



April 6, 2022

The Honorable Jill Schupp
Missouri Senate
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Jefferson City, Missouri 65101
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RE: SB 1075 – *Get the Lead Out Act*

Dear Senator Schupp,

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 SB 1075, *Get the Lead Out 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 SB 1075 with the request that the following sections be amended and the proposed language included.

1. We strongly recommend the following amendment be added to the list of terms defined in subsection 2 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. **Subsection 4 (1); Lines 40 - 46: “Each school that receives a grant under this section shall install a filter that reduces lead in drinking water on each drinking water source that will be used for consumption, 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:

Each school that receives a grant under this section shall Install a certified filter that reduces lead in drinking water on each drinking water source that will be used for consumption and maintain and replace such filters at least as frequently as provided for in the manufacturer's instructions.

3. **Subsection 4 (2); Lines 47 – 54: "The filters installed initially and any replacement filters shall be certified as compliant with NSF International/American National Standards Institute (ANSI) Standard 53-2017, “Drinking Water Treatment Units – Health Effects”, published by NSF International, and shall incorporate an integral performance indication device as specified in section 6.1 of NSF/ANSI standard 53-2017, or any more stringent requirements adopted thereafter.”**

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 subsection 2 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 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,

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

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.