

December 2, 2008

Dear Facility Owner/Operator,

On December 19, 2008, the Virginia Graeme Baker Pool and Spa Safety Act (VGBA) will take effect. The VGBA is being administered and enforced by the U.S. Consumer Product Safety Commission (CPSC) to promote the safe use of pools, spas and hot tubs by imposing mandatory federal requirements for suction entrapment avoidance. The CPSC has the authority to close pools or spas found to be non-compliant and may also assess criminal penalties, including fines or imprisonment, under Section 21 of the Consumer Product Safety Act (Act) 15 U.S.C. §2070(a).

This Act requires that all public pools and spas, both new and existing, be equipped with certified drain covers on every suction outlet. Also, those pools and spas that have a single drain, other than an unblockable drain, must employ one or more of the following additional options: safety vacuum release system (SVRS); suction limiting vent system, gravity drainage system; automatic pump shut-off; or drain disablement. Additional information about the VGBA and a list of Frequently Asked Questions specific to Pennsylvania can be found at www.health.state.pa.us.

Many of you may have already made the required changes at your facility. To assist in verifying compliance, the Pennsylvania Department of Health (Department) is providing the enclosed "*Pool/Spa Main Drain Cover Replacement Form*" **for you to complete** and return it to the appropriate District Office listed at the bottom of that form. A form is required for **each** pool and/or spa at your facility. You can make copies of the form or download additional copies from www.health.state.pa.us. The Department will notify the CPSC regarding facilities that fail to provide a signed copy of the enclosed "*Pool/Spa Main Drain Cover Replacement Form*."

However, please understand, this compliance assistance effort does not indicate we are verifying you have satisfied all the requirements set forth in the VGBA. It is your responsibility to consider all aspects of the VGBA, and apply them at your facility. You may wish to contact a professional pool vendor or pool design professional to confirm you have addressed all VGBA requirements.

For those of you who have not made the necessary changes to your facility's pools or spas, we recommend contacting a pool vendor, design professional, or contractor to have them interpret and assess your specific situation and advise you on how to become compliant with the VGBA.

If you have any questions regarding this letter or the enclosed form, please feel free to contact the Department, at 1-877-PA HEALTH, to discuss. For specific interpretations of the law and its requirements, please contact CPSC at info@cpsc.gov or 1 (800) 638-2772.