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RON CURRY
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CARLOS ROMERO
Director

October 9, 2008

TO: Public Swimming Pool and Spa Owners

FROM: New Mexico Environment Department ("NMED")

RE: VIRGINIA GRAEME BAKER POOL AND SPA SAFETY ACT ("FEDERAL LAW")

On December 19, 2007, President Bush signed into law the Virginia Graeme Baker Pool and Spa Safety Act ("Act"). The purpose of the Act is to increase the safety of public pools and spas by ensuring that they are equipped with approved anti-entrapment drain covers. *Please note that this is a Federal Law which will be enforced by the U.S. Consumer Product Safety Commission ("CPSC"). The NMED is providing this information to assist all public pools and spas in attaining compliance.*

The Act mandates that all public pools and spas, **both new and existing**, be equipped with anti-entrapment devices or systems that comply with the ASME/ANSI A112.19.8-2007 performance standard. Furthermore, the Act requires public pools and spas, **both new and existing**, with a single main drain to be equipped with an ASME/ANSI drain cover **and** one or more **additional** devices or systems designed to prevent entrapment and meeting an applicable ASME/ANSI or ASTM standard. Additional devices or systems include: 1) a safety vacuum release systems (SVRS), 2) a suction limiting vent system, 3) gravity drainage system, 4) an automatic ("not manual") pump shut-off system, 5) a drain disablement device, or 6) other systems approved by CPSC. **These new standards become effective on December 19, 2008.**

CPSC's detailed interpretation of the Act can be found at <http://www.cpsc.gov/phth/vgpsa.pdf>. A list of manufacturers of ASME/ANSI approved drain products can be found at <http://www.cpsc.gov/phth/draincman.html>. CPSC also will respond to inquiries regarding implementation of the Act and other technical issues. If any pool owner/operator, service provider or contractor needs clarification on technical issues, they may call Mr. Troy Whitfield of CPSC at (301) 504-7908 or email twhitfield@cpsc.gov.

If there are any questions, please contact your local NMED office.

Sincerely,

Raj Solomon, P.E.
Pool Program Manager