

August 17, 2023

Courtney Tyler Clerk to the Board California State Water Resources Control Board 1001 I Street, 24th Floor Sacramento, CA 95814

RE: SWRCB-DDW-21-003: Hexavalent Chromium MCL

Dear Courtney Tyler,

On behalf of the Water Quality Association (WQA) and the Pacific Water Quality Association (PWQA), not-for-profit trade associations representing over 200 member companies in California in the residential, commercial, and industrial water treatment industry, we are submitting written comments in reference to the California State Water Resources Control Board's proposed rulemaking for a Hexavalent Chromium Maximum Contaminant Level (MCL). We applaud the agency's action in protecting the health and safety of Californians and hope that you will utilize us as a resource in responding to drinking water contaminants.

Setting MCLs and monitoring water supplies is the first step in navigating drinking water challenges. However, regulating and responding to contamination is a complex task. When an MCL is established and areas of contamination are identified, residents will begin looking for assurance of safe water supplies. While our association will not be providing recommendations on an appropriate MCL for Hexavalent Chromium, we can inform you of the current feasibility of mitigation and treatment techniques in relation to the proposed regulation.

Ensuring water systems comply with new MCLs can take some time; so, it is important for residents to have knowledge and accessibility to the best available technology. This includes understanding the capabilities of certain options including point-of-use (POU) and point-of-entry (POE) drinking water treatment systems, such as Reverse Osmosis (RO), Anion Exchange (AIX), and filtration which are all viable treatment technologies that can support the reduction of Hexavalent Chromium in drinking water.

It's significant to highlight the role that national standards and third-party certification play to ensure that these systems function as intended to remove specific contaminants of concern. In regard to Hexavalent Chromium, it should be noted that there is currently a gap in the proposed MCL of 10 ppb and the level at which voluntary national standards (e.g., NSF/ANSI) address.



Certification to National Standards

We believe certification to national standards is a necessity. Certification of products, processes, or services provides assurance that they comply with specified requirements in standards and other normative documents. In the case of certified POU/POE products, accredited Certification Bodies (CBs) develop certification schemes that include initial product testing, initial factory inspection, and compliance with the applicable health and safety product standards, including marking and labeling requirements. CBs also require annual surveillance inspections that consider the quality management system, retesting requirements, and frequency, modifications to certified products, and revisions to product standards.

Currently, the State Water Board recognizes WQA certification for water treatment devices that make health-related claims. Today, there are two North American standards for testing and certifying water filtration systems that offer elective claims for Hexavalent Chromium: NSF/ANSI 53: *Drinking Water Treatment Units – Health Effects* and NSF/ANSI 58: *Reverse Osmosis Drinking Water Treatment Systems*. These two NSF/ANSI testing procedures utilize a "challenge" or influent water at 300 ug/L (ppb) hexavalent chromium and the maximum allowable concentration in the treated water is 100 ug/L (ppb). A large number of POU systems are currently certified for the reduction of hexavalent chromium to the NSF/ANSI Standards.

Lab Capabilities

WQA, like other testing and certification organizations, has a laboratory fully accredited by the American National Standards Institute's National Accreditation Board (ANAB) and Standards Council of Canada (SCC). The laboratory provides testing of products, and the final certification indicates that a third-party organization has monitored the manufacturer's operations to ensure they meet guidelines for manufacturing processes and materials used. Products are tested to ensure compliance with industry standards, performance, and certification requirements.

WQA's internal reporting limit for performance testing for hexavalent chromium claims is 0.5 ppb. This should not be taken as a comment in support of, or against, the California proposal which would require Public Water Supplies to comply with a detection and reporting limit of 0.1 ppb. Currently, the WQA laboratory does not perform testing for Public Water Supplies so it is important that it may not be representative of the detection limits offered by certified drinking water laboratories that service Public Water Supplies. WQA's detection limit would be more than adequate to evaluate the performance of products that we currently have certified to remove hexavalent chromium against California's proposed new MCL of 10 ppb.

In summary, WQA, PWQA, and its members are dedicated to reducing Hexavalent Chromium in drinking water. Through the continued development of the best available and cost-effective technologies, POU and POE technologies tailored to the specific needs of a community can help ensure healthier and safer drinking water for all Californians.



We appreciate your consideration of these comments and would be grateful for any opportunity to meet with you and discuss these recommendations in more detail.

Sincerely,

Jordan Kari Government Affairs Manager Water Quality Association jkari@wqa.org Allan Horner President Pacific Water Quality Association <u>allan@impactwaterproducts.com</u>



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.

About Pacific Water Quality Association (PWQA)

PWQA is a California association that strives to provide all consumers with equal access to highquality water treatment options for home, business, and commercial applications. Our members include retailers, assemblers, manufacturers, and suppliers. Our products are backed by trained and certified professionals who understand how to improve the customer's existing water supplies with safe cutting-edge technology,