



NOTICE of New Federal Pool Requirements The Virginia Graeme Baker Pool & Spa Safety Act



The provisions of the new law are designed to prevent serious injuries and fatalities associated with suction entrapment in pools and spas.

By December 19, 2008, in accordance with the new federal law

- **ALL** public, semi-public and special purpose swimming pool drain/grate covers **MUST** conform to the American National Standard ASME A112.19.8 – 2007 Suction Fittings for Use in Swimming Pools, Wading Pools, Spas, and Hot Tubs, or any successor standard, published by the American Society of Mechanical Engineers (ASME);
- **EVERY** public, semi-public and special purpose swimming pool with a single main drain, other than an unblockable drain (interpreted by the Consumer Product Safety Commission to have minimum dimensions of 18 inches by 23 inches or have a diagonal measurement of 29 inches or more), **MUST** be equipped with one or more additional systems or devices designed to prevent suction entrapment. As outlined in the law these additional systems or devices may include a safety vacuum release system (SVRS), suction limiting vent system, gravity drainage system, automatic pump shut-off, or any other system determined by the CPSC to be equally effective in preventing suction entrapment;
- If a public, semi-public or special purpose pool can not comply by December 19, 2008, the CPSC requires that the pool or special purpose pool shut down until the proper covers are installed and, when applicable, an additional suction entrapment prevention device or system is installed as outlined in the law; and
- Non-compliance with these federal provisions may result in the imposition of civil or criminal penalties under sections 20 or 21 of the Consumer Product Safety Act.

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By December 19, 2008, in accordance with regulation 105 CMR 435.00

- Anti-vortex drain covers must be replaced if they do not meet ASME A112.19.8 – 2007;
- Gravity drainage systems are **NOT** exempt from the drain/grate cover provisions;
- Drain disablement is **NOT** an acceptable suction entrapment prevention option, pursuant to 105 CMR 435.00 Minimum Standards for Swimming Pools, State Sanitary Code, Chapter V;
- An operating permit, pursuant to 105 CMR 435.21, should **NOT** be issued to any public, semi-public or special purpose pool that does not comply with the requirements;
- Variances pursuant to 105 CMR 435.46 shall **NOT** be granted since the federal law implies preemption of state requirements;
- Public, semi-public and special purpose swimming pools that are not open on December 19, 2008 are not required to be in compliance until the day that they re-open; and
- It is the pool operators' **RESPONSIBILITY** to provide written confirmation that pool drain/grate covers conform to the American National Standard ASME A112.19.8 – 2007.