March 4, 2022

The Honorable Dottie Bailey
Missouri House of Representatives
201 West Capitol Avenue
Jefferson City, Missouri 65101
dottie.bailey@senate.mo.gov

RE: HB 2532 – *Get the Lead Out of School Drinking Water*

Dear Rep. Bailey,

On behalf of the American Supply Association (ASA), the International Association of Plumbing and Mechanical Officials (IAPMO), NSF International (NSF), and the Water Quality Association (WQA), we want to thank you for your sponsorship of HB 2532, *Get the Lead Out of School Drinking Water Act.* Your bill is very timely and will greatly assist Missouri's efforts to get the lead out of schools – protecting students and faculty alike.

When product requirements related to water treatment technologies are placed into legislation, industry supports references to the appropriate industry standards and third-party certification requirements. These industry standards are referenced in building and plumbing codes throughout the country and provide uniform and consistent requirements in the marketplace designed to protect public health.

Our organizations support HB 2532 with the request that the following sections be amended and the proposed language included.

1. **Sec. 2 (5); Lines 21 – 24: "NSF/ANSI 53-2017", the standard for drinking water treatment systems that are designed to reduce specific health-related contaminants in water supplies that is published by NSF International/ANSI with the title "Drinking Water Treatment Units - Health Effects", or any more stringent subsequent standard;**
   We strongly recommend the proposed amendment to HB 2532 to provide clarification regarding standards and the certification of these products. The change that we are proposing is consistent with guidance from EPA as well as recent legislation at the Federal and state levels. This amended language requires that filters be independently certified to meet NSF standards for lead reduction by accredited certification bodies. It clarifies the bill's reference to NSF/ANSI 53 by specifying the requirement for lead reduction which is necessary. It broadens the requirement to include NSF/ANSI 42 which addresses the reduction of particulate lead in drinking water. It further adds the "latest version" of NSF/ANSI 53 & 42 to

ensure incorporation of the latest advancements of the standard in Missouri's implementation. This important proposed amendment reads:
"Certified point-of-use filter" or "Certified filter" means a water filtration system that treats water at a single tap and that is certified by a third-party Certifying Body (CB) accredited by the American National Standards Institute National Accreditation Board (ANAB) to a pertinent NSF/ANSI American National Standard for drinking water treatment units for lead reduction

2. **Sec. 4 (1)(c); Lines 46 - 49: Install a filter that reduces lead in drinking water on each drinking water outlet, maintain such filters to ensure that lead concentration levels are below one part per billion, and replace such filters at least as frequently as provided for in the manufacturer's instructions.**
Federal guidance by EPA and under the federal Lead & Copper Rule establishes an Action Level (AL) for lead to be 15 parts per billion (ppb). Although there is no "safe" level of lead, water filtration devices certified to NSF/ANSI standards for lead reduction have been verified to reduce lead to 5ppb or less. Currently, Certifying Bodies accredited through the American National Standards Institute National Accreditation Board (ANAB) test and certify water filtration devices to remediate lead to 5 ppb as prescribed under the standards NSF/ANSI 42 & NSF/ANSI 53 for lead reduction and/or NSF/ANSI 58 for Reverse Osmosis (RO) systems. There may be devices and filtration systems that claim to remediate lead below 5 ppb, however, this is currently outside of the established and adopted NSF/ANSI Standards against which products are tested and certified. Therefore, we recommend removing the one parts per billion requirement in the bill and strengthening requirements that water filters meet the latest version of industry standards and are third-party certified that they do so. This will help ensure that filtration devices used in remediating lead have been verified to do so.

   Consistent with the change proposed in item #1 of this letter, we propose that this language be amended to read:
   Install a certified filter that reduces lead in drinking water on each drinking water outlet, maintain and replace such filters at least as frequently as provided for in the manufacturer's instructions.

3. **Sec. 4 (3); Lines 64 - 67: Filters described in paragraph (c) of subdivision (1) of this subsection and any replacement filters shall be certified as compliant with NSF/ANSI 53-2017 and shall incorporate an integral performance indication device as specified in section 6.1 of NSF/ ANSI 53-2017.**
As noted above, when product requirements related to water treatment technologies are placed into legislation, industry supports references to the appropriate industry standards and third-party certification requirements. While performance indication devices are included in NSF/ANSI 53, they are not required by that standard. Therefore, many quality filtration devices do not include this feature. For legislative purposes, we encourage language that allows for the safest, quality products to be used that meet the needs of the consumers. Consistent with the change proposed in item #1 of this letter, we propose that this language be amended to read:

Filters described in paragraph (c) of subdivision (1) of this subsection and any replacement filters shall be certified to the latest version of NSF/ANSI 53 for lead reduction and the latest version of NSF/ANSI 42 for particulate reduction (class 1) and/or the latest version of NSF/ANSI 58 by a third-party certification body accredited by the American National Standards Institute National Accreditation Board.

Should you decide the requirement for performance indication devices is important to be included in this bill, we would propose that this language be amended to read:
Filters described in paragraph (c) of subdivision (1) of this subsection and any replacement filters shall be certified to the latest version of NSF/ANSI 53 for lead reduction and shall incorporate an integral performance indication device as well as the latest version of NSF/ANSI 42 for particulate reduction (class 1) and/or the latest version of NSF/ANSI 58 by a certification body accredited by the American National Standards Institute National Accreditation Board.

Thank you again for your leadership on this important topic. We appreciate the opportunity to collaborate on this vital water quality legislation. We will be happy to work with you and others to answer questions surrounding water treatment.

Sincerely yours,

Stephen Rossi, Director of Government Affairs, ASA
Christina Kaeini, Director of Government Relations, IAPMO
Harold Chase, Legislative Director, NSF International
Jeremy Pollack, Director of Government Affairs, WQA

About ASA

The American Supply Association is the national industry trade association representing distributors and their manufacturers and manufacturer representative agencies serving the PHCP & PVF channel. Serving wholesaler-distributors and their supply chain partners in the plumbing-heating-cooling-piping (PHCP) and industrial pipe-valve-fitting (PVF) industry, ASA is a one-stop-shop for legislative and regulatory advocacy, ongoing business intelligence, employee training and education and peer-to-peer networking.

About IAPMO

IAPMO was founded in 1926 by government officials in the US to protect public health and safety by developing the most progressive and technically advanced plumbing, mechanical and water efficiency codes in the world. A large part of IAPMO's work focuses on product testing for the industry. Our research and testing labs are capable of testing products to more than 400 standards and we provide testing to new plumbing products that enter the market every year. These include such devices as shower heads, faucets, and water filters. Our rigorous process includes following the criteria of the American National Standards Institute (ANSI) and the International Organization for Standardization (ISO).

About NSF

NSF is an independent, not-for-profit organization founded in 1944 in Ann Arbor, MI that develops consensus national standards, provides product inspection, testing and certification, auditing, education, and related services in public health and safety. The core purpose of NSF is to "protect and improve human and environmental health." NSF has a long history

of working with the EPA, FDA, USDA, CDC, and health related governmental entities at the state and local levels, as well as international bodies. NSF is a Collaborating Centre of the World Health Organization for Food Safety, Water Quality, and Indoor Environment. NSF/ANSI 53 and NSF/ANSI 58, American National Standards developed by NSF, allow for the certification of some point of use and point of entry drinking water treatment units to reduce lead in drinking water to below 5ppb. .

About WQA

WQA is a not-for-profit trade association representing the residential, commercial, and industrial water treatment manufacturers industry with over 2,700 members worldwide. Since its creation in 1974, WQA has worked tirelessly to improve water quality through sustainable technologies and services. Our members are manufacturers, dealers, and distributors who specialize in point-of-use (POU) and point-of-entry (POE) water filtration systems, which treat water at the tap or entry point of a home or building. WQA also operates an American National Standards Institute (ANSI) accredited testing and certification laboratory that certifies water filtration products to nationally accepted industry standards for contaminant removal.