

## FREQUENTLY ASKED QUESTIONS

### The Virginia Graeme Baker Pool & Spa Safety Act

October 2008

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#### VGB ACT

**Q: Who will be enforcing the Virginia Graeme Baker Pool & Spa Safety Act?**

**A:** [CPSC](#) is the lead when it comes to implementation and enforcement responsibility.

**Q: Will CPSC be actively looking to penalize pool operators who don't comply?**

**A:** The law reinforces CPSC's civil and criminal penalty authority and while the intention is not to penalize an individual pool owner or operator, the agency does have the ability to step in and shut down pools or spas found to not be in compliance.

**Q: Will there be any changes from CPSC next year?**

**A:** No additional interpretations are expected.

**Q: Is the Virginia Graeme Baker Pool & Spa Safety Act applicable to waterpark rides that discharge riders immediately upon completion of the ride?**

**A:** Waterpark pools have some unique designs, and No. 1 is the large size of the drains/grates. To determine whether your waterpark pools are compliant, contact CPSC.

**Q: Are skimmer balance lines in commercial pools covered in the Virginia Graeme Baker Pool & Spa Safety Act?**

**A:** Yes. Conceptually, skimmer equalizer lines are submerged drains and should be either covered or plugged and taken off-line.

**Q: Does a fully submerged skimmer count as a second drain?**

**A:** There is currently no definitive technical data to support the position that fully submerged skimmers act as a second drain. Operators with this configuration should consult a qualified expert.

#### DRAIN COVERS

**Q: Are there approved covers for rectangular grates?**

**A:** Yes. To qualify as compliant all drain covers must meet the ASME/ANSI A112.19.8-2007 standard regardless of size or configuration. Currently there are [approved](#) round covers, 9x 9- and 12x12-inch rectangular grates on the market. Large and unblockable drain covers are expected to be introduced into the marketplace beginning in November.

**Q: Can operators preorder approved drain covers?**

**A:** Yes. Currently there are [approved](#) 8-inch round drain covers on the market and they can be ordered at will. More options should be available soon and operators should do what they can to place an order. Even if the product is on backorder the purchase documentation still represents a good-faith effort to comply.

**Q: What should I do if there is no ANSI/ASME cover available for the drain on my pool? (For example a pool with a single L-shaped drain that is half on the pool bottom and half on the wall.)**

**A:** Cases like this would require a field-compliant, field-fabricated cover which will not be available. Although not federally mandated to do so, in unusual cases like this, the ideal option would be to close that drain and build a new dual main drain on the floor of the pool. For most operators that will be something to aim for in the future, but at present you should install one of the secondary anti-entrapment systems.

#### MORE INFORMATION

NOTE: As new questions arise, we'll be updating and adding to this document, so check back often. To submit your own questions, contact [Gary Thill](#), editor of *Aquatrics International*.

#### RELATED LINKS

- [FREE Webcast](#)

Experts from CPSC, APSP and other industry pros discuss the Act in a roundtable discussion. It is followed by a Q&A session from registered participants.

- [AI: Caught in the Act](#)

Aquatrics facilities must comply with the VGB Pool & Spa Safety Act by Dec. 19, 2008, or risk severe penalties. Here is how to quickly and cost-effectively retrofit your pool.

- [Pool & Spa Safety Act](#)

- [CPSC: Pool/Spa Safety Overview](#)

- [CPSC: Interpretation of the Safety Act](#)

- [APSP: FAQs Regarding the Safety Act](#)

- [Letter of the Law: An Expert Explains the Act & What Operators Need to Do to Follow It](#)

- [CPSC: List of Manufacturers of ASME/ANSI Approved Drain Covers & ASME/ANSI/ASTM SVRS](#)

## **SVRS**

### **Q: Are available SVRS' in compliance with all state statutes?**

**A:** Given the new federal requirements, if you have a single main drain and want to install a [SVRS](#) as your choice of a second backup system, you should ensure that the model you choose has been independently tested and meets the applicable ANSI/ASME or ASTM standards.

### **Q: If my pool has one main drain but four skimmers does it need an SVRS?**

**A:** The CPSC does not currently have any technical evidence to support claims that this type of system would be a multiple main drain system, but you should contact a certified professional.

## **COMPLIANCE**

### **Q: My spa has three or four covers, but in a small foot well. What do I need to do to comply?**

**A:** The drain cover requirement applies for these types of spas, but operators should install a second anti-entrapment system if the drains are less than 36 inches apart.

### **Q: If I have a gravity drain system, am I required to change the drain cover?**

**A:** Yes, but that kind of pool automatically falls into the category of being a second anti-entrapment system, so the cover replacement requirement is all you'll have to do if you are operating a single main drain or multiple main drain pool.

### **Q: We have a pool with one 18 X 18-inch drain grate, what do we need to do to be compliant?**

**A:** Install a new, [approved](#) 18x18-inch cover that should be on the market in the next 30 to 45 days. If it's a single drain pool then you also have to add an SVRS or other secondary option as well.

### **Q: My indoor pool has two main drains about 8-inches apart, do I still need to install new covers?**

**A:** Yes and with the drains only 8-inches apart, you'll need a second anti-entrapment system, as well.

### **Q: Who qualifies as a "trained or certified professional"?**

**A:** To determine who is qualified in your area, CPSC recommends contacting state or local officials. Experts should be formally licensed or certified as a business and carry some level of insurance or similar protection.

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