April 29, 2020

The Honorable Tom Wolf, Governor
Office of the Governor
508 Main Capitol Building
Harrisburg, PA 17120

Submitted via email to: msnead@pa.gov; serin@pa.gov

RE: Pool & Hot Tub Retail

Dear Governor Wolf:

The Pool & Hot Tub Alliance (PHTA) and Northeast Spa and Pool Association (NESPA), on behalf of our Pennsylvania members and other members that do business in the Commonwealth, submit this joint letter seeking guidance on pool & hot tub retail stores within Pennsylvania.

The Pool and Hot Tub Alliance (PHTA), formerly the Association of Pool and Spa Professionals, represents over 3,500 company members nationwide. The Northeast Spa and Pool Association (NESPA) represents the pool and spa industry in Connecticut, New Jersey, New York, and Pennsylvania. PHTA and NESPA represent 168 Pennsylvania-based member companies.

NESPA and PHTA welcome and appreciate the recent directive permitting the resumption of private residential and non-residential construction as of this Friday, May 1, in accordance with safety guidance that the administration provided. Additionally, allowing our service/maintenance companies to continue work during the pandemic has been critical in preventing public health and safety hazards from emerging. Continuation of this essential work, however, requires access to retailers and wholesalers and the essential supplies they carry, including chemicals and basic pool equipment. This means that businesses that sell pool, hot tub and spa chemicals and other related products to service professionals and to DIY homeowners, must also be allowed to open for delivery and curbside pickup.

Pool, hot tub and spa servicing, requires chemicals, feeders, test strips, replacement parts and other ancillary equipment. Without ready access to these supplies, industry professionals cannot perform this essential job and DIY pool owners will be unable to maintain their pools properly.
Research from PK Data in 2019 estimates that there are approximately 130,178 inground and 128,251 aboveground residential pools in Pennsylvania, representing over 2.8 billion gallons of water. As of 2018, there are 6,460 public pools in the Commonwealth.

Without proper pool and hot tub maintenance (which includes circulation and treatment of water) various pathogens can grow, such as Pseudomonas, Cryptosporidium, E. Coli, Shigella, etc. It can also create a breeding ground for mosquitoes, other pests and the diseases (West Nile Virus and Zika Virus) they may carry, which presents a risk not only to bathers but to the entire community at large.

We note that in your most recent industry guidance, “Chemical and Allied Products Merchant Wholesalers” (4246) are listed as essential under “Merchant Wholesalers and Nondurable Goods.” Pool and spa supply stores sell to industry, hence placing them under the definition of wholesalers and therefore should be treated as essential. Many also sell direct to DIY homeowners who must continue to be able to treat their pools. Both can be done through delivery and/or curb side pickup using minimal staff, and while maintaining social distancing with their customers and each other.

During this pandemic, PHTA and NESPA have shared recommended actions and updates with the pool and hot tub industry in Pennsylvania and throughout the country related to safe practices, including social distancing, working from home, and, where appropriate, closing or limiting operations until conditions have changed. If this supply chain breaks down, however, the harmful pathogens discussed above will likely develop.

NESPA, PHTA and our members fully support your efforts to ensure proper social distancing and use of PPE with all permitted activities. On behalf of the thousands of individuals working in pool and spa retail throughout Pennsylvania, we thank you for your time and consideration and look forward to the additional guidance.

Sincerely,

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