



## **CARTERET COUNTY HEALTH DEPARTMENT**

**3820 Bridges Street, Suite A, Morehead City, NC 28557**

J.T. Garrett, Ed. D., M.P.H.

### MEMORANDUM

TO: All Public Swimming Pool Operators and Owners

FROM: Wendy K. Kelly, RS  
Environmental Health Specialist

SUBJECT: Virginia Graeme Baker Pool and Spa Safety Act

DATE: November 12, 2008

The Virginia Graeme Baker Pool and Spa Safety Act of 2007 is a mandatory Federal Requirement that will go into effect on December 19, 2008. It will require all public swimming pool owners and operators to install drain covers meeting the ASME/ANSI A112.19.8-2007 Standard by December 19, 2008. This requirement must be met by all public swimming pools, even those with 2 main drains, and applies to all drain sizes except those too large to be blocked by a human body. Very few drain covers installed prior to 2009 meet the new standards. The new federal law will prohibit the sale of the older style drains after December 2008; however pool owners will still need to verify that the drain covers installed meet the new standards. The standard should be listed on the drain cover itself or on the packaging material.

There are no enforcement provisions in the federal law, which leaves it up to the states to begin enforcement. The Division of Environmental Health is beginning the process of adopting the drain safety standards into the North Carolina Rules Governing Public Swimming Pools. It will take one to two years before enforcement of these provisions on public swimming pools with multiple drains takes place in North Carolina. It is unlikely any state or local enforcement will begin before the 2010 swimming season.

**However, if you have a single drain pool with a drain cover that is smaller than 12 inches in diameter, rule .2539 (b) requires that the drain cover meet the ASME/ANSI standard including any subsequent amendments and additions. Therefore, these pools will need to have a drain cover that meets the newest standard on December 19, 2008 if they are a year-round pool and prior to obtaining an operation permit in the spring of 2009 if they are a seasonal pool.**

Attached is a copy of "Questions & Answers – Effects of the Virginia Graeme Baker Pool and Spa Safety Act on North Carolina Public Swimming Pools in 2008" for your review.

If you replace your drain covers with anti-entrapment drain covers that meet the ASME/ANSI A112.19.8-2007 standard before North Carolina starts enforcing this new federal law, we request that you send a copy of the manufacturer's specifications, showing that the drain covers meet the standard, and a copy of the packaging to the Health Department. This documentation will let us know that you have installed compliant drain covers and will save you from having to provide proof when our state rules for enforcement are adopted in a year or two.

If you have any questions, please feel free to contact me at 252-728-8499.

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