

**Pool owners: Proceed cautiously on new pool rules!**

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First things first: If you have a **private pool** in your backyard, you do **NOT** need to comply with the new pool rules.

And now, for the rest of you!

We at **The Watchdog** received angry phone calls from **Pool Construction-Type Guys** [in the wake of our first report](#) on the new and somewhat confounding [Virginia Graeme Baker Pool and Spa Safety Act](#) (which applies to every *public* pool in America, whether it belongs to a homeowners association or apartment complex or hotels or gym or school or - well, you get the picture).

Pool Construction-Type Guys said we got it *wrong, wrong, hopelessly and completely wrong*, when we said that draining pools and completing often complicated and costly construction is rarely needed to comply with the new law.

We *also* heard from many **homeowners association board members** who were suspicious of the high estimates they were getting on the cost of coming into compliance, and confused about just what to do.

So we returned to the **Fonts of Wisdom** on the new pool rules - the [Consumer Product Safety Commission](#) and the [Pool Safety Council](#), which is spearheading the information campaign on the new rules, and which furnished the original interpretation



“We’re right, and anyone who says otherwise isn’t reading the letter of the law,” said **John Procter**, spokesman for the Pool Safety Council. “There may be some profiteering going on out there.”

### **WHAT YOU NEED TO DO**

There are some **6,000 public pools** in Orange County. To comply, pool owners must do only two things:

- install anti-entrapment drain covers on the drains (**\$150** or so each, like the one at right)
- and - if the pool has only a single drain - install an automatic pump shut off system, or a safety vacuum release system, or any suction-limiting release system. “There are a half dozen of them that install at the pool pump back in the shed for under **\$1,000** that can provide that second layer of protection,” Procter said. “But that is only legally required if the pool has a *single drain*. No where in the fed law does it say the pool is required to have a second drain.”

The cost of those suction-limiting systems can grow well over **\$2,000**. And then you have to pay for the labor. But if your pool guy says you *must* drain your pool *and install a second drain* at a cost of **\$15,000** or more, it might be time to get a new pool guy.



**Note:** *The new drain covers can be installed while the pool is full.* There are many pool maintenance folks who dive to do repairs all the time. We’ve heard from many of them; you can find them by searching on the Internet.

### **WHAT OF THE SUMP?!**

Now let's talk **sumps**. Sumps, kids, are apparently the crux of a great deal of confusion - and potential expense.

What's a sump? A sump is that space below the drain cover, the transition between the drain and the piping. Many pool owners are being told that they must drain their pools so the sumps can be dug deeper and/or pipes widened to comply with the new rules.

The word "sump" does not once appear in the text of the law itself. But the CPSC recently addressed the issue to clear up confusion.

Here's the skinny: **The new rules do not require pool owners to replace sumps - so long as the new anti-suction drain covers can be safely secured over them.**

Sometimes, though, the new drain covers don't fit quite right atop the old sump. **"If a PE (pool expert) determines that additional engineering work needs to be done to the sump "to bring it into compliance with the standard and ensure a secure connection with a new cover, then that work should be carried out,"** the CPSC says.

And **"if a PE determines that a new drain cover cannot be safely placed on a pre-existing sump, then the sump should be removed and replaced with a new, compliant sump that is compatible with the compliant drain covers."**

Even if your PE says sump modifications *are* required, the pool doesn't necessarily have to be drained. It might be cheaper to have underwater repair experts tackle the job; shop around! And maybe get a second opinion.

## **FACTOIDS**

- The law took effect in December and is named in honor of former **U.S. Secretary of State James Baker III's** 7-year-old granddaughter. The girl was trapped by the strong suction of a hot tub drain in 2002, and drowned as a result.
- The Consumer Product Safety Commission counts **74** cases of "drain entrapment" in pools and spas between 1999 and 2007, resulting in **nine deaths**.
- The federal government will spend **\$29 million** on these new rules over the next five years: **\$4 million** to help pool operators install safer drains, and **\$25 million** on education programs