

County of Santa Clara

Agriculture and Environmental Management
Department of Environmental Health

Consumer Protection Division

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www.EHinfo.org



January 5, 2009

RE: Virginia Graeme Baker (VGB) Pool and Spa Safety Act

Dear Operator,

The purpose of this notice is to update you on the specifics of the Virginia Graeme Baker Pool and Spa Safety Act (VGB) which was signed into law in December 2007 by President Bush. The intent of the law is to increase safety in swimming pools and spas by establishing a federal standard for pool and spa drain covers and to ensure that pools and spas are equipped with proper safety devices.

The VGB Pool and Spa Safety Act requires that all public pools and spas be equipped with one of the following:

1. More than one main drain (at least 3 feet apart);
2. One or more unblockable drains (defined by the Consumer Product Safety Commission [CPSC] as a drain of any size and shape that a human body cannot sufficiently block to create a suction entrapment hazard – e.g., drain cover with a minimum dimension of 18"x23", long channel that cannot be blocked by the body);
3. A single main drain other than an unblockable drain and one or more of the following systems:
 - a safety vacuum release system
 - a gravity drainage system
 - an automatic pump shut-off system
 - a drain disablement device or system
 - and/or any other system determined by the CPSC to be equally effective as, or better than, these systems at preventing or eliminating the risk of injury or death associated with pool drainage systems.

These new federal standards became effective on December 19, 2008. All public pools and spas – both existing and new – must be equipped with anti-entrapment drain covers that meet the ASME/ANSI A112.19.8-2007 standard.

Public pools and spas that are not in operation on December 19, 2008 need not meet the requirements of the VGB Pool and Spa Safety Act until they return to operation. Upon re-opening for use by the public after December 19, 2008, all public pools and spas must be in compliance with the Pool and Spa Safety Act as specified above.

The enforcement agency for this new law is the Consumer Product Safety Commission. The State of California Department of Public Health is currently in the process of working towards the adoption of the VGB Pool and Spa Safety Act; you will be notified should this law be incorporated into California code.

Board of Supervisors: Donald F. Gage, George M. Shirakawa, Dave Cortese, Ken Yeager, Liz Kniss
Acting County Executive: Gary A. Graves

Please be advised that any renovations to an existing pool or spa that include splitting drains or installing safety devices must be approved by the Santa Clara County Department of Environmental Health (SCC DEH). In addition, most local building departments require permits for these activities. Submittal of plans and payment of applicable plan check fees is required by SCC DEH.

For more information, please visit www.cpsc.gov/pssa. If you have any questions regarding technical or engineering issues, please contact Troy Whitfield of the Consumer Product Safety Commission at (301) 504-7548.

For information on plan submittal and review, please contact Santa Clara County DEH at (408) 918-3400, or visit our website www.ehinfo.org.