

STATEMENTS OF POLICY

Title 55—PUBLIC WELFARE

DEPARTMENT OF PUBLIC WELFARE
[55 PA. CODE CHS. 3270, 3280 AND 3290]
Ground Surface Requirements

Purpose

The purpose of this statement of policy is to clarify the ground surface requirements cited in regulations relating to the condition of outdoor play equipment (§§ 3270.102(c), 3280.102(c) and 3290.102(c) (relating to condition of play equipment)).

Requirements

Sections 3270.102, 3280.102 and 3290.102 require the operator to use at least 6 inches of loose-filled, impact-absorbing materials, described in subsection (c) of each section. Other manufactured ground covers may be superior to 6 inches of loose-filled, impact-absorbing material. The Department has determined that many commercially developed unitary or loose fill ground covering materials to be installed under outdoor play equipment meet or exceed the safety standard of §§ 3270.102(c), 3280.102(c) and 3290.102(c).

Regulation Interpretation

A commercially developed unitary safety surfacing that is installed under outdoor play equipment satisfies the requirements of §§ 3270.102(c), 3280.102(c) and 3290.102(c) when the operator provides test data from the manufacturer that warrants the material as safe and shock absorbing for a fall from the highest accessible point on the outdoor play equipment according to test data obtained consistent with ASTM F 1292-93, Test Method F355.

Contact Person

Comments and questions regarding this statement of policy should be directed to: Patty Sheaffer, Department of Public Welfare, Bureau of Child Day Care Services, 4th Floor Bertolino Building, 1401 N. 7th Street, Harrisburg, PA 17105-2675, (717) 787-8691.

Effective Date

This statement of policy shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

(*Editor's Note:* The regulations of the Department, 55 Pa. Code Chapters 3270, 3280 and 3290, are amended by adding a statement of policy at §§ 3270.102a, 3280.102a and 3290.102a to read as set forth in Annex A.)

FEATHER O. HOUSTOUN,
Secretary

Fiscal Note: 14-BUL-50. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 55. PUBLIC WELFARE
PART V. CHILDREN, YOUTH AND FAMILIES
MANUAL

Subpart D. NONRESIDENTIAL AGENCIES,
FACILITIES AND SERVICES

ARTICLE I. LICENSING/APPROVAL

CHAPTER 3270. CHILD DAY CARE CENTERS

GENERAL REQUIREMENTS

§ 3270.102a. Condition of play equipment—statement of policy.

A commercially developed unitary safety surfacing that is installed under outdoor play equipment satisfies the requirements in § 3270.102(c) (relating to condition of play equipment) when the operator provides test data from the manufacturer that warrants the material as safe and shock absorbing for a fall from the highest accessible point on the outdoor play equipment according to test data obtained consistent with ASTM F 1292-93, Test Method F355.

CHAPTER 3280. GROUP DAY CARE HOMES

GENERAL REQUIREMENTS

§ 3280.102a. Condition of play equipment—statement of policy.

A commercially developed unitary safety surfacing that is installed under outdoor play equipment satisfies the requirements in § 3280.102(c) (relating to conditions of play equipment) when the operator provides test data from the manufacturer that warrants the material as safe and shock absorbing for a fall from the highest accessible point on the outdoor play equipment according to test data obtained consistent with ASTM F 1292-93, Test Method F355.

CHAPTER 3290. FAMILY DAY CARE HOMES

GENERAL REQUIREMENTS

§ 3290.102a. Condition of play equipment—statement of policy.

A commercially developed unitary safety surfacing that is installed under outdoor play equipment satisfies the requirements in § 3290.102(c) (relating to condition of play equipment) when the operator provides test data from the manufacturer that warrants the material as safe and shock absorbing for a fall from the highest accessible point on the outdoor play equipment according to test data obtained consistent with ASTM F 1292-93, Test Method F355.

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