

Seal Beach man got stuck to spa drain - on new 'suction-proof' cover

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(Note: The **Jacuzzi** people object to the name of their product being used as a synonym for "hot tub" and "spa," so we have removed that reference, even though the folks in this story referred to the spa as such.)

So nearly **half** of the public pools and spas in Orange County - **3,451** of **7,376**, to be exact - have submitted paperwork to prove they're in compliance with new safety rules, says **Richard Sanchez**, Orange County's director of environmental health.

The overwhelming majority are simply replacing drain covers so people won't get stuck to them.

Tim McIntyre has a cautionary tale to offer. McIntyre doesn't *usually* lie under water at the bottom of hot tubs, but he did; and he wants you to know that the stuff billed as safe may not, under some circumstances, be safe at all; and he has pictures of the welts to prove it.

PAIN IN THE DRAIN McIntyre, of Seal Beach, has two children with autism who love to swim. His teen-aged daughter is especially fond of exploring surfaces and textures, even (especially?) below the surface.



So when the pool and spa at his **Rossmoor Park** condo complex closed earlier this year to come into compliance with the new (and somewhat confounding) [Virginia Graeme Baker Pool and Spa Safety Act](#), McIntyre was curious to see what had changed, and if those changes would work for his little **Jacque Cousteaus**.

The new pool rules - which apply to *every public pool in America*, whether it belongs to a homeowners association or apartment complex or hotel or gym or school - require [the installation of anti-entrapment drain covers](#), so people don't get stuck to them (and disemboweled or worse). If the pool has only a *single* drain, the new pool rules *also* require installation of an automatic pump shut off system, or a safety vacuum release system, or any other suction-limiting release system.

Once, McIntyre's community hot tub had little plastic drains that popped out a bit, so a person wouldn't get stuck. Now, McIntyre spied three long, flat drains at the bottom of the hot tub (above, right).

Someone sitting *across* a drain at the bottom of the pool wouldn't get stuck. But... what if someone laid *along* that drain? Covering it, the long way, with his whole body?

McIntyre turned scientist. He submerged himself, hovered over the drain, then lowered himself onto the grate.

"He felt suction on his chest and trunk area," says a report McIntyre made to the [Consumer Product Safety Commission](#), which is in charge of the new pool rules. "He stated that his body completely blocked the grate. He waited for a vacuum release to cut off the suction, which he thought would happen instantaneously. He was trapped to the drain."

It only lasted a second. McIntyre pushed himself off and rolled away. "His chest showed considerable redness and welts where the suction had held him to the grate," the report says.

TRY, TRY AGAIN

McIntyre's neighbors weren't happy with him when the tub shut down for a *second* time as the CPSC investigated.

In the end, his homeowners association rerouted the tub so one of the jets sucked *in* rather than blowing *out*. That reduced the power of the bottom drain's suction, and made things safer.

"I liked the old drains better," McIntyre said.

The [Pool Safety Council](#)- which is working with the CPSC on getting folks up to speed on the new rules - warns that so-called "unblockable" drains (read: bigger than usual) are not unblockable at all, even though they technically bring pools into compliance with the new pool rules.

If a pool has one of these "unblockable drains," it's not required to have that second-tier of anti-entrapment/anti-suction devices.

"This is a pretty huge deal," **Ben Schneider** of the Pool Safety Council told us in an email. "We certainly don't know just how many unblockable drains are out there that don't have an additional layer of protection."

So buyer, and swimmer, beware.

OC COMING INTO COMPLIANCE

Sanchez, the county's environmental health director, said the compliance rate here is about **47 percent** now, and new paperwork is always arriving as more and more people come up to speed on the rules, which took effect last December.

The county has no jurisdiction to *enforce* the new laws, which are federal - but the county is charged with reviewing plans for the construction and retrofitting of pools. [Orange County's guidelines for complying with the new law are here.](#)

The [Virginia Graeme Baker Pool and Spa Safety Act](#) 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.

There are other horror stories: A 6-year-old Nebraska girl was playing in a kiddie pool in 2007 when she got stuck to the pool's powerful drain and was disemboweled. 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 five years: **\$4 million** to help pool operators install safer drains, and **\$25 million** on education programs.