







January 30, 2024

The Honorable Juan Mendez 1700 W Washington Street Phoenix, AZ 85007 jmendez@azleg.gov

RE: SB 1132 – Lead Testing in Schools and Childcare Facilities

Dear Senator Mendez,

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 want to thank you for introducing SB 1132. Your bill is very timely and will greatly assist Arizona's efforts to get the lead out of schools and childcare facilities.

As introduced, the legislation fails to encompass measures for the remediation of lead and future mitigation efforts. To facilitate this, we have proposed amendments for your consideration. Our industry has two important recommendations that are enumerated below.

First, we recommend that this legislation be amended to **require third-party certification of drinking water treatment devices, fixtures, and components**. Many water filtration systems claim to improve drinking water quality. However, not all products serve the same purpose; some remove only aesthetic impurities while others are certified to reduce the presence of harmful contaminants. Having an independent third-party certification mark on a product communicates compliance with voluntary and consensus performance standards, improves consumer confidence and helps eliminate concerns about the purchase and installation of non-complying products. This recommendation is aligned with the technical guidance issued by the EPA to reduce lead in drinking water in schools¹.

Lastly, we recommend that this legislation be amended to **reference the appropriate NSF/American National Standards Institute (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 legislation, referencing the appropriate NSF/ANSI standard(s) and third-party certification requirements is vital in verifying these products work as intended.

Therefore, to strengthen the impact of SB 1132, we recommend the following proposed amendments:

49.210.01. Lead testing; schools; child care facilities; rules; report; definition C. FOR A SCHOOL DISTRICT OR CHILD CARE FACILITY AT WHICH LEAD CONTAMINATION

¹ <u>https://www.epa.gov/system/files/documents/2021-07/epa-3ts-guidance-document-english.pdf</u>



IS FOUND, THE AFFECTED SCHOOL DISTRICT OR CHILD CARE FACILITY SHALL:

1. CONTINUE FIRST-DRAWN TAP WATER TESTING PURSUANT TO RULES ADOPTED BY THE DEPARTMENT.

2. PROVIDE OCCUPANTS WITH AN ADEQUATE SUPPLY OF SAFE, POTABLE WATER FOR DRINKING AS REQUIRED BY RULES ADOPTED BY THE DEPARTMENT UNTIL SUBSEQUENT TESTING INDICATES LEAD LEVELS LOWER THAN FIVE PARTS PER BILLION.

3. PROVIDE PARENTS OR GUARDIANS OF THE CHILDREN ATTENDING THE SCHOOL OR CHILD CARE FACILITY WITH WRITTEN NOTICE OF TEST RESULTS. SCHOOLS SHALL ALSO POST THE TEST RESULTS ON THE SCHOOL DISTRICT'S WEBSITE.

4. INSTALL ON EACH DRINKING WATER OUTLET A THIRD-PARTY CERTIFIED DRINKING WATER TREATMENT DEVICE THAT IS CERTIFIED TO NSF/ANSI 53 FOR LEAD REDUCTION, NSF/ANSI 42 FOR PARTICULATE REDUCTION, OR NSF/ANSI 58 FOR LEAD REDUCTION.

5. REPLACE EXISTING FIXTURES, FITTINGS, AND PIPES WITH PRODUCTS THAT HAVE BEEN THIRD-PARTY CERTIFIED TO NSF/ANSI/CAN 61 FOR LEAD-FREE COMPLIANCE AND MATERIAL SAFETY.

We strongly support the intent of SB 1132 and appreciate the opportunity to collaborate on this vital water quality legislation. We are available to work with you and others 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 Jordan Kari, Manager 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.