



Ventura County Environmental Health Division
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ADVISORY NOTICE

Date: February 8, 2010
To: Owners and Operators of Public Swimming Pools located in Ventura County
From: Ventura County Environmental Health Division
SUBJECT: AB1020-PUBLIC POOL AND SPA SAFETY ACT REQUIREMENTS AND STATE SURCHARGE

On October 11, 2009, Assembly Bill 1020 was signed into California State law. This bill adds Section 16064.2 to the California Health and Safety Code. This new section incorporates provisions of the federal Virginia Graeme Baker Pool and Spa Safety Act (VGB) into California state law. **This law is intended to prevent suction entrapment hazards.**

If your swimming pool, spa pool, or wading pool has already been retrofitted to comply with VGB and compliance has been verified through onsite inspection by the Environmental Health Division (EHD), you are NOT required to complete any additional work.

Beginning January 1, 2010, all existing public swimming pools are required to be retrofitted with anti-entrapment devices or systems that comply with ASME/ANSI A112.19.8-2007.

Swimming pools, spa pools, and wading pools with existing split suction main drain systems are required to upgrade the type of drain covers/grates to new suction fittings meeting the ASME/ANSI A112.19.8 - 2007 performance standard. Some, but not all, of the new suction fittings will require a modification to the sump beneath the suction fitting. Skimmer equalizers are considered submerged suction outlets and shall also be protected by the compliant suction fittings.

Swimming pools, spa pools, and wading pools with a single main drain that is not protected by an unblockable drain cover, shall be equipped with a drain cover/grate meeting the ASME/ANSI A112.19.8 - 2007 performance standard. An "unblockable drain" means a drain of any size and shape that a human body cannot sufficiently block to create a suction entrapment hazard. In addition, at least one of the following devices or systems shall be installed to prevent physical entrapment hazards:

1. Two main drains per pump that are hydraulically balanced and symmetrically plumbed through one or more "T" fittings and separated by a distance of at least 3 feet in any dimension between the drains.
2. A safety vacuum release system that has been tested by a California Department of Public Health (CDPH)-approved independent third party and found to conform to ASME/ANSI A112.19.17 or ASTM F2387 performance standard.
3. A suction-limiting vent system with a tamper resistant atmospheric opening, provided that it conforms to any applicable ASME/ANSI or ASTM performance standard.

4. A gravity drainage system that utilizes a collection tank, provided that it conforms to any applicable ASME/ANSI or ASTM performance standard.
5. An automatic pump shut-off system tested by a CDPH-approved independent third party and found to conform to any applicable ASME/ANSI or ASTM performance standard.
6. Any other system that is deemed, in accordance with federal law, to be equally effective as or more effective than, the systems described in sections 2-5 above at preventing or eliminating the risk of injury or death associated with pool drainage systems.

PLAN APPROVAL IS REQUIRED

A person proposing to make the above noted changes, or otherwise construct, reconstruct, or alter a public pool or auxiliary structure or equipment shall submit legible plans and specifications to EHD for review and written approval prior to commencing the work. Necessary approvals shall also be obtained from the local building authority.

Upon completion of construction activities, an **AB 1020 Compliance Form** shall be submitted to EHD within 30 days. The form may be downloaded from:

www.ventura.org/rma/envhealth/programs/comm_serv/pools_spas

By July 1, 2010, all public swimming pools spa pools and wading pools shall be retrofitted to comply with the above requirements. Failure to comply may result in closure and/or administrative enforcement by EHD.

ONLY QUALIFIED CONTRACTORS SHALL COMPLETE THE WORK

All persons building a new public pool, replastering, resurfacing, renovating, or re-plumbing an existing public pool must possess a valid California C53-Pool Builder or an "A" - General Engineering contractor's license. A C35-Lath/Plaster Contractor is only licensed to replaster a pool.

Plumbing modifications which may include splitting drains or installing an unblockable drain will require a **C53-Pool Builder, C36-Plumbing,** or an **"A"-General Engineering** contractor's license.

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH SURCHARGE

As provided by AB 1020, an annual CDPH surcharge of \$6.00 will be applied to each public swimming pool in California. EHD is required to collect this State surcharge with the annual permit fees for public swimming pools from January 1, 2010 through January 1, 2014. The surcharge is transmitted to the State Controller and deposited into the Recreational Health Fund.

ADDITIONAL RESOURCES

*www.ventura.org/rma/envhealth/programs/comm_serv/pools_spas
www.cdph.ca.gov/HealthInfo/environhealth/water/Pages/Recreationhealth.aspx
www.poolsafety.gov/*