

FEDERAL LAW SETS NEW STANDARDS FOR PUBLIC POOLS & SPAS

The Virginia Graeme Baker Pool and Spa Safety Act, effective December 19, 2008, places new restrictions on pool and spa drains. (The act is named for a seven-year-old child who died after being sucked to the bottom of a hot tub by the tub's drain.)

The act defines *public* as any facility open to the public, whether or not a fee is charged; includes pools and spas in city parks, recreation centers and public schools; and specifies the U.S. Consumer Product Safety Commission as the enforcing authority. The act has three main requirements:

- (1) Drain covers that meet ANSI/ASME A112.19.8-2007 standards must be installed on every drain and/or grate. A list of drain cover manufacturers can be found on the commission's website at www.cpsc.gov/whatsnew.html#pool.
- (2) An automatic shut-off system, gravity drainage system, Safety Vacuum Release System (SVRS) or a suction-limiting vent system must be installed if the pool operates from a single main drain. An additional alternative is to disable the drain. This requirement does not apply to facilities with unblockable drains. Should operators choose the SVRS method, a list of SVRS manufacturers can also be found at www.cpsc.gov/whatsnew.html#pool.
- (3) Facility operators must ensure that dual or multiple main drains are at least three feet apart.



According to the commission, public facilities that operate on a year-round basis were expected to be in compliance with the act as of December 19, 2008. Seasonal facilities that are currently closed must be in compliance by the time they reopen. Both the commission and state attorneys general are authorized to close down any facility found to be in noncompliance with the act. Facilities may only reopen after coming into compliance with all of the act's requirements.

These new requirements are technical in nature and could be expensive to implement. While the act provides for grants to states that enact similar legislation, the grants are only applied to the hiring of enforcement personnel and educating the public on the new standards.

Additional information on the act and how to comply with it can be found at the website mentioned above.

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