



February 26, 2024

The Honorable Pete Hareckham
New York Senate
188 State Street
Legislative Office Building, Room 315
Albany, NY 12247

The Honorable Liz Krueger
New York Senate
172 State Street
State Capitol Building, Room 416 Cap
Albany, NY 12247

RE: NY S 7934 – PFAS Removal Treatment Installation Grant & Rebate Programs

Dear Senator Hareckman and Chair Krueger,

On behalf of the Water Quality Association (WQA), the American Supply Association (ASA), the International Association of Plumbing and Mechanical Officials (IAPMO), and NSF, we want to express our support for NY S 7934 – PFAS Removal Treatment Installation Grant Program. This legislation embodies the actions that policymakers can take in mitigating exposure to drinking water contaminants.

Increasing access to drinking water solutions and tools are important steps in protecting drinking water supplies in private wells and rural water systems. Testing and monitoring drinking water are the first steps, but, as residents become aware of health-based contaminants, many will look to the state to identify proper remediation and mitigation options. We applaud New York’s efforts for including funding for the installation of third-party certified point-of-use (POU) and point-of-entry (POE) drinking water treatment and filtration systems. To further enhance these efforts our organizations, have two recommendations to improve the language and ensure that the intentions of the bill align with the correct terminology related to drinking water treatment systems. **Our recommendations are outlined below, and draft legislative language is located at the bottom of this letter.**

1. Revise the language in § 37-0123(2) and § 37-0125.(2) to include the proper third-party certification language.
2. Include the appropriate NSF/ANSI standards in § 37-0123(2) and § 37-0125.(2) to address PFAS.

Many POU and POE water treatment and filtration systems claim to improve drinking water quality. However, it’s important that they are third-party certified to better ensure they work as intended. Using a certified 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. Qualified organizations like WQA, NSF, and IAPMO have been accredited under the ANSI National Accreditation Board (ANAB) as a certification body to ISO/IEC 17065 for conformity assessment and thereafter certify products to ANSI consensus standards. Moreover, certifications issued by WQA, NSF, IAPMO, and other ANAB-accredited bodies are regarded as equally valid. Sometimes confusion arises because the standards have the standard developer’s name in them, such as NSF in “NSF/ANSI 53”. However, these certifications hold the same level of credibility, ensuring consumers and industries can trust the conformity assessment process regardless of the certifying entity.



Additionally, we recommend that this legislation be amended to specifically reference the appropriate NSF/American National Standards Institute (NSF/ANSI) standards for drinking water treatment and filtration systems. There are currently no federal regulations establishing minimum requirements for the safety and performance of water filtration systems. However, these national standards have been developed with the participation of interested and affected stakeholders including manufacturers, non-profits, advocacy organizations, representatives of government (such as the EPA), and academia.

There are a variety of NSF/ANSI standards that offer claims for the reduction of drinking water contaminants. Currently, there are two existing standards for certified water filtration systems that offer elective claims to reduce either total PFAS or individual specified PFAS; NSF/ANSI 53: *Drinking Water Treatment Units – Health Effects* and NSF/ANSI 58: *Reverse Osmosis Drinking Water Treatment Systems*. These standards were recently updated to allow for the verification that certified water filtration systems reduce either total PFAS to a cumulative 20 ppt, or a certain reduction is measured by the reduction of a mixture of seven PFAS compounds made up of PFOA, PFOS, PFHxS, PFNA, PFHpA, PFBS, and PFDA. We would note it is important to specify that drinking water filters certified to either of these standards include a claim for reduction of PFAS. It should be noted that NSF/ANSI standards are under continuous maintenance and updated to align with regulatory and technical considerations.

We strongly support the intent of S 7934 and appreciate your consideration of these amendments. Our organizations welcome any opportunity to collaborate with you on this vital water quality legislation.

Sincerely,

Jordan Kari, Manager of Government Affairs, WQA
Stephen Rossi, Vice President of Advocacy, ASA
Jim Scarborough, Director of Government Relations, IAPMO
Harold Chase, Director of Government Affairs, NSF



Draft Legislative Language

Our Organizations support S 7934 with the request that § 37-0123(2) lines 8 – 14 and § 37-0125.(2) lines 34 – 38 be amended, and read as follows:

§ 37-0123(2) lines 8 – 14:

2. Grant program. The department, within amounts from any source appropriated or otherwise provided for such purpose, shall establish a perfluoroalkyl and polyfluoroalkyl substances removal treatment installation grant program. The department shall provide a one-time grant to private well users for up to five thousand dollars for the installation of **third-party certified point-of-use (POU) or point-of-entry (POE) drinking water treatment systems certified to NSF/ANSI 53: Drinking Water Treatment Units – Health Effects certified, or NSF/ANSI 58: Reverse Osmosis Drinking Water Treatment Systems for PFAS** treatment, or up to ten thousand dollars for a service connection to a public water system.

§ 37-0125.(2) lines 34 – 38

2. Rebate program. The department, within amounts from any source appropriated or otherwise provided for such purpose, shall establish a perfluoroalkyl and polyfluoroalkyl substances removal treatment maintenance rebate program. The department shall provide a rebate for the maintenance of **third-party certified point-of-use (POU) or point-of-entry (POE) drinking water treatment systems certified to NSF/ANSI 53: Drinking Water Treatment Units – Health Effects certified, or NSF/ANSI 58: Reverse Osmosis Drinking Water Treatment Systems** ~~PFAS treatment equipment~~ installed by private well users.



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 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.