



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH ENVIRONMENTAL HEALTH SECTION

EHS Circular Letter # 2010-01

DATE: January 11, 2010

TO: Directors of Health/ Districts
Chief Sanitarians
Building Officials
Pool Contractors

FROM: Pamela E. Scully, Sanitary Engineer 3
Recreation Program, Environmental Health Section

RE: Products are Now Available to Allow All Existing Public Pools to be in Compliance with the
Virginia Graeme Baker Pool & Spa Safety Act

As previously explained in EHS Circular Letter #2008-91, The Virginia Graeme Baker Pool and Spa Safety Act (Act) was signed into federal law back in December 2007. The Act went into effect December 19, 2008. The Act imposed mandatory requirements for suction entrapment avoidance, to promote the safety of pools, spas and hot tubs. The Act required:

- **Safety Drain Covers.** Each swimming pool or spa drain cover manufactured, distributed, or entered into commerce in the United States shall conform to the American National Standard ASME A112.19.8 - 2007 Suction Fittings for Use in Swimming Pools, Wading Pools, Spas, and Hot Tubs published by the American Society of Mechanical Engineers (ASME). Compliance with this Standard will be enforced by the CPSC as a consumer product safety rule.
- **Public Pool Drain Covers.** Every public pool and spa, both new and existing, must change out the existing main drain covers and install main drain covers that conform to the ASME/ANSI A112.19.8 - 2007 Standard. ("Main Drain" as defined in the Act is "a submersible suction outlet typically located at the bottom of a pool or spa to conduct water to a circulating pump")
- **Public Pool Drain Systems.** Every public pool and spa, both new and existing, with a single main drain, other than an unblockable drain, or with multiple main drains that are less than three (3) feet apart, shall be equipped with one or more additional devices or systems designed to prevent suction entrapment that meet the requirements of any applicable ASME/ANSI Standard. Such additional devices or systems include a safety vacuum release system (SVRS), or suction limiting vent system, or gravity drainage system, or automatic pump shutoff system.

EHS Circular Letter #2008-91 in an attempt to work with existing public pools that were faced with the difficulty of complying with the Act stated that: "Gravity drain public pools, as defined in PHC Section 19-13-B33b, that have not complied with the requirements of the Act by December 19, 2008 for pools that are open, or by the date they re-open for seasonal pools, where products for compliance are **NOT** commercially available, may file a letter with the local health officials and the DPH Recreation Program that documents their efforts to comply with the Act and stating their intent to fully comply once the products needed for compliance are commercially available to them. These pools should be allowed to remain open for use up to three months after products are commercially available. Gravity drains, due to their design, pose a much lower risk for entrapment."



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At this point in time, products are commercially available to bring all existing public pools into compliance with the Act. Therefore it is now the recommendation of this office that if there exists a public pool that is not in compliance with the Act, or currently not under contract to do the work necessary to bring the public pool into compliance with the Act, or currently not under construction to bring the public pool into compliance with the Act, the public pool should be closed. The Director of Health, under the authority of Public Health Code Section 19-13-B33(g) may order such a closure. Public Health Code Section 19-13-B33b(g) states that the Director of Health, if there exists a condition that constitutes a “safety hazard”, “may order such public pool closed until the correction is made”. It is the position of this office that failure to install the required products, now that they are knowingly available, would be considered allowing a potential safety hazard to continue. The public pool should therefore be closed and remain closed until such time as it is in full compliance with the Act.

cc: Suzanne Blancaflor, M.S., Chief, Environmental Health Section
Ellen Blaschinski, R.S., M.B.A., Chief, Regulatory Services Branch