

For your information, the Virginia Graeme Baker Pool and Spa Safety Act was signed December 19, 2007 with an effective date of December 19, 2008, and establishes mandatory Federal requirements for suction entrapment avoidance in public swimming pools and spas. The Pool and Spa Safety Act requires:

- 1) Safety drain covers. Each swimming pool or spa drain cover manufactured, distributed, or entered into commerce in the United States shall conform to the ASME/ANSI A112.19.8 performance standard.
- 2) Public pool drain covers. Each new and existing public pool and spa shall be equipped with drain covers conforming to the ASME/ANSI A112.19.8 performance standard.
- 3) Public pool drain systems. Each new and existing pool and spa with a single main drain, other than an unblockable drain, shall be equipped, at a minimum, with one or more additional devices or systems designed to prevent suction entrapment.

The Consumer Product Safety Commission (CPSC) is responsible for implementation and enforcement of this law. Individual States do not have enforcement responsibility. We have established the following guidance to clarify local health department (LHD) responsibilities regarding review of swimming pool plans and regulatory oversight of existing pools with respect to provisions of this new Federal law.

### **New pools and pool renovation involving the main drain system of an existing pool**

Effective December 19, 2008, review of design plans for new pools or renovations involving the main drain system of an existing pool, must include a review of the drain cover specification for compliance with the ASME/ANSI A112.19.8 performance standard to determine if the drain covers meet the Federal requirements. When reviewing pool design plans prior to the effective date of December 19, 2008, we recommend that drain covers be evaluated for compliance with the ASME/ANSI A112.19.8 performance standard. If a proposed drain cover is not listed, the facility owner and design engineer should be informed of the Federal requirement, no further action is necessary on your part. Although we anticipate that CPSC will post a list of products and manufacturers that meet the drain cover performance standards, you can ask and accept evidence from a manufacturer that a drain cover has been certified by a nationally recognized testing laboratory as meeting the ASME/ANSI A112.19.8 standard.

Since the design standards in Subpart 6-1 of the State Sanitary Code (SSC) for drain systems requires two (2) suction outlets, additional devices or systems to prevent suction entrapment as noted in the 3<sup>rd</sup> listed requirement, are not required.

### **Existing pools**

The Virginia Graeme Baker Pool and Spa Safety Act also applies to existing public pools and spas. Owners/operators of these pools and spas may be making modifications to comply with the new requirements. During routine inspections, although

LHDs are not responsible for the enforcement or the interpretation of the Federal requirements for existing facilities, LHDs are responsible for reviewing and approving all plans and specifications for additions or modifications to an existing swimming pool in accordance with Section 6-1.8 of Subpart 6-1. Plan review and approval should be limited to requirements contained in Subpart 6-1 and the drain cover specifications in the Federal performance standard (similar to the requirements for new pools) but do not need to include approval of devices and systems required by Federal law to prevent entrapment except to the extent such modifications impact Subpart 6-1 compliance. Swimming pool operators with questions about compliance with the Federal requirements should be referred to the CPSC for more information. You can also provide a copy of the attached CPSC staff interpretation of the “Federal Swimming Pool and Spa Drain Cover Standard.” The most current interpretation can be accessed at <http://www.cpsc.gov/phth/vgpsa.pdf>.