



Important Information Regarding the Virginia Graeme Baker Pool and Spa Safety Act

On December 19, 2007, President Bush signed into law the Virginia Graeme Baker Pool and Spa Safety Act. All public pools and spas must have ASME/ANSI A112.19.8-2007 (or any successor standard) compliant drain covers before December 20, 2008. Other suction outlets in the pools i.e. slide, spray feature suction outlets, and skimmer equalizer lines must also conform to the Federal Act. Please be aware these are **Federal requirements** and enforced by the Consumer Product Safety Commission (CPSC). The State is providing this information to assist all public swimming pools in attaining compliance. Since retrofits require modification to the various suction systems of pools and spas, submittals as stated below will be required per the Nebraska swimming pool regulations (Title 178 NAC 4). Links to the Virginia Graeme Baker Act, the CPSC's interpretation, this memo, and a list of swimming pool companies and engineers and architects that have submitted projects to the state can be found on the Department's Swimming Pool Program website at:
<http://www.dhhs.ne.gov/puh/enh/san/swimming/swimindex.htm>

The following is a summary of the Act and the mandatory federal requirements for entrapment avoidance:

- **Public Pool Drain Covers.** Each public pool and spa (as defined), both **new and existing**, shall be equipped with drain covers conforming to the ASME/ANSI A112.19.8 – 2007 (or any successor standard).
- **Public Pool Drain Systems.** Each public pool and spa with a single main drain, other than an unblockable drain, 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 or applicable consumer product safety rule. In addition to a compliant drain cover, such additional devices or systems shall include a safety vacuum release system (SVRS), or suction limiting vent system, or gravity drainage system, or automatic pump shutoff system, or drain disablement, or other systems determined by the CPSC to be equally effective in preventing suction entrapment.

Section 1: Retrofit projects that require the submittal by a Nebraska licensed engineer or architect

Plans and specifications prepared by a Nebraska licensed engineer or professional architect (design professional) **must** be submitted to the Department for the following retrofits:

1. A retrofit that involves cutting into the pool, e.g., converting a single main drain to a dual main drain;
2. A retrofit that cuts into the recirculation piping, i.e., the addition of the following secondary systems:
 - a. Safety vacuum release system;
 - b. Suction-limiting vent system;
 - c. Construction of a gravity drainage system; OR
 - d. Modification of skimmer equalizer lines that require cutting into piping.

Section 2: Retrofit projects plans submitted by the owner or owner's representative

The projects below can be submitted by the owner or the owner's representative directly to the Department. The Department highly advises all pool and spa owners contact an engineer, architect, or knowledgeable pool company/contractor, for assistance in attaining compliance if the owner does not feel comfortable submitting the project. Please submit the attached compliance form for each type of retrofit to be completed. The review fee, as required in Title 178 NAC 4-003.01, will be reduced to \$100.00 for the modification(s) to **each** licensed pool or spa.

1. Replacement or addition of drain covers or suction covers with ASME/ANSI A112.19.8-2007 (or any successor standard) approved covers that **do not** require cutting into the pool floor or wall.
2. Any retrofit that employs the addition of an automatic pump shut-off system (must be installed by a certified electrician);
3. Plugging of skimmer equalizer lines that do not require cutting into the piping.

Failure to properly retrofit any pool and spa that will be open after December 19, 2008 will be in violation of the federal law. The maximum penalty for one or more related violations is \$1.825 million. Pools closed after the 2008 season that will not be opening until the spring of 2009 must complete the retrofit before opening in 2009.



Pool and Spa Retrofit Form

For the following projects, a \$100.00 review fee **per** pool or spa **AND** this retrofit form must be submitted in lieu of a submittal by a Nebraska licensed engineer or architect:

1. Replacement or addition of drain covers or suction covers with ASME/ANSI A112.19.8-2007 (or any successor standard) approved covers that **do not** require cutting into the pool floor or wall, i.e. simple replacement of the current cover with a cover that meets the new standard; or
2. Any retrofit that employs the addition of an automatic pump shut-off system (must be installed by a certified electrician); or
3. Plugging of skimmer equalizer lines that do not require cutting into the piping.

Please make additional copies of this form for each retrofit at your facility. This form can also be found on the Nebraska Department of Health and Human Services, Swimming Pool Program website at: <http://www.dhhs.ne.gov/puh/enh/san/swimming/swimindex.htm>

Please fill out one form PER drain, suction outlet, or skimmer equalizer lines.

Pool Name: _____

Permit #: _____

Pool/Spa Physical Address:

Pool/Spa Mailing Address:

Pool/Spa Telephone: _____

Pool/Spa Telephone: _____

Does the pool currently have a surge tank or gravity box? Yes No

What is the color of the swimming pool or spa? _____

How many main drains does the swimming pool or spa have? _____

If have two or more main drains are they spaced 3 feet apart or greater? Yes No

Type of Pool (Check ONE)

- Swimming Pool Spa Zero Depth Pool Wading Pool
 Wave Pool Lazy River Other _____

Type of Retrofit (Check ONE). One form per retrofit, make copies as needed

- Main Drain Suction Outlet Slide Suction Outlet Skimmer Equalizer Lines
 Spray Feature Suction Outlet Automatic Pump Shutoff

Please provide ALL of the following information:

1. **Brand and Model of anti-entrapment drain cover installed:** _____
Does the drain cover conform to ASME/ANSI 112.19.8-2007(or any successor standard)
 Yes No Not Applicable
2. What is the color of drain cover to be installed? _____
3. Pump Capacity (drain/suction flow): _____ (gallons per minute)
4. Please provide the specifications/catalog information on the drain cover or automatic pump shutoff installed.

I hereby certify that the above-referenced swimming pool or spa complies with the Virginia Graeme Baker Pool and Spa Safety Act on the below date.

Print Name: _____

Sign Here: _____

Title/Company: _____

Phone: _____ Date: _____

Return to: DHHS Engineering Services Program, PO Box 95026, Lincoln, NE 68509-5026.

For questions please call Steve Jillson at 402/471-6448, Chin Chew at 402/471-0522 or Kyle Tillinghast at 402/471-0931.