



## **Talking Points Virginia Graeme Baker Pool and Spa Safety Act**

The safety of our guests is our top priority and as a result, the waterpark industry supports the intent of Virginia Graeme Baker Pool and Spa Safety Act -- to prevent drowning due to drain entrapment. The waterpark industry currently employs many safe anti-entrapment features and practices such as the use of larger, unblockable drains, and avoiding direct, single suction drain systems.

Waterpark attractions are unique and their design differs from that of traditional swimming pools. Their shapes, uses, and filtration systems (among others) vary dramatically from those designs of traditional pools. These unique features were not taken into consideration in the development of the Virginia Graeme Baker Pool and Spa Safety Act.

The safest drain covers for waterpark attractions are large, flush-mounted grates that reduce the likelihood of entrapment because of their size, construction, or relationship to the rest of the drain system.

Appropriate drain covers were not available in advance of the December 19, 2008 implementation deadline outlined in the Act. Traditionally-sized drain covers are available; however, we are not aware of any large, flush-mounted drain covers available on the market at this time. Manufacturers of these drain covers are in various stages of designing and certifying traditional drain covers that will comply with the new standard and estimate covers will be available for mass production and distribution in early 2009 at the earliest.

The new, traditionally-sized drain covers that comply with the VGB Act create a safety hazard when used in the shallow-depth water (zero-depth entry pools, splash pools, or waterslide catch pools) uniquely found in waterparks. When placed in waterparks, these domed covers will create a tripping hazard and opportunity for toe entrapment and injuries. These drain covers could also increase water flow velocity, resulting in additional safety hazards.

The ANSI (American National Standards Institute)/ASME (American Society of Mechanical Engineers) A 112.19.8 standard was not written with waterpark facilities in mind. Technical requirements for anti-entrapment designs in waterparks should be addressed in other ANSI and ASTM standards specific to waterpark attractions.

Technical experts are re-evaluating and writing anti-entrapment standards for waterpark attraction design through the ASTM International waterpark standards writing process. We are concerned that rushing to interpret and implement the provisions of the Virginia Graeme Baker Pool and Spa Safety Act in waterparks (i.e., trying to fit a square peg in a round hole) could actually create additional safety hazards.

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Have people become entrapped in drains at waterparks?

With the exception of one event where a guest was injured on a broken drain cover (a situation which would not be addressed by the Virginia Graeme Baker Pool and Spa Safety Act), we were unable to find a single instance of a drain entrapment that resulted in serious injury in a waterpark dating all the way back to 2000.

What are the costs of compliance with the VGB Act?

The costs associated with complying with the new rules depend on the pools. If the pools can use the newly designed off-the-shelf drain covers that can be installed with relative ease, they cost less than \$100 each. If a pool/waterpark attraction is made with a number of larger, unique drains, it could cost tens of thousands of dollars to design, certify, manufacture, and install new covers. In some cases, entire filtration systems will have to be re-designed.

How long will it take for the waterpark standards to be developed, and what will you do in the meantime?

There are numerous safety provisions already in place in the standards that address waterpark attractions. The ASTM International process is one of continual revision and improvement. We have also created a recommended Due Diligence Plan to ensure the safety of our guests.