

How to Obtain Approval of a Swim Event in the Potomac River

The District Department of the Environment (DDOE) may grant an exception to the swimming prohibition in the Potomac River for special swimming events, such as triathlons or other competitions that involve water contact recreation. The special swimming event organizer, however, must demonstrate that the bacteria and pollutant levels (the water quality) in the Potomac River is likely to be suitable during the event.

To demonstrate the suitability of the water quality in the Potomac River, the special swimming event organizer must:

1. Submit to DDOE for approval a quality assurance project plan (QAPP) at least 28 days prior to collecting samples. The QAPP shall explain how they will monitor and analyze the water quality parameters -- E. coli, pH and Turbidity -- in the river. The monitoring plan must meet the requirements in 21 DCMR § 1108.3 (Rivers).
<http://ddoe.dc.gov/sites/default/files/dc/sites/ddoe/publication/attachments/Notice%20of%20Final%20Rulemaking%20Swimming%20Rules%2008-10-2012.pdf>
2. Samples shall not be collected before the QAPP is approved by DDOE.
3. Submit the monitoring report and analysis of the Potomac River water quality to DDOE for review at least forty-eight (48) hours before the event.

NOTE: *Swimming (Primary contact recreation) is the Class A use in the DC Water Quality Standards regulations. The applicable DC Water Quality Standards (Section 1104.8, Table 1 Numeric criteria) can be downloaded from the following website:*
<http://ddoe.dc.gov/publication/notice-final-rulemaking-dc-water-quality-standards>

4. Submit a contingency plan in the event; DDOE determines that the river is unsafe for Swimming.
5. Pay a fee of one thousand dollars (\$1,000) per event to DDOE.

Additional Requirements

1. Prior to the event, organizers must obtain permission from the District of Columbia Metropolitan Police Department and the US National Park Service to swim in the Potomac River.
2. A Certificate of Insurance with the appropriate coverage, as required by 21 DCMR § 1108.10, shall be submitted to DDOE at least twenty-eight (28) days before the event. Coverage shall be maintained throughout the period of the event.

3. The special swimming event organizer shall secure from each of its employees, contractors, volunteers, and event participants a signed DDOE--approved statement that the organizer expressly:
 - (a) Assumes the risk of event participation; and
 - (b) Waives liability of the District Government, its officers, employees, and agents for any damage or injury arising out of the person's participation in the event.

Post Event Obligations

Within eight weeks after the event, the special swimming event organizer shall submit to DDOE: a report of each recorded incident from each relevant public safety agency; each medical issue or incident involving an on-site first aid facility; use of the contingency plan for unsafe swimming; and, the results of samples taken in the Potomac River on the day of the event.

Submit documents to:

District Department of the Environment
Attention: Associate Director,
Water Quality Division
1200 First Street, NE., 5th Floor
Washington, DC 20002;
Fax: 202-535-1363 and
e-mail: collin.burrell@dc.gov

The DDOE Director reserves the right to allow swimming or deny permission to swim in the Potomac River.

In summary, the special swimming event organizer must show that the organization has:

- conducted the required sampling and testing
- coordinated with government public safety agencies
- provided proof of insurance coverage to relevant permitting agencies
- waived the District of all liabilities
- developed and maintained a contingency plan should the river be deemed unsafe for the swim.