



April 15, 2024

The Honorable Rob Cowles III
1182 E. Main Street
Madison, WI 53702

RE: SB 1078 – Providing safe drinking water in public and private schools

Dear Senator Cowles,

On behalf of the International Association of Plumbing and Mechanical Officials (IAPMO), NSF, and the Water Quality Association (WQA), we want to thank you for your combined sponsorship of SB 1078. This bill is timely and will greatly assist efforts to get the lead out of public and private school facilities – protecting children and faculty alike.

When requirements related to water treatment systems are placed into legislation, our industry supports two important recommendations:

1. Require accredited third-party certification of drinking water treatment devices, fixtures, and components; and
2. Reference the appropriate NSF/American National Standards Institute (NSF/ANSI) standards.

For legislative purposes, we encourage language that allows for the safest, most up-to-date quality products to be used that meet the needs of the consumers. To accomplish the goal set forth in this legislation, we recommend strengthening requirements for water filtration systems to meet the latest version of voluntary consensus standards and to be third-party certified. This will help ensure that water filtration systems used in remediating lead have been verified to do so.

There are a variety of NSF/ANSI standards that offer claims for the reduction of drinking water contaminants. In the case of point-of-use (POU) drinking water filters, and more specifically for lead reduction, the appropriate standard is NSF/ANSI 53 *Drinking Water Treatment Units – Health Effects* and NSF/ANSI 42 for particulate removal. Reverse Osmosis (RO) systems that are certified to NSF/ANSI 58: *Reverse Osmosis Drinking Water Treatment Systems* are also effective at reducing lead; both technologies can be certified to reduce lead to 5 parts per billion (ppb).

Regarding per- and poly-fluoroalkyl substances (PFAS), currently, two existing standards for certified water filtration systems 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.

Our organizations support SB 1078 with the request that the following sections be amended, to include the proposed language below:

1. We strongly recommend the following amendment be added to the list of stipulations in Subsections “c”, “d”, and “e” to provide clarification regarding lead remediation and treatment standards and the certification to reduce the concentration of lead in the drinking water to below the action level. The augmentations we are proposing are consistent with guidance from EPA as well as recent legislation at the Federal and state levels. This amended language requires water filtration systems to be independently certified to meet NSF standards for lead reduction by accredited certification bodies. It adds the “latest version” of NSF/ANSI 53 & 42 to ensure the incorporation of the latest advancements of the standard in Michigan’s implementation. Additionally, when applicable, treating the water near the tap through a certified NSF/ANSI 58 reverse osmosis (RO) system would also help mitigate harmful contaminants including lead, and allow for more remediation options for schools.

This proposed amendments to read as:

Section 3.

(c) "Filtered bottle-filling station" means an apparatus that meets all of the following requirements:

1. Is connected to customer site piping.
2. The apparatus filters water and is certified by a certifying body accredited by a signatory to the International Accreditation Forum Multilateral Recognition Arrangement (IAF MLA) such as the American National Accreditation Board (ANAB) to meet NSF/ANSI standard 53 and NSF/ANSI standard 42 for particulate removal, or NSF/ANSI standard 58 for lead reduction and perfluorooctanoic acid and perfluorooctane sulfonate reduction



3. The flow rate through the station is paired to the specified flow rate of the filter cartridge.
 4. The apparatus has a light or other device to indicate filter cartridge replacement status.
 5. The apparatus is designed to fill drinking bottles or other containers for personal water consumption.
 6. The apparatus includes a drinking fountain with a consumable tap with or a replacement faucet that has been third-party certified to NSF/ANSI/CAN 61 for lead-free compliance and material safety.
- (d) "Filtered faucet" means a faucet that at the point of use includes a filter that is certified by a certifying body accredited by a signatory to the International Accreditation Forum Multilateral Recognition Arrangement (IAF MLA) such as the American National Accreditation Board (ANAB) to meet NSF/ANSI standard 53 for lead reduction and perfluorooctanoic acid and perfluorooctane sulfonate reduction and NSF/ANSI standard 42 for particulate removal, or NSF/ANSI 58 for lead reduction and perfluorooctanoic acid and perfluorooctane sulfonate reduction and the following requirements:
- 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 the consumable tap with a replacement faucet that has been third-party certified to NSF/ANSI/CAN 61 for lead-free compliance and material safety.
- (e) "Filtered pitcher" means a container used for holding and pouring liquids that at the point of use includes a filter that is certified by a certifying body accredited by a signatory to the International Accreditation Forum Multilateral Recognition Arrangement (IAF MLA) such as the American National Accreditation Board (ANAB) to meet NSF/ANSI standard 53 for lead reduction and perfluorooctanoic acid and perfluorooctane sulfonate reduction and NSF/ANSI standard 42 for particulate removal.



- 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.
- (f) “General maintenance” means the proper care, maintenance, and equipment replacement to include filters**
- 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.

We enthusiastically support the spirit and intent of this bill and thank you again for your leadership on this important topic. We truly do appreciate the opportunity to collaborate on this vital water quality legislation and would be happy to work together to answer questions surrounding water treatment.

Sincerely yours,

Mark Osmack, Director of Government Relations: *IAPMO*
Harold Chase, Legislative Director: *NSF International*
Jordan Kari, Manager of Government Affairs: *WQA*



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.