



February 28, 2024

The Honorable Chris Holden  
California Assembly  
1021 O St  
State Capitol, Room 5650  
Sacramento, CA 95814-4900

**RE: AB 1851 – Drinking water: schoolsites: lead testing pilot program.**

Dear Assemblymember Holden,

On behalf of the Water Quality Association (WQA), Pacific Water Quality Association (PWQA), American Supply Association (ASA), the International Association of Plumbing and Mechanical Officials (IAPMO), and NSF, we want to acknowledge your sponsorship of AB 1851 and its importance in addressing lead contamination in schools, a crucial matter for the safety of students and faculty alike.

When addressing water quality issues in legislation, our industry has two important recommendations which are enumerated below. Our organizations aim to provide technical input to refine certain aspects of the legislation and request that the following sections be amended, and the proposed language included.

First, we recommend that this legislation be amended to **require third-party certification of drinking water treatment devices, fixtures or fittings, 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 schools.<sup>1</sup>

Second, 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 or fittings, 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

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



appropriate NSF/ANSI standard(s) and third-party certification requirements is vital in verifying these products work as intended.

We appreciate your consideration of these changes and have included draft legislative language below. Our organizations would welcome any opportunity to collaborate with you on this vital water quality legislation. Please do not hesitate to contact us if you have any questions surrounding water treatment. We would be happy to meet with you.

Sincerely,

Jordan Kari, Government Affairs Manager, WQA  
Frank DeSilva, President, Pacific Water Quality Association (PWQA)  
Stephen Rossi, Vice President of Advocacy, ASA  
Christina Kaeini, Director of Government Relations, IAPMO  
Harold Chase, Director of Government Affairs, NSF



## Draft Legislative Language

**Our organizations recommend that AB 1851 lines 19 – 23, Section 2(B)(ii) be amended, and read as follows:**

(B) For purposes of clause (i), providing a lead-free source of drinking water may include, but is not limited line to, replacing any fixtures that are contributing to the elevated lead levels, providing onsite **third-party certified** water filtration, or providing alternative sources of lead-free drinking water.

(C) **In accordance with Health and Safety Code 116825 – 116876, a third-party certified water filtration must be certified by an independent certification body accredited to ISO 17065 by an entity domiciled in the United States that is a signatory to the International Accreditation Forum Multilateral Recognition Arrangement (IAF MLA), such as the Water Quality Association, NSF International, and the International Association of Plumbing and Mechanical Officials; and**

- (i) **certified to NSF/ANSI 53 for lead reduction and NSF/ANSI 42 for particulate reduction (Class 1) or;**
- (ii) **NSF/ANSI 58 for lead reduction.**
- (iii) **Each schoolsite shall:**
  - a. **Follow the manufacturer's instructions for the installation, use, and maintenance of drinking water treatment systems.**
  - b. **Create and maintain a schedule that identifies the point of contact responsible for the installation and maintenance of drinking water treatment devices.**
  - c. **Replace any fixtures with a replacement that has been third-party certified to NSF/ANSI/CAN 61 for lead-free compliance and material safety.**



### **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 equal access to high quality 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,

### **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.