



# ASCIP *RISK ALERT!*

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**Date:** April 3, 2009

**Attention:** ASCIP Members

**Subject:** Virginia Graeme Baker Pool and Spa Safety Act

ASCIP has received numerous inquiries in regard to the lack of prefabricated main drain covers meeting the requirements of the Federal Swimming Pool and Spa Drain Cover Standard also known as Virginia Graeme Baker Pool and Spa Safety Act. In 2002, Secretary of State James Baker's granddaughter died in a tragic accident when she was entrapped by a spa drain. As a result, on December 19, 2007 President Bush signed into law the Virginia Graeme Baker Pool and Spa Safety Act which requires public swimming pool and spa drain covers to comply with the American Society of Mechanical Engineers/American National Standards Institute's (ASME/ANSI) performance standard A112.19.8 no later than December 19, 2008. This Act is enforced by the Consumer Product Safety Commission (CPSC).

Since the December deadline, many Members have been approached by consultants who have instructed districts that they must replace main drains with an 18 x 23 inch drain cover, which would require major reconstruction of many of the swimming pools and/or spas. While the Act defines an unblockable drain as a drain of any size and shape that cannot be blocked by a human body, the CPSC states that the minimum size must be 18 x 23 inches. The CPSC further interprets an unblockable drain to mean a) long channels that cannot be blocked by the body or b) large outlet grates with minimum diagonal measurement of 29 inches, or c) circulation designs that do not include fully submerged suction outlets.

Public swimming pools and/or spas that have a single unblockable drain or multiple drains are only required to install drain covers that comply with ASME/ANSI A112.19.8.

Additionally, public swimming pools and/or spas that are not equipped with multiple main drains nor a single unblockable main drain (pools/spas with a single blockable drain) must contain one of the following entrapment prevention systems or devices - Safety Vacuum Release System, Suction-Limiting Vent System, Gravity Drainage System, Automatic Pump Shut-Off System or a Drain Disablement device.

In the event that a prefabricated drain cover cannot be located, a California Licensed Professional Engineer (PE) may be contracted with to design a drain cover meeting the ASME/ANSI A112.19.8 standard. Once the cover is fabricated, it should be installed by a C53 licensed swimming pool contractor. To locate or verify a PE's, please visit [http://www.pels.ca.gov/consumers/lic\\_lookup.shtml](http://www.pels.ca.gov/consumers/lic_lookup.shtml)

ASCIP staff is available to assist in addressing potential Lead exposure concerns as they may arise.