



July 13, 2023

Department of Public Health and Environment
Water Quality Control Commission
4300 Cherry Creek Drive South
Denver, CO 80246
cdphe.wgcc@state.co.us

RE: Regulation No. 11 (5 CCR 1002-11) – Primary Drinking Water Regulations

To whom it may concern:

On behalf of the American Supply Association (ASA), the International Association of Plumbing and Mechanical Officials (IAPMO), NSF, and the Water Quality Association (WQA), we submit the following comment on the proposed revisions to the Colorado Primary Drinking Water Regulations, Regulation No. 11 (5 CCR 1002-11).

We appreciate that the proposed regulations require drinking water treatment devices be independently certified by a third-party to meet the applicable American National Standards Institute (ANSI) standards for drinking water treatment devices. Accredited third-party certification indicates compliance with voluntary and consensus performance standards, improves consumer confidence and helps eliminate concerns about the purchase and installation of non-complying products. Unfortunately, the proposed regulation does not reference specific NSF/ANSI standards for drinking water treatment devices, such as drinking water filters. This is vital to ensuring water treatment devices perform as intended.

Therefore, we recommend that the regulation **reference the appropriate NSF/ANSI standards for drinking water treatment devices, including filters, fixtures, and components**. There are currently no federal regulations establishing minimum requirements for the safety and performance of water filtration systems. However, there are voluntary consensus standards that are continually being updated to address emerging threats. When product requirements related to water treatment technologies or drinking water system components are placed into regulation, referencing the appropriate NSF/ANSI standard(s) and third-party certification requirements is vital in verifying these products work as intended.

Accordingly, we recommend the following proposed additions to sections 11.17(1), 11.17(7), and 11.34(2):



11.17(1) Applicability and Definitions

(t) "PITCHER FILTER" means a non-plumbed water filtration device which consists of a gravity fed water filtration cartridge and a filtered drinking water reservoir that is certified to NSF/ANSI 53 for lead reduction and NSF/ANSI 42 for particulate reduction by an American National Standards Institute accredited certifier to reduce lead in drinking water.

(u) "POINT-OF-USE TREATMENT DEVICE OR POINT OF USE DEVICE (POU)" means a water treatment device physically installed or connected to a single fixture, outlet, or tap to reduce or remove contaminants in drinking water that is certified to NSF/ANSI 42 for particulate reduction and NSF/ANSI 58 for lead reduction by an American National Standards Institute accredited certifier to reduce lead in drinking water.

11.17(7) Lead Service Line Replacement Requirements

(e)(i)(D) Provide the consumer with a pitcher filter or POU device certified to NSF/ANSI 53 for lead reduction and NSF/ANSI 42 for particulate reduction by an American National Standards Institute accredited certifier to reduce lead before the affected service line is returned to service.

(i)(ii)(C) A pitcher or POU device certified to NSF/ANSI 53 for lead reduction and NSF/ANSI 42 for particulate reduction by an American National Standards Institute accredited certifier to reduce lead, instructions to use the filter, and six months of filter replacement cartridges.

11.34(2) Content Requirements for the CCR

(b)(iii)(A)(I) Lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. [NAME OF UTILITY] is responsible for providing high quality drinking water and removing lead pipes, but cannot control the variety of materials used in plumbing components in your home. You share the responsibility for protecting yourself and your family from the lead in your home plumbing. You can take responsibility by identifying and removing lead materials within your home plumbing and taking steps to reduce your family's risk. Before drinking tap water, flush your pipes for several minutes by running your tap, taking a shower, doing laundry or a load of dishes. You can also use a filter certified to NSF/ANSI 53 for lead reduction and NSF/ANSI 42 for particulate reduction (Class 1), or NSF/ANSI 58 for lead reduction by an American National Standards Institute accredited certifier to reduce lead in drinking water. If you are concerned about lead in your water and wish to have your water tested, contact [NAME OF UTILITY and CONTACT INFORMATION].



Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available at <http://www.epa.gov/safewater/lead>.

Thank you for allowing our organizations to provide feedback and recommendations on this important regulation. We appreciate the opportunity to collaborate and are available to work with the commission to answer questions surrounding water treatment.

Sincerely,

Stephen Rossi, Vice President of Advocacy, ASA
Christina Kaeini, Director of Government Relations, IAPMO
Harold Chase, Director of Government Affairs, NSF
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 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 2,500 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.