

VIRGINIA GRAEME BAKER ACT

The Virginia Graeme Baker Pool and Spa Safety Act (VGB Act) goes into effect on December 19, 2008. The International Association of Amusement Parks and Attractions and the World Waterpark Association have been working with Consumer Product Safety Commission and Congress to clarify the application of the VGB Act to water attractions in the waterpark industry. As of December 12, 2008, the CPSC has not responded to our request for additional guidance. If CPSC provides additional guidance, we will forward it to you.

Members should review the following document immediately and take appropriate steps to address their individual situations in light of the unavailability of product to fit large, field-fabricated drains. Please remember that the CPSC has indicated that the law will be enforced as of December 19, 2008 on all drains where product is available. This document does not provide legal advice, but highlights some best practice steps that could be taken. Members are urged to consult counsel as necessary. This document has not been approved by CPSC.



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Two Requirements

Drain covers

Waterpark Operators should show active progress in executing a "Due Diligence" Program to meet the intent of the VGB Act particularly where compliant drains solutions are not available for the December 19th, 2008 deadline.

Suction mitigation

Direct suction drains require protection in accordance with VGB and shall be addressed prior to the deadline.

Choices include:

- Safety vacuum release
- Suction-limiting vent system
- Gravity drainage
- Automatic pump shutoff
- Drain disablement
- Other solutions determined by the CPSC as equivalent

Link to more information on VGB Act www.cpsc.gov/whatsnew.html#pool

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“Due Diligence” Program Highlights

- **Involve a state-registered design professional.**
- **Research specific codes and regulations specific to your jurisdiction that go beyond VGB requirements**
(i.e. drain flow velocity limits).
- **Perform assessment of all bathing water features to inventory:**
Quantity and size of fully submerged suction drains.
Flow requirements through drains
Areas of possible finger / limb entrapment per the definitions of Section 6 of ANSI/ASME A112.19.8-2007.
- **Perform water flow analysis to validate maximum flow limitations are met.**
If no limits are set by local authority, maximum flow should be restricted to 1.5 fps.
- **Address areas of possible finger/limb entrapment found during the assessment.**
- **Develop inspection program to validate structural integrity and UV resistance of existing drains.**
- **Develop and maintain certification documentation file with all above findings, calculations and data.**

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Typical Engineering Documentation

**A state-registered design professional must be hired for all drains.
The design professional will examine the requirements
of ANSI/ASME A112.19.8-2007 related to your park as follows:**

- Research state & industry code requirements.
- Determine flow rate through the drain or drains.
- Identify if drain or drains pose an entrapment risk.
- Identify if drain or drains qualify as field fabricated.
- Identify if finger or limb entrapment condition exists.
- Identify if pipe diameter and grate elevation problem exists.
- Determine velocity through the drain grates.
- Determine if grate or new grate will provide structural integrity and UV resistance.
- Determine if secondary protection device is needed.
- Determine proper fastening of grate to sump.
- Determine if hair will entangle in grate.
- Develop a list of requirements, calculations or options needed to bring the drains into compliance or label as certified once modifications have been made.
- Develop a letter that will identify the action being taken by the park to come into compliance.