



HEALTH CARE AGENCY/PUBLIC HEALTH ENVIRONMENTAL HEALTH INFORMATIONAL BULLETIN

To: Owners/Operators of Public Pools Located in Orange County

Subject: **New Safety Laws Regarding Suction Entrapment Hazards in Public Swimming Pools**

Assembly Bill No. 1020 (AB 1020) has amended the California Health & Safety Code regarding public pools. This informational bulletin is intended to guide pool owners and operators in complying with the new suction entrapment hazard requirements for existing pools, constructed prior to January 1, 2010. For construction requirements for new pools, please see our pool construction guide at <http://ochealthinfo.com/regulatory/pool>.

The new law incorporates much of the current Federal Law known as the Virginia Graeme Baker Act (VGBA), enforced by the Consumer Product Safety Commission. The Federal Law required all upgrades be completed by December 19, 2008. This bulletin does not address the Federal requirements. More information on the Federal Law can be found at www.cpsc.gov.

A. Existing Public Swimming Pools (constructed prior to January 1, 2010)

Beginning January 1, 2010 California Health & Safety Code required all existing public swimming pools be retrofitted with anti-entrapment devices or systems that comply with ASME/ANSI or ASTM performance standards (or any applicable performance standard that has been adopted by the Department) no later than **June 30, 2010**. Swimming pools with existing dual main drain systems need only to upgrade the type of drain covers/grates to new covers meeting the ASME/ANSI A112.19.8 performance standard. Some, but not all, of the new drain covers/grates will require a modification to the sump beneath the cover or grate. Skimmer equalizers are considered submerged suction outlets and shall also be protected by the compliant drain covers.

If each pool pump's single suction outlet systems are protected with an ASME/ANSI or ASTM compliant single-unblockable drain cover, it shall be considered compliant with the new law.

Any existing public swimming pool with a single single-suction outlet system, that is not protected by a single ASME/ANSI or ASTM compliant **unblockable** drain cover, shall be equipped with a drain cover/grate meeting the ASME/ANSI A112.19.8 performance standard and at least one or more of the following devices or systems that are designed to prevent physical entrapment by the pool drains:

1. A safety vacuum release system that has been tested by a Department-approved independent third party and found to conform to ASME/ANSI A112.19.17 or ASTM F2387 performance standard.*
2. A suction-limiting vent system with a tamper resistant atmospheric opening provided that it conforms to any applicable ASME/ANSI or ASTM performance standard.*
3. A gravity drainage system that utilizes a collection tank, provided that it conforms to any applicable ASME/ANSI or ASTM performance standard.
4. An automatic pump shut-off system tested by a Department-approved independent third party and found to conform to any applicable ASME/ANSI or ASTM performance standard.
5. Any other system that is deemed, in accordance with federal law, to be equally effective as or more effective than, the systems described in 1-4 above at preventing or eliminating the risk of injury or death associated with pool drainage systems.

**Safety vacuum release systems and automatic pump shut-off systems: Environmental Health will not be responsible for determining whether the safety vacuum release system or automatic pump shut-off system has been properly installed per manufacturer's instructions, as long as it is functioning properly, has been calibrated, is being properly maintained or will be periodically tested, both now and in the future. This will be the responsibility of the owner/operator.*

B. Completion Notification for all Public Pools not yet Retrofitted or Retrofitted after January 1, 2010

1. **Plan Review Required for Pool Remodels:** A person proposing to construct, reconstruct, or alter a public pool or auxiliary structure or equipment shall submit legible plans and specifications to Environmental Health for review and written approval prior to commencing the work. Necessary approvals shall also be obtained from the local building authority. A Compliance Form will be required to be completed by the pool owner and/or pool contractor following the final inspection of the retrofit project. That Form will be issued by the plan check inspector completing the final inspection.
2. **Limited Suction Entrapment Retrofit (plan review exception):** In lieu of plans and inspections, a post-work over-the-counter contractor verification approval is allowed for limited suction entrapment retrofits. The work shall be conducted by an appropriately licensed Swimming Pool Contractor. Necessary approvals shall still be obtained from the local building authority. The counter review form shall be submitted in person at Orange County Environmental Health. There is a \$56.50 Plan Check fee per body of water. If the project includes more than solely a suction entrapment retrofit (such as re-plastering, re-plumbing, etc.) then plans are required as noted in section 1 above.

C. Completion Notification for existing Public Pools retrofitted before December 31, 2009

1. If the work has been completed and the proper form has been submitted in person notifying Environmental Health of the retrofit, no further action is necessary.
2. If an over-the-counter contractor verification form was submitted and the work has not been done the pool owner needs to follow one of the two procedures noted above in section B.
3. If the work was completed without prior approval by Environmental Health then the pool owner must immediately follow one of two the procedures noted above in section B.

D. California Department of Public Health (CDPH) Surcharge

CDPH has mandated an annual fee of \$6.00 for each pool (swim, spa, wade, etc.). The purpose for this fee is to fund State oversight of the Recreational Health Laws and Regulations. Starting January 1, 2010 Environmental Health will be assessing this annual fee on the behalf of CDPH.

E. Enforcement

Pools not retrofitted by the **June 30, 2010** deadline are subject to closure.

F. For More Information

For more information, please contact Environmental Health at (714) 433-6000 or visit our web page at <http://ochealthinfo.com/regulatory/pool>.