



## San Joaquin County Environmental Health Department

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## **BULLETIN**

**(January 2010)**

**To:** Owners/Operators of Public Pools, Spas, and Wade Pools Located in San Joaquin County

**From:** San Joaquin County Environmental Health Department

**Re:** Compliance with California Health & Safety Code Sections 116064.1 and 116064.2 (Federal Virginia Graeme Baker Pool and Spa Safety Act)

On October 11, 2009, Assembly Bill (AB) 1020 was signed into California State law. This bill adds Sections 116064.1 and 116064.2 to the California Health and Safety Code relating to public pools. These new sections incorporate provisions of the Federal Virginia Graeme Baker (VGB) Act into California State law and are intended to prevent suction drain entrapments and drownings in public pools. 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 public pool must have a split (dual) drain, or be equipped with a safety vacuum release system or an automatic pump shut-off system. To see the bill in its entirety, click on the following link: [Assembly Bill 1020](#) or visit: <http://tinyurl.com/ybohfzm>

Another provision of the law establishes a State surcharge on all public swimming pools that is to be collected by the applicable local environmental health jurisdiction. The surcharge, in the amount of \$6.00 per pool, will be transmitted to the State Controller for deposit into the State Recreational Health Fund. The surcharge is reflected on the enclosed 2010 Permit renewal invoice.

The San Joaquin County Environmental Health Department (EHD) is required to administer and enforce the new State law throughout San Joaquin County as follows: **By July 1, 2010**, owners/operators of all public swimming pools and spas, except those listed below, must submit a work plan to upgrade their pool, along with a review fee to the EHD, indicating the scope of work to be performed. In accordance with the new State law, pools not in compliance by July 1, 2010, will be subject to closure by the EHD.

### **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 EHD and are in compliance with the new law.
- Pools that have already been retrofitted to meet the new State law are exempt from these requirements. "Already retrofitted" means a work plan was submitted to the EHD and a final inspection approving the work was made by EHD staff.

### **If you have any questions regarding this bulletin, please contact:**

- Jeff Carruesco, Registered Environmental Health Specialist, Program Coordinator, San Joaquin County Environmental Health Department, at (209) 468-3438.
- Vidal Pedraza, Senior Registered Environmental Health Specialist, San Joaquin County Environmental Health Department at (209) 468-0334.

**1** *Can my pool or spa be shut down if we do not make the July 1, 2010 deadline for modifying the main drains?*

According to the new State law, all public swimming pools constructed prior to January 1, 2010, shall be retrofitted to be equipped with anti-entrapment devices or systems that meet performance standards. Our department will require all pool facilities that have not already been retrofitted to submit a work plan showing the scope of work that is proposed, along with the review fee, by **July 1, 2010**. If this is not done, the pool, spa, or wade pool, will be subject to closure.

**2** *How do I know if my pool is currently in compliance with the new law?*

Pools, spas, and wade pools built after December 19, 2008, have already been approved by the EHD to comply with the new law. Pools built prior to December 19, 2008; need to comply with the law by July 1, 2010. Pools that have already been retrofitted to meet the new State law are exempt from these requirements. "Already retrofitted" means a work plan was submitted to the EHD and a final inspection was made by EHD staff. If your pool has not been retrofitted, it is not in compliance with the new State law.

**3** *How can the single main drain in my pool be retrofitted to comply with the new law?*

Your single main drain can be retrofitted with 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 minimum dimensions of 3 inches x 31 inches.

OR

Your pool or spa main drain can be retrofitted with an ASME/ANSI A112.19.8-2007 approved cover AND a safety vacuum release system or automatic pump shut-off system designed to prevent entrapment. The device must be installed per the manufacturer's instructions. To see a list of approved safety vacuum release systems, please visit the website at: <http://www.poolsafety.gov/svrsman.html>

OR

The main drain can be split and have a "T" connection with a three-foot (3) separation between the suction outlets. Approved ASME/ANSI A112.19.8-2007 main drain covers shall be installed over the two (2) outlets.

**4** *Can I do the work on my pool or do I need to hire someone to do it?*

According to the new law, a "qualified individual" is required to perform work on a public pool. Any person constructing a new pool or replastering, resurfacing, renovating, or replumbing an existing public pool, must possess a valid California C53 (pool builder) 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. A sump is the open area beneath the drain cover.

Splitting drains or installing an unblockable drain will require a California C53, a California C36 (plumber), or an "A" contractor's license.

**5** *Who can I call if I have questions about this bulletin?*

- Jeff Carruesco, Registered Environmental Health Specialist Program Coordinator, San Joaquin County Environmental Health Department, at (209) 468-3438.
- Vidal Pedraza, Senior Registered Environmental Health Specialist, San Joaquin County Environmental Health Department, at (209) 468-0334.