



May 1, 2020

Honorable John Barrasso
Chairman
Senate Committee on Environment and
Public Works
307 Dirksen Senate Office Building
Washington, DC 20510

Honorable Tom Carper
Ranking Member
Senate Committee on Environment and
Public Works
513 Hart Senate Office Building
Washington, DC 20510

Dear Chairman Barrasso and Ranking Member Carper:

On behalf of the undersigned organizations, we appreciate the opportunity to provide comments on the Drinking Water Infrastructure Act of 2020. As associations in the water and sanitation sectors, we are proud to provide over two centuries of collective experience in working with communities, manufacturers and the workforce to address a continually evolving list of water quality issues.

We applaud the committee for putting forward bipartisan solutions to the challenges posed by our water infrastructure. We also applaud the committee’s efforts to ensure that communities who are most vulnerable have access to clean drinking water. In particular, we support the expansion of the Assistance for Small and Disadvantaged Communities program by allowing for the purchase of water filters and point of use/point of entry technologies. These devices can make life-changing differences to communities faced with inadequate infrastructure or comprised water sources. To ensure that these communities receive the quality of products they need, we would propose that the following clarifying language be added:

SEC. 6. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

(a) EXISTING PROGRAMS.—Section 1459A of the Safe Drinking Water Act (42 U.S.C. 300j–19a) is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(D) the purchase of filters *and point of use/point of entry water treatment technologies that are certified to an applicable standard set by the American National Standards Institute by an independent third-party certification organization accredited by the American National Standards Institute* for the removal of contaminants of concern;

Ensuring access to safe drinking water poses a challenge for water systems in the United States and across the globe, especially during disruptive emergencies and disaster recoveries. The residential water filtration industry is encouraging policies to help communities address their growing list of water quality challenges and fight the increasing health threats posed by counterfeit, ineffective or even unsafe residential water treatment products in the marketplace. We ask that your committee consider the following proposals related to residential water treatment devices in this legislation:

1. *Require Certified Filters and Point of Use/Point of Entry Technologies Be Distributed In Long-Term Disaster Recovery* - Section 1431 of the Safe Drinking Water Act (SDWA) grants authority to the Administrator of the EPA to take action to protect the public health when a contaminant is found in a public drinking water system and the pertinent state and local authorities have either not taken action or taken inadequate action to address the contamination. Such action may include but not be limited to requiring the “provision of alternative water supplies.” The use of bottled water may not be sustainable for an extended period of time so for water emergencies lasting more than a few weeks, a water supply other than bottled water is strongly recommended. Congress should add language to Sec 1431 of the SDWA directing EPA to provide guidance that point-of-use and point-of-entry filtration devices and technologies used in a water emergency be independently certified, by a third-party certifier accredited by the American National Standards Institute (ANSI), to the relevant national standard issued by ANSI. This is the only verifiable method to ensure that filters will effectively reduce the level of specified contaminants in the drinking water supply and protect public health.
2. *Require Consumer Confidence Reports (CCRs) To Provide Information On Filters and Point of Use/Point of Entry Technologies Where Water Is Unsafe* - Section 1414 of the Safe Drinking Water Act (SDWA) requires community water systems to provide a CCR annually by mail or electronic delivery to each public water supply customer. The report must list the detection of regulated contaminants and their maximum contaminant levels. While the report requires that a statement be included that the presence of contaminants in drinking water does not necessarily indicate that the drinking water poses a health risk, the only requirement for how consumers can protect themselves is to include the phone number for the EPA hotline. The law specifically allows water systems to provide additional educational information but does not require them to do so. Best practices for communicating risk to consumers is to include actions that individuals can take to protect themselves and their families. Failure to provide adequate information and guidance creates confusion and increases anxiety. Lacking credible sources on how to protect themselves, consumers may obtain factually incorrect information that could potentially put their health at greater risk. Community water systems should be required to provide greater educational material to consumers on actions they can take to protect themselves, including the use of water filters and point of use/point of entry technologies certified by third-party certification bodies accredited by the American National Standards Institute (ANSI).

3. *Water Filter and Point of Use/Point of Entry Technology Inclusion In The SNAP And WIC Programs* - Industry supports making changes to USDA's Supplemental Nutrition Assistance Program (SNAP) and Supplemental Nutrition Program for Women Infants and Children (WIC) programs to allow the purchase of certified water filters and point of use/point of entry treatment technologies. This step will help to ensure that vulnerable populations are better safeguarded from exposure to lead and other contaminants in their drinking water. Currently, families are allowed to purchase bottled water under the SNAP program and "Ready to Feed" baby formula under the WIC program to protect against lead exposure. Allowing the purchase of certified water filters and point of use/point of entry technologies is a more comprehensive and affordable solution that ensures WIC and SNAP resources ultimately go to where intended.

Our organizations are prepared to provide your committee with any additional information, including draft bill language, regarding the clarifying language proposed above. If you have questions regarding this request, please contact Christopher Lindsay, senior director for government relations for IAPMO, at Christopher.lindsay@iapmo.org or 202-445-1198.

Thank you for your consideration,

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