

## **Comment to CPSC re: Virginia Graeme Baker Act**

The waterpark industry welcomes this opportunity to offer a public comment on the regulations pertaining to the Virginia Graeme Baker Act compliance forms and procedure. Guest safety is the attractions industry's top priority and the waterpark industry supports the intent of the Virginia Graeme Baker Pool and Spa Safety Act – to prevent drowning due to drain entrapment.

### **Waterpark Industry in the U.S.**

Two associations, the International Association of Amusement Parks and Attractions (IAAPA) and the World Waterpark Association (WWA) collectively represent a majority of waterparks in the United States. We are submitting this comment on behalf of both organizations.

The waterpark industry is a fast growing industry, both in the United States and internationally. There are more than 1,000 waterparks in North America, serving over 85 million guests annually. Waterparks are operated by both large and small companies, municipalities, hotel resorts and community centers. They employ between 20 and 5,000 workers per park.

### **Comments on the Proposed Compliance Form and Procedure**

**1.** The waterpark industry does not believe the estimated .5-hour burden on a pool operator to complete the inspection is sufficient for waterparks:

- Water attractions are not traditional pools. Waterpark attractions are unique in design and configuration, with specific safety performance requirements. Common pools and spas feature flat water, smaller drain systems, few walking surfaces and few interactive features. Additionally, a traditional pool facility has one or two pools.
- In contrast, waterparks tend to be larger and may have multiple separate pools within a facility. Waterparks have multiple drains of varying sizes that are oftentimes field-fabricated and therefore not simply identified as VGB compliant by a VGB stamp as common pool drains are.
- Due the number of drains and the additional calculations that go into testing a field-fabricated drain for compliance, the waterpark industry believes a compliance inspection will take significantly longer time than .5 hours.

**2.** Since the VGB is enforced by different agencies in different states, we ask the CPSC to recommend that the states use the proposed form and standard operating procedure during compliance inspections. This ensures consistency across state lines, regardless of the inspecting party.

**3.** If a facility has already been inspected by a local or state official and has been determined to be in compliance with the Virginia Graeme Baker Act, CPSC should accept that finding and not re-inspect the facility.