

Risk Management Bulletin

A Bulletin for Members of the South Dakota Public Assurance Alliance

July 14, 2009

Volume 1, Number 7

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Links:

Consumer Product Safety
Commission

<http://www.cpsc.gov>

National Recreation and Parks
Association

<http://www.nrpa.org>

(Please note: This newsletter is being sent to you in a reader friendly format with color and graphics. If you are receiving it as plain text, please check your e-mail program settings to allow you to view it in "HTML format".)

Playground Safety

Have you inspected your playground equipment recently? During peak use, we recommend at least daily visual inspections of playground equipment. Seasonal or full-time employees can conduct these daily visual inspections to make sure there are no obvious signs of damage or vandalism to the various pieces of equipment. Any piece of damaged equipment should be taken "out of service" until it can be repaired. Documented inspections should be done at least monthly to make sure the equipment is safe for use and the shock absorbing surfaces are of sufficient depth and properly maintained. We have sample inspection checklists available. So far this season we have been notified of injuries that have occurred due to broken swing seats and swing chains. Fortunately none of these injuries have been life-threatening.

To assist entities in providing safe playgrounds, the U.S. Consumer Product Safety Commission (CPSC) has published guidelines in the "**Public Playground Safety Handbook**". If you do not have a copy, you can contact us and we can email one to you.

Use Zones

A "use zone" is defined as "the surface under and around a piece of equipment onto which a child falling from or exiting from the equipment would be expected to land". These areas are also designated for unrestricted circulation around the equipment meaning they should be clear of obstructions such as trees and other pieces of equipment. The dimensions for use zones can vary by the type of equipment and each of these are described in the "**Public Playground Safety Handbook**".

Surfacing

According to a study conducted by CPSC, 79% of injuries on public playgrounds occurred due to falls from equipment. These were primarily falls to the ground surface below the equipment. The surfacing under and around playground equipment is one of the most important factors in reducing the likelihood of life-threatening head injuries. A fall onto a shock absorbing surface is less likely to cause a serious head injury than a fall onto a hard surface. There are 2 options available for surfacing public playgrounds: unitary and loose-filled materials. Grass and dirt are not considered a protective surface

Contact Us

South Dakota Public Assurance
Alliance

<http://www.sdpaa.org>

Safety Benefits, Inc.

4901 Isabel Pl. Suite 120

Sioux Falls, SD 57108

(888) 313-0839

(605) 334-9567

Mitchell

(800) 408-9040

(605) 996-5072

Doug Kirkus

dkirkus@safety-benefits.com

Janet Sporrer

jsporrer@safety-benefits.com

because wear and environmental factors can reduce their shock absorbing effectiveness.

Unitary materials are generally rubber mats and tiles or a combination of energy-absorbing materials held in place by a binder that may be poured in place at the playground site and then cured to form a unitary shock absorbing surface. Unitary materials provide an excellent surface but they are more expensive than loose-fill materials.

Loose-fill materials can consist of engineered wood fiber, sand, pea gravel, wood chips or wood mulch. Each of these materials provides a certain amount of protection if maintained at a specific depth. Loose-fill materials will compress over time due to use and weathering. Frequent maintenance is required to ensure the surfacing levels do not drop below the minimum depths to ensure proper protection. Good drainage is also essential to maintaining this type of surfacing.

For your playground equipment to be considered ADA accessible, unitary materials or engineered wood fiber must be installed as the shock absorbing material.

If you use loose-fill materials, don't forget to periodically check your use zones to make sure the material has not compressed or deteriorated so it no longer provides adequate protection.

Tip: Place a mark (paint or tape) at the base of playground equipment supports at the level the cushioning material should be to provide optimum protection. Workers simply have to look at the mark to see if there is sufficient material present or if it has compressed or deteriorated enough to require maintenance.

Purchasing New Playground Equipment

If your entity or a group is considering purchasing new playground equipment for your park, here are some recommendations to help limit your potential liability exposure. You want to make sure that any equipment that is going to be installed in your playground is designed for public playground use. There are companies that make excellent playground equipment but it is often advertised for residential or commercial use and is not appropriate for public playgrounds. There are also companies that advertise playground equipment on the Internet that looks good and is considerably less expensive than other manufacturers but their equipment does not meet the requirements for public playgrounds. **To help ensure that you are getting proper equipment, request that the dealer or manufacturer provide you written documentation that their equipment meets the U.S. Consumer Product Safety Commission's guidelines for public playgrounds and the ASTM's F-1487 standards for playground equipment for public use.**

Some manufacturers go a step further and use a third-party service (IPEMA) that certifies that their playground equipment meets these guidelines and standards. While this equipment is more expensive, you can be assured that you are purchasing the safest equipment for the children using your playground facilities.

Installation

Finally, make sure that if employees from your entity or a group of volunteers are going to install the new equipment that they follow the installation instructions closely. Too many times we have seen equipment, which meets all of the safety requirements, installed improperly and then it becomes a potential injury threat to the users. Some communities have paid an additional fee to have a trained representative from the company oversee the installation process. While more expensive than having the equipment installed by employees and/or volunteers, it can be worth the money to help ensure the new equipment has been installed properly.

The Dirty Dozen Online Guide

The National Playground Safety Institute (NPSI) in conjunction with The National Recreation and Park Association (NRPA) have prepared "*The Dirty Dozen*" online guide that provides an audio/visual review of the top 12 safety concerns for playgrounds. This is an excellent resource and should be viewed by anyone in your organization that is involved in designing, maintaining and/or conducting playground safety inspections.

The online presentation is available on the National Recreation and Park Association website (www.nrpa.org) or you can contact us for a CD copy. To order the free CD, contact Janet at jsporrer@safety-benefits.com or call us at (888) 313-0839.

Swimming Pool Drain Cover Update

On Monday, July 6, 2009 the U.S. Consumer Product Safety Commission sent out the following email.

To the pool and spa safety community:

Please take a moment and watch the following story, which aired on The Today Show this morning. The new CPSC Chairman, Inez Tenenbaum, would like all of you to heed her message that public pools and spas that are not in compliance with Sec. 1404 of the P&SSAct should not be open.

NBC News/Today Show: Banned Drain Covers Still Used In Public Pools (7/6/09)

<http://today.msnbc.msn.com/id/26184891/vp/31759011#31759011>

*Thank you,
Scott Wolfson
Acting Director, Office of Information and Public Affairs
US Consumer Product Safety Commission
301.504.7051*

To help avoid potential liability for your entity, please make sure that your swimming pools have the approved drain covers installed. If you have not done so, based on the comments made by the new CPSC Chairman, we would recommend that the swimming pool(s) be closed

until the compliant drain covers have been installed.

Lawn Mower Claims

So far this summer there have been a number of liability claims filed for damages to vehicles allegedly caused by debris thrown from lawn mowers. A contributory cause for several of these claims has involved discharge deflectors that have been removed or the deflector has been tied open. With the wet conditions, we understand that mowers can sometimes plug and the grass clippings will come out in clumps with the guard in place. However, safety devices are in place for a reason. Not only do they protect property but people. Mower operators need to be reminded to direct the discharge away from vehicles and to watch for people. If anyone is in the immediate area while mowing, the operator should stop until they leave the area or they should relocate until the area is clear. Discharged rocks can and has damaged vehicles, just think what that discharged rock/debris could do to a person. **DO NOT REMOVE** the grass catcher or unclog the chute with the motor running and for riding mowers, **DO NOT MOUNT** or dismount while the mower is running. There is sufficient space for your toes to pass under the mower housing and be struck by the blade.

Conclusion

While you cannot prevent all injuries to children playing on your playground equipment, you can help lessen the likelihood of serious injuries from occurring by following some very simple, yet inexpensive preventative measures. At the same time you can help reduce your potential liability exposure by following the guidelines published in the CPSC's "**Public Playground Safety Handbook**". If you don't have a copy, please contact us and we can email one out to you today. The "Dirty Dozen" online guide also serves as an excellent training tool for anyone involved in inspecting and maintaining public playground equipment.

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