



Rod R. Blagojevich, Governor
Damon T. Arnold, M.D., M.P.H., Director

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MEMORANDUM

TO: Swimming Facility Operators
Local & County Health Departments
Illinois Parks & Recreation Association
Park District Risk Management Association
Illinois Association of Park Districts

FROM: Justin DeWitt, P.E.
Chief of General Engineering

DATE: August 26, 2008

RE: Virginia Graeme Baker Pool and Spa Safety Act

Effective December 20, 2007, the Virginia Graeme Baker Pool and Spa Safety Act [15 U.S.C. 8003/1404] mandates the U.S. Consumer Product Safety Commission (CPSC) to enforce mandatory suction entrapment regulations for all pools and spas, commercial and private. While separate rules are yet to be promulgated by CPSC, the Act establishes specific regulations that must be met no later than December 19, 2008. You may view the Act in its entirety at <http://www.cpsc.gov/pssa.pdf>.

The Illinois Department of Public Health (IDPH) recognizes the impact of federal law on swimming facilities located in Illinois. It is the position of IDPH that every regulated swimming facility in the state must comply with all applicable state and federal laws, as such; each affected facility shall evaluate its compliance with the regulations and take appropriate action. Should that action necessitate changes to the piping, main drain, main drain cover or any other modification as defined in the Illinois Swimming Pool and Bathing Beach Code (77 Ill. Admin. Code 820) then a permit must first be obtained from IDPH.

Failure to comply with the regulations or this directive may impact the licensure status of regulated facilities. As a reminder, all applications for construction or modification must be accompanied by plans and specifications developed and sealed by an Illinois licensed professional engineer or architect.

Should you have any questions concerning this matter, please feel free to contact the Swimming Facilities Program at 217-782-5830 or TTY (for hearing impaired use only) 800-547-0466.

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