



STATE OF MARYLAND
DHMH

Maryland Department of Health and Mental Hygiene
6 Saint Paul Street, Suite 1301 • Baltimore, Maryland 21202

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – John M. Colmers, Secretary

Office of Food Protection and Consumer Health Services

Alan Taylor, R.S., Director

Memorandum

November 26, 2008

To: Public Swimming Pool and Spa Stakeholders
From: Pamela Engle, R.S., Chief, Division of Community Services
Re: **Aquatic Facility Review Form for the Virginia Graeme Baker Pool and Spa Safety Act**

On December 19, 2008, the Virginia Graeme Baker Pool and Spa Safety Act (VGB) takes effect. The Act requires all public swimming pools and spas to have suction outlet covers compliant with ASME/ANSI A112.19.8 – 2007. To ensure compliance with the VGB Act; all public pools & spas in Maryland must submit the attached form (Aquatic Facility Review Form for Compliance with the VGB Act) to the Department of Health and Mental Hygiene (DHMH) for approval. A separate submittal form is required for each main drain system repaired.

The form must be filled out completely and accurately. The DHMH review will occur on a first-come basis. The DHMH will not conduct construction inspections without the submittal of the Aquatic Facility Review Form for Compliance with the VGB Act.

If only a drain cover and frame are replaced, the work is a repair. A DHMH construction permit and construction inspection is not required for repair work. If the existing drain configuration is altered (for example, installing new sumps), a DHMH construction permit and construction inspection is required.

The following term has the meaning indicated:

Pool Professional.

A. A "Pool Professional" means an adult who is:

1. A Certified Professional Engineer;
2. A Commercial Pool Builder;
3. A Public Pool Management Professional or Public Pool Consultant whose business includes pool maintenance;
4. A Licensed Pool Contractor whose business includes pool maintenance:
 - a. *Who is a current member of a national organization that promotes pool and spa safety (amended December 5, 2008);*
 - b. Who holds a valid license from the Maryland Home Improvement Commission; and
 - c. Is in good standing with the Maryland Home Improvement Commission; or
5. Approved by the Department.

B. A "Pool Professional" does not include an individual who is:

1. A certified pool operator or lifeguard; and
2. Does not meet §A above.