April 11, 2022

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Public & Behavioral Health & Human Services Committee
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The Honorable Emily Sirota
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Position: SUPPORT for HB 1358, *Clean Water In Schools And Child Care Centers,* Pending Language Clarification

Dear Public & Behavioral Health & Human Services Committee Members,

On behalf of the American Supply Association (ASA), International Association of Plumbing and Mechanical Officials (IAPMO), NSF International (NSF), and the Water Quality Association (WQA), we want to share our support for HB 1358, *Clean Water In Schools And Child Care Centers*, and offer technical amendments that clarify the intent of this bill.

Lead contamination of drinking water poses known health risks, and even low levels of lead exposure can cause permanent cognitive deficits and behavioral difficulties in children. To reduce the presence of lead in drinking water and combat these potential health threats, the United States Environmental Protection Agency (EPA) and Centers for Disease Control and Prevention (CDC) suggest using point of use (POU) filters tested and certified to comply with the U.S. national standard for water filters.[1, 2]

HB 1358 appropriately requires drinking water filters to meet nationally recognized industry standards for lead reduction, NSF/ANSI Standard 53 for lead reduction and NSF/ANSI Standard 42 for Class 1 particulate reduction. Given that the bill also includes a use of lead-free fittings, we suggest including the definition of "lead-free" from the federal lead law.[3] 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.

We also recommend that the products used in remediation efforts be certified by a third-party certifying body accredited by the American National Standards Institute (ANSI) National Accreditation Board (ANAB). This clarification will ensure that the filters and fittings meet the relevant NSF/ANSI American National Standard for drinking water treatment units for lead reduction

[1] https://www.epa.gov/system/files/documents/2021-07/epa-3ts-guidance-document-english.pdf
[2] https://www.cdc.gov/nceh/lead/prevention/sources/water.htm?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%20%2Fnceh%2Flead%2Ftips%2Fwater.htm
[3] https://www.epa.gov/sdwa/use-lead-free-pipes-fittings-fixtures-solder-and-flux-drinking-water

and perform as intended.[4] This recommendation aligns with federal government agency guidelines to remove lead from drinking water. It also underscores the need for independent product testing and certification as a critical step to ensuring that products meet the performance, health and quality assurance required by these regulations. Third-party product certification can help the state provide consumer confidence that water filters and filtration systems,will function as they claim, and help eliminate concerns that consumers may purchase and install either non-complying products, or counterfeit products available on the market. It is important to note that there are numerous organizations accredited by the American National Standards Institute to provide this service.

Lastly, it's important to note that federal guidance by EPA and under the federal Lead & Copper Rule establishes an action level 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 ANAB test and certify water filtration devices to remediate lead to 5ppb as prescribed under the standards NSF/ANSI 42 and NSF/ANSI 53 for lead reduction. There may be devices and filtration systems that claim to remediate lead below 5ppb, however, this is currently outside of the established and adopted NSF/ANSI Standards against which products are tested and certified. Therefore, we recommend changing the one parts per billion requirement in the bill to five parts per billion to better align with the requirements for water filters to meet the latest version of industry standards. Along with requiring third-party certification, this change will help ensure that filtration devices used in remediating lead have been verified to do so.

We strongly support the intent of HB 1358 and 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,

Stephen Rossi, Director of Government Affairs, ASA
Robyn Fischer, Director of Government Relations, IAPMO
Harold Chase, Director of Legislative & Regulatory Affairs, 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

[4] https://www.epa.gov/sites/default/files/2018-12/documents/consumer_tool_for_identifying_drinking_water_filters_certified_to_reduce_lead.pdf

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 Medical Device Safety. 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 the levels of specified contaminants in drinking water including lead.

About WQA

WQA is a not-for-profit trade association representing the residential, commercial, and industrial water treatment 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.