



March 3, 2020

Honorable Chris Holden, Assemblymember
California State Assembly
State Capitol
Sacramento, CA 95814

Re: AB 2060 Cosponsorship

Dear Assemblymember Holden:

The Environmental Working Group and the Environmental Defense Fund are pleased to cosponsor your AB 2060, which prohibits the sale in California of any drinking water faucet, fixture, fountain, or other end use device that, after three weeks of testing, leach more than one microgram of lead into drinking water. If this bill is enacted into law, it will establish the strictest lead leaching performance standard for end use devices in the nation.

Background on lead:

Exposure to lead, even at low levels, can cause serious health effects for all age groups. Infants and children who drink water containing lead could have decreases in IQ and attention span and increases in learning and behavior problems. Adult exposure to lead is linked to increased risk of cardiovascular disease and high blood pressure as well as kidney and nervous system problems. Pregnant women exposed to lead, have increased risks to their fetus, and women who later become pregnant have similar risks if lead stored in the mother's bones is released during pregnancy.

Because lead is so profoundly harmful to children, key agencies and organizations have set limits:

- [American Academy of Pediatrics](#) recommends that water fountains in schools do not exceed 1 parts per billion (ppb) of lead;
- [Centers for Disease Control and Prevention](#) states that no safe blood lead level in children has been identified;
- [Environmental Protection Agency](#) and [California's Office of Environmental Health Hazard Assessment](#) have respectively set a goals of no more than 0 and 0.2 ppb lead in public drinking water.

Current law and standards

Lead is commonly added to brass and bronze so the metal can be more-easily machined and can better resist corrosion. Since 2014, [federal law](#) requires the use of “lead free” pipe, pipe fitting, plumbing fitting, and fixture for drinking water . Lead-free doesn’t mean zero lead; it means the weighted average is less than 0.25% lead calculated across the wetted surfaces. This law was based on restrictions that the California State Legislative enacted in 2006 into its Health and Safety Code at Section 116875.

The federal and California requirements have been incorporated into the American National Standards Institute (ANSI) standard issued by NSF International as [NSF/ANSI 61](#). That standard also sets a limit of five micrograms of lead leaching in overnight samples from end use devices, such as faucets and drinking water fountains, over the first three weeks of use. The leaching limit is based on a specific protocol in NSF/ANSI 61.

To certify compliance with NSF/ ANSI 61, plumbing manufacturers submit their products to accredited third parties, including NSF International. This certification ensures compliance with California’s Section 116875.

Current NSF/ANSI 61 standard is insufficient to protect children

Last year, [NSF International reported the testing results](#) for more than 500 tests performed on faucets it certified as complying with NSF/ANSI 61. The report showed:

- **Most faucets met a tighter standard:** 73% of the test results disclosed leaching of less than one microgram of lead, when averaging the samples collected over the three-week duration of the protocol.
- **Lead levels trended downward over the three weeks:** Typically the faucets leached the most lead in first days of the test and decreased over time. By the last day, nine in ten faucet tests were below one microgram per day.
- **High lead levels on first day of sample analysis:**
 - 39% of tests performed on NSF certified faucets demonstrated leaching of more than one microgram on the first day that samples were analyzed.
 - 11% of the tests showed faucets leaching more than three micrograms.
 - One certified faucet leached more than 13 times FDA’s limit for children.
 - The high levels were seen even though the faucets had already been washed and flushed more than ten times over three days.

The problem is that few schools, child care facilities, and homeowners are aware that “lead-free devices” leach any lead – and many would be shocked to learn its so much lead – especially in the first few weeks of use. Additionally, in California where wasting water is a sensitive issue, most consumers realistically cannot afford to keep flushing a device before using it.

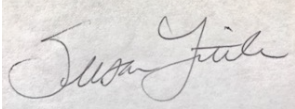
The concern is especially significant for schools and child care facilities, because if they replace a faucet, they cannot tell which ones meet a tighter standard. As a result, if they test the water after installing the new faucet, they may discover lead levels went up, not down. The [California Water Board](#) is currently trying to assist by asking plumbing manufacturers to voluntarily identify the best performing devices but that will not solve the problem.

Solution:

California has progressively worked to reduce residents' lead exposure. It has been a leader on reducing lead from plumbing fixtures. AB 2060 continues that effort but ensures fixtures that people drink water from leach much lower amounts of lead and enables schools and child care facilities in particular to replace problem fixtures with ones that deliver safe water.

Thank you for authoring this very necessary legislation and for your continued work to ensure that our drinking water contains as little lead as possible.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan Little", on a light-colored rectangular background.

Susan Little
Senior Advocate, California Government Affairs
Environmental Working Group

A handwritten signature in cursive script, appearing to read "Tom Neltner", on a light-colored rectangular background.

Tom Neltner
Chemical Policy director
Environmental Defense Fund