



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JONAS A. JACOBSON, *Director*
Department of Environmental Protection
and Resource Management

Important: Compliance Requirements for the Virginia Graeme Baker Pool and Spa Safety Act

February 25, 2009

Dear Aquatic Facility Owner/Operator:

On December 19, 2008, the Federal Virginia Graeme Baker Pool and Spa Safety Act (VGB Act) took effect. The VGB Act is a new federal law administered by the U.S. Consumer Product Safety Commission (CPSC). By December 19, 2008 or, if seasonal, by the facility's 2009 opening date, the Act requires drain covers, drain configurations, and anti-entrapment systems at public pools and spas to be in compliance with new design criteria specified by national engineering standards (ASME/ANSI- A112.19.8-2007).

Effective January 1, 2009, the new design criteria was incorporated in the Maryland Public Swimming Pools and Spas Regulations, COMAR 10.17.01. In Baltimore County the enforcement of these requirements as well as general pool construction criteria and operational review, and inspection is undertaken by The Baltimore County Department of Environmental Protection and Resource Management (DEPRM)

As a result, the 2009 Public Swimming Pool or Spa operating permit for your facility will not be approved by this Office until a Aquatic Facility Review form, required by the Maryland Department of Health and Mental Hygiene (DHMH), is completed, received, and approved by DEPRM.

To determine compliance with the VGB Act and COMAR 10.17.01, DEPRM will conduct plan reviews of new facilities and review information for compliance related repairs and alterations at existing public pools and spas in Baltimore County. Specific corrective measures must be submitted for each pool system on your facility site.

A "pool professional" or "Registered Design Professional" (as defined by VGB/ DHMH) is required to evaluate existing conditions at your facility and endorse, by signature, any compliance related corrections. If your facility is not able to achieve compliance in the time period required, a **Compliance Schedule Request** application (required by DHMH) may be submitted along with the completed Aquatic Facility Review form provided that adequate interim safety measures are outlined and in place. The compliance schedule must be approved by DEPRM. To facilitate prompt review, please ensure that complete and accurate information and appropriate signatures are provided. **Failure to complete the form will result in it's return and delay the approval process.**

It should be understood that any pool or spa that has not made the appropriate approved corrections or submitted The Compliance Schedule Request with accompanying Aquatic Facility Review form will not receive a 2009/2010 Pool Permit and should therefore not allow in-pool activities to take place.

The Aquatic Facility Review and Compliance Schedule Request forms maybe obtained from this office or downloaded from the DEPRM / Environmental Health Program WEB site at www.baltimoremd.gov/Agencies/environment/index.html. Information on the history of the Federal Law can be found on the U.S. Consumer Product Safety Commission WEB site at <http://www.cpsc.gov/whatsnew.html#pool>. The Maryland Department of Health and Mental Hygiene's public pool and spa web page at http://www.cha.state.md.us/ofpchs/comm_srv/pools.html contains information on the adoption of VGB requirements in Maryland and general information can be reviewed on The Association of Pool and Spa Professionals WEB site at www.APSP.org/VGB.

For questions regarding the VGB Act or the Baltimore County compliance review process, you may contact the DEPRM Recreational Hygiene Program at 410-887-4068.

Sincerely,

A handwritten signature in black ink that reads "W. E. Clarke". The signature is written in a cursive style with a large, stylized initial "W".

William E. Clarke, R.S., Program Manager
Recreational Hygiene

WEC:jb