

# Drain-cover recall may close many pools

## Some Memorial Day weekend openings jeopardized



By [Patricia Callahan](#), Tribune reporter

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Thousands of public and private pools across the country will have to be retrofitted with new safety equipment following a massive recall Thursday of drain covers that can fail to protect swimmers from the risk of entrapment and drowning.

In announcing the recall of 1 million pool and spa drain covers, the U.S. Consumer Product Safety Commission declared that public pools with the faulty equipment should remain shut until the problem is fixed. The federal agency said it was deploying recall inspectors who have the authority to shut down pools.

"I know this is a very difficult message for many communities to hear so close to [Memorial Day](#) weekend, but we cannot risk a child becoming entrapped in a recalled drain cover," said Inez Tenenbaum, chairman of the safety agency, known as the CPSC.

A 2007 federal law requires public pools and spas to install anti-entrapment drain covers. All of the recalled covers were labeled as being compliant with that law, so pool owners thought they were protected from the hazard.

But a Tribune investigation in February revealed that some of those newer drain covers had undergone flawed safety evaluations and failed subsequent, more stringent tests. Without proper covers, pool and spa drains can act like supercharged vacuum cleaners, trapping people under water with hundreds of pounds of suction force.

Many municipalities, hotels and other organizations with pools were alerted to the recall by the Tribune on Thursday but weren't immediately sure if their pool drain covers were part of the recall. The drain covers, often at the bottom of pools, have subtle labeling, making it a chore to discern model numbers.

Some pools and spas at YMCAs throughout the country might be affected and could be

temporarily closed, although most will remain open, said spokesman Kevin Dietz, a spokesman for YMCA of the USA. Some municipalities, such as Schaumburg, Tinley Park and Wilmette, said their covers are not affected by the recall.

The recall includes complex instructions. Swimming pools that rely on one drain and a backup safety system that shuts off a pool pump when it senses a vacuum *will* have to replace recalled drain covers, while those same types of pools with more than one drain but no backup safety system *won't* have to replace them.

At the same time, all kiddie pools, wading pools and spas — regardless of the number of drains they have — must shut down if they have recalled covers, and they cannot reopen until those covers are replaced or fixed.

To Paul Pennington, founder of the Pool Safety Council, excluding the deeper, multiple-drain swimming pools "makes no sense" because swimmers can still get trapped underwater in them. Pennington, who has been complaining about unsafe drain covers for more than two years, fears another child will die.

"Why wouldn't you replace all the bad drain covers? This is scary," said Pennington, who has an ownership stake in a company that makes the backup vacuum-release systems.

Pamela Gilbert, who used to represent the Pool Safety Council pro bono and is the former executive director of the CPSC, said the recall was confusing.

"Recalls," she said, "are usually more straightforward: 'Here's a problem. It's dangerous. Here's how to fix it.' This is full of, 'Yes, but you don't have to in this case or that case.'"

CPSC spokesman Scott Wolfson said deeper, dual-drain pools were left out of the recall because they were seen as less risky than kiddie pools, wading pools, spas and bigger pools with just one drain.

"Anyone who states that CPSC is putting the safety of children at risk is failing to recognize that we have increased the safety of pools and spas through our investigation of the pool industry," Wolfson wrote.

Wolfson said pool operators confused by the recall should call the manufacturer of their pool drain covers and follow up with the CPSC if they still have questions.

The recall includes dozens of models made by eight manufacturers: A&A Manufacturing, AquaStar Pool Products Inc., Color Match Pool Fittings Inc., Custom Molded Products Inc., Hayward Pool Products, [Pentair](#) Water Pool and Spa, Rising Dragon USA, and Waterway Plastics.

A major hurdle for federal regulators was the recognition that, although many of the drain covers themselves are not very expensive, hiring a pool professional to replace or retrofit them can cost hundreds of dollars. Federal regulators did not want consumers who paid

\$20 for a defective drain cover to then pay for the reinstallation. Under the recall, the labor is covered as long as the consumer arranges the service through the manufacturer.

The Tribune investigation in February revealed that an accreditation authority responding to complaints about drain covers in 2010 dispatched a team to witness tests at IAPMO R&T, a national lab that certified many drain covers. The team found what it considered improper testing procedures.

A report sent by the team's leader to all the witnesses concluded that some pool drain covers certified by IAPMO "could result in serious injuries and or death."

One of those drain covers, the AquaStar LP8AV, was recalled Thursday, but two others were not. An IAPMO executive at the time of the Tribune investigation stood by the company's tests and said labs could get different results depending on how they interpreted the safety standard.

The CPSC said the recalled drain covers were "improperly rated" by multiple labs, although the agency declined to name them. The agency has persuaded all of the testing labs to use the CPSC's methods.

The agency had received safety complaints about the drain covers for more than two years but didn't launch an investigation until last July. The federal investigation involved the review of more than 17,000 pages of documents subpoenaed from testing labs, evaluations of many models and a public meeting in which CPSC staff questioned lab officials.

*Tribune reporters [Ellen Gabler](#) and [Jared Hopkins](#) contributed.*

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### **What should I do if I own a pool or spa?**

Check to see what brand of drain cover you own. But do not block the drain cover while searching for the brand or model number and do not try to remove the drain cover yourself. This could lead to a deadly hazard. If you find you have a recalled cover or have any questions, call the recall hotline at 866-478-3521 or go to [apsp.org/draincoverrecall](http://apsp.org/draincoverrecall).