

October 27, 2008

TO:

FROM: Westchester County Department of Health  
Environmental Health Services

RE: New Federal Law  
Virginia Graeme Baker Pools and Spa Safety Act

For your information, the Virginia Graeme Baker Pool and Spa Safety Act was signed December 19, 2007 with an effective date of December 19, 2008, and establishes mandatory Federal requirements for suction entrapment avoidance in public swimming pools and spas.

The Virginia Graeme Baker Pool and Spa Safety Act applies to all pools and spas permitted by the Westchester County Department of Health and becomes effective on December 19, 2008. The act requires modifications to all existing pools to prevent human entrapment at the main drains.

If your pool or spa is currently open, your bathing facility must be in compliance with the Act by December 19, 2008. If your bathing facility will not open until Spring 2009, you must be compliant at the time of reopening.

Please read the attached guidance document to direct you in achieving compliance with the Act while still maintaining compliance with Subpart 6-1 of the New York State Sanitary Code.

The Consumer Product Safety Commission (CPSC) is responsible for implementation and enforcement of this law. Swimming pool operators with questions about compliance with the Federal requirements should contact the CPSC at 301-504-7908, [info@cpsc.gov](mailto:info@cpsc.gov) or go to <http://www.cpsc.gov/whatsnew.html#pool> for more information. A copy of the Virginia Graeme Baker Pool and Spa Safety Act is also enclosed for your reference.

Enclosures - 2

## **Important Notice to Pool Operators Regarding the Virginia Graeme Baker Pool and Spa Safety Act**

The Virginia Graeme Baker Pool and Spa Safety Act applies to all pools and spas permitted by the Westchester County Department of Health and becomes effective on **December 19, 2008**. The act requires modifications to all existing pools to prevent human entrapment at the main drains.

For pools with two or more main drains separated by three (3) feet or with one Unblockable Drain, compliance can be achieved by replacing the main drain covers. For pools with main drains that are separated by less than three (3) feet or a single drain that is blockable, additional changes must be made, as detailed in Number 2 below.

1. **Main Drain Covers. All Main Drain Covers must comply with ASME/ANSI A112.19.8 by December 19, 2008 (or by Spring 2009 opening for seasonal pools and spas).** Main Drain Cover Replacement Only – Constitutes a minor modification requiring Department approval. Plan review will be limited to requirements contained in Subpart 6-1, Section 6-1.29 (9.6) of the New York State Sanitary Code and the drain cover specifications in the Federal performance standard.

The following is to be submitted to Westchester County Department of Health for review and approval prior to any modifications to the existing pool or spa:

- a. Manufacturer's specifications indicating compliance with ASME/ANSI A112.19.8
- b. Sketch showing location and separation distance of proposed covers and the size of the openings in the grate
- c. State the flow rate of all recirculation and feature pumps and how the flow rate was determined. State the volume of the pool or spa
- d. Velocity calculations for cover open area, assuring that the velocity through a single cover does not exceed 1 ½ feet/second at 100% of all combined flows (recirculation and feature flows, if applicable)
- e. Consideration must be made when installing raised main drain covers in a diving or starting block area. Proposed main drain covers can not infringe on the minimum required water depths in these areas as per Sections 6-1.29 (5.6) and (15.6) of the NYSSC.

- f. The submission is considered a minor modification and will not require that the submission be prepared by a Professional Engineer or Registered Architect.

**2. Modifications for Pools and Spas with main drains that are separated by less than three (3) feet or a Single Main Drain Suction Outlet (other than an Unblockable Drain – see definition below). Pools and spas must have additional devices or systems designed to prevent suction entrapment by December 19, 2008 (or by Spring 2009 opening for seasonal pools and spas).**

The following is to be submitted to Westchester County Department of Health for review and approval prior to any modifications to the existing pool or spa:

- a. Pools and spas with single main drains must have one of the following additional systems or devices as per the Federal regulation:
    - i. Safety Vacuum Release System (SVRS) – ceases operation of the pump, reverses the circulation flow, or otherwise provides a vacuum release at a suction outlet when a blockage is detected; conforms to ASME/ANSI standard A112.19.17 or ASTM standard F2387
    - ii. Suction-Limiting Vent System – also called an atmospheric vent
    - iii. Gravity Drainage System – utilizes a collector tank from which the pool circulation pump draws water. Also referred to as a surge tank, surge pit or reservoir.
    - iv. Automatic Pump Shut-Off System – senses drain blockage and shuts off the pump
    - v. Drain Disablement – a device or system that disables the drain
    - vi. Other Systems – any other system determined to be equally effective as, or better than, the systems described in (i) through (v) above
- Plans submitted showing all proposed equipment and modifications
  - Proposed design must confirm that any additional headloss imposed on the filtration system will not affect the pool or spa existing recirculation rate
  - Items (i) and (iv) above are considered minor modifications and will not require that the submission be prepared by a Professional Engineer or Registered Architect.
  - Item (ii) above is considered a minor modification but will require that the submission be prepared by a Professional Engineer or Registered Architect.
  - Installation of a second main drain or item (iii) above is considered a major modifications and will require evaluation of entire facility for full Part 6-1 compliance.
  - Items (v) and (vi) above will require further determination by this Department at the time of submission.

Unblockable Drains – Single unblockable drains, as defined below, are exempt from complying with item #2 above. An unblockable drain means a drain of any size and shape that a human body cannot sufficiently block to create a suction entrapment hazard. (This Unblockable Drain Exemption is according to the Act and not by the Westchester County Department of Health.) An unblockable drain may include:

- Drain configurations that prevent a seal from occurring (large aspect cover, such as 18" x 23" or larger cover)
- Long channels that cannot be blocked by the body
- Large outlet grate (diagonal measure of 29-inches or more)
- Circulation designs that do not include fully submerged suction outlets

A list of manufacturers of ASME/ANSI A112.19.8-2007 Approved drain covers and ASME/ANSI A112.19.17 or ASTM F2387 Approved Safety Vacuum Release Systems (SVRS) can be found at: <http://www.cpsc.gov/whatsnew.html#pool>

Please be advised that the Department is not requiring compliance with the Virginia Graeme Baker Pool and Spa Safety Act, but the above is an equipment approval protocol for Part 6 compliance only as it relates to the Act.

All submissions should be mailed to the following:

Westchester County Department of Health  
Bureau of Environmental Quality  
148 Huguenot Street, 7<sup>th</sup> Floor  
New Rochelle, NY 10801  
Attn: Heather McVeigh, Assistant Engineer

Should you have any questions, please contact our Pool Construction Program Engineering Staff:

Heather McVeigh            914-813-5151  
Michael Estremera        914-813-5153  
Udomlug (Nok) Siriphonlai 914-813-5148