



St. Mary's County Health Department

William B. Icenhower, M.D., M.P.H.
Health Officer

Administration & Vital Records	301-475-4330
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Medical Assistance Transportation	301-475-4296
State Health Department (Toll Free)	877-4MD-DHMH
Maryland Relay Service	1-800-735-2258

December 18, 2008

To: Pool-Spa Facility Owners/Operators

Subject: Compliance Deadline for Pool and Spa Safety Requirements

The Virginia Graeme Baker (VGB) Pool and Spa Safety Act was signed into federal law on December 19, 2007. The VGB Act requires that after December 19, 2008, all public swimming pools and spa facilities must have drain covers or suction outlets that have been retrofitted and certified as compliant with the requirements of the Act to prevent suction-entanglement hazards or mechanical entrapment. Voluntary compliance by private swimming pools and spas is also strongly recommended.

On November 18, 2008, the State of Maryland adopted emergency legislation making the VGB Act part of the Maryland Public Swimming Pools and Spas Regulation (COMAR 10.17.01). The compliance date of December 19, 2008 was also made part of the law. Public pools and spas that are not certified as in compliance with the requirements of the VGB Act, or do not have a State Health Department approved compliance schedule, will not be able to operate after December 19, 2008, until they come into compliance or provide an approved plan of action.

Public pool owners or operators should contact a pool professional, as defined by the Maryland Department of Health and Mental Hygiene (DHMH), Division of Community Services. That pool professional should complete the forms in the Aquatic Facility Review Form for Compliance with the VGB Act (attached), following the instructions provided by DHMH. The completed forms should be submitted to DHMH, Division of Community Services, for review and approval. If your approved measure of compliance is a simple replacement of existing drain covers to meet the new VGB Act, the local Health Department Sanitarians will verify by inspection. If your pool professional finds that more extensive upgrades are required and a schedule of compliance must be approved, then final inspection and approval of the repair will be carried out by the State Regional Sanitarian.

We urge you to contact a pool professional and provide certification of your compliance with the VGB Act, or provide a plan of action and compliance schedule to DHMH, Division of Community Services, as soon as possible. These documents will be reviewed on a first come-first serve basis. You should act without delay to avoid any disruption of your current or 2009 seasonal operations. Please provide as much information about your facility on the forms provided, and include equipment cut sheets if applicable. Forms should be submitted to:

Maryland Department of Health and Mental Hygiene
Division of Community Services
VGB Compliance / D. Ward
6 St. Paul Street, Suite 1301
Baltimore, Maryland 21202

You may also fax the forms to the attention of D. Ward, Regional Sanitarian at 1-410-333-8926.

If you have any questions, please contact me at 301-475-4321 or by e-mail engmank@smhd.com. Thank you for your patience and cooperation.

Sincerely,

Kim E. Engman, R.S.
Environmental Sanitarian II
Pool Program Administrator

Attachments