the above noted premises shall remain closed.

The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies. You are advised that further work may be required to ensure full compliance with the Public Health Act and regulations, or to prevent a public health nuisance.

DATED Calgary, Alberta, July 27, 2022.

Confirmation of a verbal order issued to Pool Operator Carlos and Manager Rohan on July 25, 2022.

Executive Officer
Alberta Health Services

You have the right to appeal

A person who a) is directly affected by a decision of a Regional Health Authority, and
 b) feels himself aggrieved by the decision

may appeal the decision by submitting a Notice of Appeal form within ten (10) days after receiving the order to:

Public Health Appeal Board
c/o Central Reception
Main Floor, ATB Place North Tower
10025 Jasper Avenue NW

Edmonton, Alberta, T5J 1S6
Phone: 780-222-5186
Fax: 780-422-0914
Email: HealthAppealBoard@gov.ab.ca
Website: <https://www.alberta.ca/public-health-appeal-board.aspx>

A Notice of Appeal form may be obtained by contacting the Public Health Appeal Board or visiting their website.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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Calgary • Southport • Environmental Public Health

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www.albertahealthservices.ca/eph.asp