

Pool Owners Must Comply By July 1, 2010!
by the Department of Public Health

This law applies to all public pools, spas and wading pools. It applies to those pools located at apartments, condominiums, townhouses, hotels, motels, schools, health clubs, mobile home parks, medical facilities, and includes municipal, resort and community pools.

On October 11, 2009, Assembly Bill 1020 was signed into California State law. This bill adds Section 116064.2 to the California Health and Safety Code. This new section incorporates provisions of the federal Virginia Graeme Baker (VGB) Act into California State law and is intended to prevent suction drain entrapments and drownings.

The new law requires that all public pools be retrofitted with approved drain covers manufactured after December 19, 2008. In addition, every suction drain on a pool must have a split (dual) drain; be equipped with a safety vacuum release system; or an automatic pump shut-off system must be provided. To see a copy of Assembly Bill 1020 in its entirety, please visit the website at:
http://www.publichealth.lacounty.gov/eh/docs/ep_rw_ab1020.pdf.

The Recreational Waters Program will be enforcing the new State law throughout Los Angeles County as follows: By July 1, 2010, owners of all public swimming pools and spas, **except** those listed below, must submit a “Certification of Compliance” form to Los Angeles County, Department of Public Health, Environmental Health (the Department), verifying that their pool(s) meet all provisions of the new State law.

Exemptions from the new state law include:

- All pools built after December 19, 2008, are exempt from these requirements as they have already been approved by the Department to comply with the new law.
- All pools that have already been retrofitted to meet the new State law are exempt from these requirements. “Already retrofitted” means plans were submitted to the Department and either a final inspection was made by our staff or a “Certification of Compliance” form was filed with the Department.

Swimming pools and spas with existing split drain(s), however, must be evaluated by a contractor to ensure full compliance with the state law requirements. Additionally, these pools and spas will require retrofitting with new approved drain covers and must also comply with certain requirements..

Each pool must be evaluated by a licensed California contractor as most will require some type of modification (e.g. drain cover replacement).

Swimming pools and spas with single drain(s) must be retrofitted with one of the following:

- Split drains following Requirements (a) through (i) listed below;
- Installation of an approved, “unblockable drain”. (An “unblockable drain” means a

drain cover or grate with a minimum dimension of 23 inches x 18 inches OR a channel drain with a height of 3 inches or greater and length of 31 inches or greater.)

- Installation of a safety vacuum release or automatic pump shut-off system. The system must comply with the latest ASME/ANSI A112.19.17 performance standards. Covers/grates will still need to be replaced with approved types. The safety vacuum release or automatic pump shut-off system must be installed per manufacturer's instructions. **To see a list of approved safety vacuum release systems**, please visit the website at: <http://www.poolsafety.gov/svrsman.html>. **For a list of drains and grates that meet the performance standards**, visit: http://publichealth.lacounty.gov/eh/docs/ep_sw_pools_equip.pdf.

Note: The Department of Public Health will not inspect the system to determine whether it is functioning properly; if it has been calibrated; if it is being properly maintained; or whether it will be periodically tested. This shall be the responsibility of the owner/operator of the pool/spa.

Submittal of Plans

Any person who proposes to build a new public pool; re-plaster or renovate an existing public pool; makes any plumbing changes to a public pool or spa; drains a pool for any reason; changes drain covers or grates; or makes any equipment changes is required to submit plans to the Department and pay a plan check fee prior to commencing the work.

This must be done prior to the issuance of any permits. An online plan check application can be obtained at the following website:

http://www.publichealth.lacounty.gov/eh/docs/ep_rw_planapp.pdf

Once the plans have been approved, a "Certification of Compliance" form will be returned to the contractor with the approved plans. Within 30 days after completing the work, the owner/contractor is required to complete the "Certification of Compliance" form and return the original copy to the Recreational Waters Program. A field inspection by the Department will not be required for the VGB modifications. **However, the Department reserves the right to conduct an inspection of any pool that has had a "Certification of Compliance" form submitted to verify compliance; any discrepancies found will require immediate correction and may require closure.**

All other modifications to public pools and spas, not in conjunction with the VGB requirements will continue to mandate the usual field inspections.

Pools not in compliance by July 1, 2010 may be subject to closure by the Department.

Only Qualified Contractors Are Authorized to Conduct the Work:

- All persons building a new public pool, re-plastering, resurfacing, renovating, or re-plumbing an existing public pool must possess a valid California C53 (pool builder) or an "A" (general engineering) contractor's license. (A C35 (plasterer) is only licensed to re-plaster a pool).
- Splitting drains or installing an unblockable drain will require a California C53

(pool builder), a California C36 (plumber) or an “A“ (general engineering) contractor’s license.

- A contractor with a California C61/D35 may replace drain covers, install safety vacuum release systems and evaluate sumps, but cannot modify any sumps.

- **Use of Divers**

Divers will be allowed to replace drain covers/grates and/or split drains with the following stipulations:

1. A plan check will be required before the commencement of any work.
2. The diver must possess one of the valid California contractor’s licenses required above.

For additional information and specific equipment and law requirements, please contact the Department of Public Health at (626) 430-5360, Monday through Friday 8:00 am to 4:30 pm or visit http://www.publichealth.lacounty.gov/eh/docs/ep_rw_vgb.pdf.