

# Virginia Graeme Baker Pool and Spa Safety Act

## July 2009 CPSC Staff Draft Technical Guidance on Unblockable Drains<sup>1</sup>

The Virginia Graeme Baker Pool and Spa Safety Act, (Pub. L. 110-140, 121 Stat. 1795), is designed to prevent drain entrapments and eviscerations in pools and spas. The law became effective on December 19, 2008. The law requires that public pools and spas have drain covers that meet the ASME/ANSI A112.19.8 standard on every drain/grate. In addition, if the pool has a single main drain (other than an unblockable drain), the operator must either disable the drain or install a second anti-entrapment device or system. This can take the form of an automatic shut-off system, gravity drainage system, Safety Vacuum Release System, or suction-limiting vent system.

Section 1403(7) of the law defines an “unblockable drain” as “a drain of any size and shape that a human body cannot sufficiently block to create a suction entrapment hazard.” The Consumer Product Safety Commission staff (“CPSC staff” or “staff”) has interpreted this definition to include a drain coupled with a drain cover of specific dimensions (an “unblockable drain cover”) that meets the requirements specified in ASME/ANSI A112.19.8. In addition, the drain cover must measure in excess of 18” x 23” or have a diagonal measurement greater than 29”. Staff has determined that when a drain cover with these specifications is in place, a human body cannot sufficiently block it to create a suction entrapment hazard. In this instance, the drain is an unblockable drain provided that the unblockable drain cover remains attached. If the drain cover is removed or broken, the drain is no longer an “unblockable drain” and the pool or spa would thus be out of compliance, both because it lacks an ASME/ANSI A112.19.8 compliant drain cover and because it lacks a second anti-entrapment system.

Staff is seeking public comments on this guidance. Comments must be received by August 5, 2009.

Please mark your comments “Unblockable Drain Guidance” and send them to the Office of the Secretary at [cpsc-os@cpsc.gov](mailto:cpsc-os@cpsc.gov) or if you are unable to submit comments by e-mail, you may submit written comments to:

Office of the Secretary  
U.S. Consumer Product Safety Commission  
4330 East West Highway  
Suite 502

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<sup>1</sup> These comments are those of CPSC staff, have not been reviewed or approved by, and may not necessarily reflect the views of, the Commission.

Bethesda, MD 20814-4408

Comments must be received by the date noted above. CPSC staff will assess comments that are received and take account of such comments when finalizing the guidance and making a recommendation to the Commission to take final action. Please note that you will not receive a direct response to your comments.