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## Federal and State Requirements for Public Pools Increase Safety

The federal Virginia Graeme Baker Pool and Spa Safety Act (Act) promotes the safe use of pools, spas and hot tubs by imposing mandatory federal requirements for suction entrapment avoidance. The Act is being administered by the U.S. Consumer Product Safety Commission (CPSC). By December 19, 2008, the Act requires:

- Each swimming pool or spa drain cover sold in the United States to conform to the American National Standard ASME A112.19.8 - 2007 standard for Suction Fittings for Use in Swimming Pools, Wading Pools, Spas, and Hot Tubs published by the American Society of Mechanical Engineers (ASME). This Standard provides better protection against hair entanglement, a leading cause of suction entrapment injuries and death; better fastening of the drain covers so they don't come loose; and better UV resistance so they last. Compliance with this Standard will be enforced by the CPSC as a consumer product safety rule.
- Each public pool and spa, both new and existing, be equipped with drain covers conforming to the ASME/ANSI A112.19.8 - 2007 Standard described above. Florida currently has over 37,000 public pools/spas. Few of these pools or spas currently have 2007 compliant covers. These new drain covers will protect against all five types of circulation/suction entrapment when they are properly installed, secured and maintained.
- Each public pool and spa (pump) with a single main drain, other than an unblockable drain, be equipped with one or more additional systems designed to prevent suction entrapment. 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, or drain disablement, or other system determined by the CPSC to be equally effective in preventing suction entrapment.

If these requirements are not met by December 19, 2008 the public pool or spa must be shut down until it does comply. Manufacture or offers for sale of drain covers that do not meet the 2007 ASME standard is punishable by fine and/or imprisonment. Facilities that do not comply would also be subject to the same penalties. The CPSC made it clear in a recent public conference call that it intends to pursue violators.

For residential pools, the ANSI/ APSP-7 *American National Standard for Suction Entrapment Avoidance in Swimming Pools, Wading Pools, Spas, Hot Tubs, and Catch Basins* was recently adopted by the Florida Building Commission. This standard also meets the federal requirements. For public pools and spas, the Florida Department of Health oversees enforcement through Chapter 64E-9 *Public Swimming Pools and Bathing Places of the Florida Administrative Code*. As of 1977 all Florida public pools, and since 1993 all public spas, were required to eliminate direct suction by providing a gravity drainage system. Therefore, public pools and spas built before gravity drainage was required and built with a single drain, that isn't an unblockable drain, will require one of those additional systems listed in the federal act.

Chapter 64E-9 outlines every aspect of building and maintaining a public pool and spa. It is currently under revision and there are several additions that will enhance what is already in the code regarding pool outlets and drain covers. The most recent revision includes retrofitting requirements that will eliminate direct suction through the main drain of all public pools by requiring a gravity drainage system. These retrofits are required to be completed on dates varying from July 1, 2009 to July 1, 2013, based on the year the pool or spa was built. Pools not retrofitted by their assigned date will be closed. However, it appears that any public pools or spas in Florida that must comply with the Act's retrofit requirements by December 19, 2008 could choose one of the devices allowed in the federal Act, but would still have to install a gravity drainage system by its required date because of Chapter 64E-9.

It also appears that revisions will be made to Chapter 64E-9 relating to drain cover requirements. Otherwise, it may be impossible for a public pool or spa to comply with both the federal Act drain cover requirements and current Chapter 64E-9 drain cover requirements. The current draft revision also adds that "a main drain grate that is missing, unsecured, improperly secured or damaged is a non-compliant condition and the Department of Health may close the pool."

Another important safety measure currently in Chapter 64E-9 is the requirement that the individual who services a public pool or spa must be certified. To become a certified pool service technician, an individual must attend a training course of national recognition that is approved by the Department of Health and pass a test. This certification requirement better ensures that health and safety requirements are maintained in public pools and spas.

Swimming pool safety is important to the Florida Swimming Pool Association and continual compliance with these federal and state standards helps maintain safe public pool environments.

The Florida Swimming Pool Association is a trade association for the pool and spa industry in Florida. There are approximately 700 member businesses in 16 Chapters across the state. Members are required to abide by a code of ethics and to be properly licensed and insured. FSPA provides the industry with access to continuing education courses, information on current trends and issues, and an arbitration program and government relations representation. FSPA is governed by a Board of Directors.

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