



**National Recreation
and Park Association**

22377 Belmont Ridge Road
Ashburn, VA 20148-4501
703.858.0784
Fax 703.858.0794
www.nrpa.org

Virginia Graeme Baker Pool and Spa Safety Act: Overview, Clarification, and Frequently Asked Questions

The National Recreation and Park Association has received a significant number of calls regarding the Consumer Product Safety Commission's (CPSC) interpretation of the provisions of the Virginia Graeme Baker (VGB) Pool and Spa Safety Act and the December 19, 2008 compliance deadline. NRPA has developed this fact sheet, after engaging in further discussions with the CPSC and other national organizations, to answer the common questions posed to us by our members.

At this time, the deadline for compliance is December 19, 2008. CPSC has informed us that pools that operate year-around must be in full compliance by December 19, 2008. Pools which do not operate on a year-around basis must be in full compliance by their opening day.

Safety is a paramount concern for local park and recreation agencies. NRPA recommends that our members make every effort possible to comply with the Virginia Graeme Baker Pool and Spa Safety Act by December 19, 2008 if they operate year-around pools. If agencies do not operate year-around pools, we recommend that members make every effort possible to comply with the Act by their opening day.

Overview:

The VGB Pool and Spa Safety Act was enacted to ensure public safety in pools and spas through federal regulations that require the use of equipment that protects against entrapment and evisceration. Specifically, the legislation requires that public pools and spas be equipped with certified drain covers or grates that meet the required ASME/ANSI A112.19.8 standards and safety measures to prevent entrapment and evisceration before December 19, 2008.

While safety is a paramount concern for local park and recreation agencies and agencies want to comply, a recent interpretation of the law by the Consumer

Products Safety Commission (CPSC) has created significant concern about the ability of parks and recreation agencies to comply by the December deadline.

As of October, 2008, many of the ASME/ANSI certified covers that they need to purchase are not yet on the market. Our understanding is that many of these covers may not be available in the marketplace until November at the earliest. However, we are concerned that the timeline for being able to purchase ASME/ANSI drain covers for field fabricated or larger drains such as those found in competition pools and in water park pools may be much longer since the size and shape of these drains would require them to be specially engineered. In such cases, compliance by December 19, 2008, may be extremely difficult if not impossible.

Drain Covers:

According to requirements, recently published by the Consumer Products Safety Commission (CPSC), every public pool in the United States is required to have the most recent ASME/ANSI A112.19.8 certified drain covers or grates. Each new drain cover or grate may not exceed the ASME/ANSI A112.19.8 specified maximum flow rate. In order to achieve compliance facility operators must ensure that flow rates do not exceed the standard for each drain cover or grate. This may require consultation from a pool or engineering professional to ensure compliance. Each ASME approved cover will likely have the following information stamped or indelibly marked on the cover:

EXAMPLE (with Logo):



2007

B For Multiple Drain Use Only

C/D 108 GPM — Swim Jet

E Life: 7 Years

F Wall Only

G/H Drain Co. 1563-W

EXAMPLE (without Logo):

A ASME A112.19.8-2007

B For Single Drain Use

C/D 108 GPM — Submerged

E Life: 7 Years

F Floor Only

G/H Drain Co. 1563-G

Key to Drain Logo and Identification:

Each approved cover has been designed and tested for specific uses, each approved cover will be marked as follows, the positioning or arrangement of these markings shall be in the following sequence:

- A. The designation "ASME A112.19.8," or the ASME A112.19.8 logo followed by the year of the Standard, such as "2007" or "07."
- B. The statement "For Single or Multiple Drain Use," "For Single Drain Use," or "For Multiple Drain Use Only."
- C. The maximum flow rate in gpm
- D. The "Type" of fitting the cover will be installed over. (i.e. Field Fabricated Outlet, Venturi Outlet, Swim Jet or Submerged Suction Outlet)
- E. Fitting components shall be marked "Life:X Years" where the manufacturer indicates the appropriate installed life in years. Individual components may be marked with unique life spans.
- F. Installation position — "Wall Only," or "Floor Only," or "Wall or Floor" if allowed in both positions.
- G. Manufacturer's name or registered trademark.
- H. Model designation.

Approved covers from a number of sources and manufacturers are currently available in various sizes and can be viewed at: <http://www.cpsc.gov/phth/draincman.html>. CPSC has advised that manufacturers are currently working to produce covers that are certified to meet the new standard. However, comments we have received from NRPA members indicate that pool operators may be challenged to find ASME/ANSI certified covers, especially if you have non-traditional, field fabricated drains, and or very large drains. If you are having difficulty obtaining certified covers, due to market demand and delays in shipping, NRPA recommends saving all receipts which document your purchase and effort to comply.

Definition of Unblockable Drain:

When the law was passed in 2007, the definition of an unblockable drain was one that measured 24" diagonally/diameter or larger. This did not appear to create an undue burden on public pools as most pools were equipped with 18"x18" drains that had a 24" diagonal/diameter. CPSC has now redefined an unblockable drain to be one that measures 29" diagonally/diameter. Therefore, single main drain pools with drains that measured at least 24"

diagonally/diameter which were in compliance earlier this year, are now not in compliance. Even if your drain is unblockable (measures 29" or larger) you will need to have the most recently certified ASME/ANSI drain covers or grates to prevent entrapment and entanglement.

Single Main Drains:

A single main drain pool must have an unblockable drain or have one or more additional devices or systems that are designed to prevent suction entrapment. This means your drain must equal or exceed a 29" diagonal or diameter, or must be equipped with one or more additional devices or systems that are designed to prevent suction entrapment. Such devices or systems include safety vacuum release system (SVRS), suction limiting vent system, gravity drainage system, automatic pump shutoff system, or drain disablement. Once again, all drains, even if they exceed 29" diagonal or diameter, must have the most recent ASME/ANSI A112.19.8 certified drain covers or grates.

Multiple Main Drains:

Public Pools with multiple drains leading to one main drain, that are more than three feet apart, are considered to be unblockable and in compliance. However, all the drains must have the new ASME/ANSI certified drain covers that prevent entrapment and entanglement.

Frequently Ask Questions

Do all pools require the new ASME/ANSI certified drain covers or grates that prevent entrapment and entanglement?

Yes, all pools must have the new ASME/ANSI certified drain covers that prevent entrapment and entanglement.

If I have an 18"x18" drain or 16"x16" drain in my multiple main drain pool, do I now need to make them 29"?

No, you do not have to replace these drains with 29" drains. However, you must have new ASME/ANSI certified drain covers or grates on all your drains.

If my drain exceeds the new unblockable standard for single main drain pools of 29" do I have to do anything?

Yes, even if your drain is larger than 29", you must install a new ASME/ANSI certified anti-entrapment anti-entanglement drain cover or grate.

If I have one single main drain with one drain of 18" X 18" (24" diagonal) with no additional devices or systems that are designed to prevent suction entrapment what do I need to do?

Since you do not have what is considered an unblockable single main drain, you must either make the drain at least 29" or, install one or more additional devices or systems that are designed to prevent suction entrapment and meet the ASME/ANSI Standard. Such devices or systems include safety vacuum release system (SVRS), suction limiting vent system, gravity drainage system, automatic pump shutoff system, or drain disablement. Additionally, you must install a new 18"x18" ASME/ANSI certified drain cover.

Are Water Features Required To Comply?

If your water features are classified as a public pool then you must comply with public pool standards.

Does the law also apply to portable pools?

Yes, portable pools have the same requirements as in ground pools.

For further assistance contact Michael Phillips at NRPA Public Policy, mphillips@nrpa.org, 202-887-0290.

IMPORTANT NOTE

The above information is for information purposes only; it is not legal advice and should not be considered legal advice. Individuals, professionals, and communities should consult their own legal counsel in regard to questions about legislation, law, interpretation, CPSC staff interpretation, or any other federal, state, or local law, regulation, code or ordinance.

NRPA is not responsible for any damages or liability that is alleged to have resulted from the provided information.