

Feds to Regulate Public Swimming Pool Drains
written by Brian Koenig
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The Consumer Product Safety Commission (CPSC) has reversed course on a law to regulate safety systems to prevent swimmers, particularly children, from getting trapped in public swimming pool drains. Federal regulators will investigate single drain systems and require public pools to install suction shut off systems by May 2012, or they will be closed down. In a 3-2 vote, the CPSC approved the new pool-safety measure on Wednesday. Previous to the new requirement, municipal pool operators were exempted from requirements mandated by the Virginia Graeme Baker Pool and Spa Safety Act of 2007 if they installed special covers on their drains to prevent entrapments.

In response to incidences where children have drowned from getting trapped in pool drains — [including](#) the 7-year-old granddaughter of former Secretary of State James Baker — the requirement would force public pools with a single main drain to install back-up systems that would be capable of automatically shutting down the suction of the drain.

Due to pool and spa drain entrapments, between 1999 and 2010 — an entire decade — there have been 80 injuries and 12 fatalities, according to government reports. However, no deaths have been reported in the last three years, since the 2007 law requiring public pools to install special covers was enacted. To put this into perspective, in 2001 alone, there were 91,870 hospital emergency room-treated injuries associated with trampolines, which, ironically, was [reported](#) by CPSC.

Wednesday's ruling was approved after one of the five commissioners at the CPSC, who had previously sided with two Republican commissioners, reversed his earlier vote on how Congress should deal with the new law. "My previous interpretation is wrong," said Democrat Bob Adler — appointed to the commission in 2009 by President Obama — asserting that he had a "change of heart" after further researching the law and talking to parents who lost children due to horrific entrapment accidents. Ten Democrats in Congress, including the law's sponsors Rep. Debbie Wasserman Schultz (D-Fla., above) and Sen. Mark Pryor (D-Ark.), [wrote](#) the CPSC Tuesday, contending that an "additional layer of protection will ensure that children are protected when so-called 'unblockable' drain covers fail to work." CPSC officials have not provided figures on how many of the estimated 300,000 public pools currently have single-drain systems.

The new measure will require thousands of public pools nationwide to retool their drains, and many will have to buy costly back-up systems to comply with the federal standards. Critics say that many pools will be closed by next May if they are not able to afford the new equipment and installation. The equipment's cost is not yet available, but Parks and Recreation Department Director Mary Jeanne Hutchison in O'Fallon, Illinois [said](#) the drain cover that was initially required in 2007 cost about \$9,000, and she suspects the new system will be just as, if not more, expensive. For many pools, completing the new installations by the May deadline will likely be impossible — partly due to repair delays stemming from the winter weather — Hutchison asserted.

The Cosumnes Community Services District in Elk Grove, California, also made a substantial investment, forking out \$25,000 for the previous drain cover requirements. Aquatic Supervisor Tom Hellmann explained to the commission that the aquatic centers "that will be [adversely impacted] by such a decision are the local communities after the pools are shut down because of the expense to operate when it is just not necessary."

Republicans on the commission argued that the current drain systems are safe, and that cities and towns throughout the country have already spent thousands of dollars installing drain covers mandated by the 2007 law. Further they contended that the mere seconds that pass before the back-ups systems kick in to gear would likely come too late to save a child from drowning. Tom Lachocki, CEO of the National Swimming Pool Foundation, an organization that provides education and training for healthy aquatic environments, says the new requirements will undoubtedly close pools, and that children will be no safer from the new drain systems. "It doesn't make sense to increase the financial hardship on pools in a very challenging economic time," he affirmed. "That could result in a reduction of swim lessons, which results in an increase in drowning."

Republican commissioner Anne Northup, a former congresswoman from Kentucky, offered an additional perspective on the decision. She alleged that the vote was largely organized by a pool-safety equipment manufacturer called Vac-Alert, which produces a system that automatically shuts down a drain pump if it becomes blocked. Paul Pennington, founder of the Pool Safety Council and president of Vac-Alert, was a strong advocate of the requirement — not to mention, he [helped](#) Wasserman Schultz write the original legislation.