

**DWA Task Group on Lead  
Draft Teleconference Summary  
April 8, 2008**

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**Participants**

Lance Agness – Ford Meter Box – CHAIR	Franco DiFolco – CSA International	Tom Palkon – WQA
Jeff Baldwin – T&S Brass	Pete Greiner – NSF International	Craig Selover – Masco
Brian Bernados – CDPH	Jeff Hebenstreit – UL	Richard Sykes – East Bay MUD
Jason Bourque – CIPH	David Heumann – LADWP	Steve Tefft – AY McDonald
Mike Briggs – IAPMO	Sarah Kozanecki – NSF International	Joe Wallace – AO Smith
Nate Buzard – Viega	Jeff Kempic – USEPA	Bob Weed – CDA
Bill Chapin – CASH ACME	France Lemieux – Health Canada	
Jon DeBoer – Colorado I	Shawn Martin – PMI	

S. Kozanecki read the antitrust statement and took roll call. L. Agness convened the meeting.

**Update on Legislation and BSC Involvement**

C. Selover provided an update on the status of the meeting scheduled to update the California BSC on Annex G. He explained that he had forwarded to Dave Walls (BSC) the language for Annex G and the background related to it. D. Walls explained that it is normal practice for BSC to reference national standards in their plumbing codes. He also explained that the latest code will be adopted in 2009. After that, the next revision will not be published until 2011 and will become effective in 2012. That said, he also explained that there are provisions for making emergency changes to the code as needed so that any changes to NSF/ANSI 61 would be included in the 2009 revision. R. Sykes added that Dave Walls saw this issue as an administrative rather than a technical change and therefore only ANSI approval would be necessary to move forward including the most updated NSF/ANSI 61 in the code. There is a group who would be attending the BSC meeting on May 21, 2008 to present Annex G to them.

S. Martin asked if D. Walls indicated a desire for a voice in the development or whether he was satisfied with what is developed. C. Selover stated that D. Walls was clear that his interest is only in reviewing with the intent to adopt the standard.

C. Selover also informed the task group that the Senate Bill 1395 would be assigned to the California Department of Toxic Substances Control (DTSC), not DPH. He recommended and later moved to have language to submit to DTSC at the start of the process to ensure that they are aware of Annex G and to hopefully influence the development of whatever policies they develop as well. After further discussion, the task group gave approval of this course of action.

C. Selover explained that SB1395 speaks to test requirements (i.e., random audits, testing of lead in components, and any additional information needed for determining compliance). P. Greiner further explained that while Annex G has requirements based only on the surface areas of components and the maximum lead content specified for the material, the DTSC will actually test product to verify the lead content. C. Selover explained that if both bills go forward as drafted (SB1334 and SB1395), the opportunity exists for certification testing to NSF/ANSI 61 to be required, which should ideally be the same as DTSC would require. S. Martin inquired about the cost of this testing, to which P. Greiner explained that some additional cost was anticipated, but it was expected to be minimal based on the nature of the verification testing anticipated.

C. Selover explained that he would post the draft of a letter to submit to DTSC for additional feedback from the task group.

S. Martin stated that while the water works standards provide a link between AB1953 and NSF/ANSI 61, the current links are to the 2005 version of the standard. He asked if the task group should initiate action to revise the waterworks standards to update the reference so that the next version to include Annex G is used. It was explained that this could not be initiated until the standard was published, however. C. Selover asked if the bills should have a provision for how to update the codes on an emergency basis. R. Sykes stated that he had written DPH to request on an interim basis that the update NSF/ANSI 61 would meet AB1953.

### Letter from Rep. Wilma Chan

L. Agness opened the discussion on the letter received from Representative Wilma Chan. T. Palkon pointed out that coatings are used fairly extensively in municipal water systems and asked if the AB1953 covers them. M. Briggs stated that there were some exclusions for larger valves. L. Agness pointed out that this was not stated clearly in the law. P. Greiner stated that there were two apparent intents of the letter: to clarify the intent of the bill and ask for quick completion of the Annex G. S. Martin added that while the letter is interesting, it has no legal bearing and does not add any weight to the discussion.

C. Selover explained that during previous task group conference calls, the group had discussed the coatings issue but had decided to table both coatings and washings since there was not sufficient data or evidence for a durability test. Therefore, in the interest of expediting the process, it was agreed that the version sent to ballot to the JC would not include any language on these issues at this time.

### Results of the Straw Ballot

S. Kozanecki gave a brief overview of the results of the straw ballot. P. Greiner explained that he had sent out a summary of the results to the task group. He explained that to meet the consensus requirements, a ballot must attain the following three requirements:

- 1) A minimum of 50% of eligible members must submit a ballot;
- 2) Of those who voted, 2/3 must vote in the affirmative; and
- 3) A total of at least 51% of the voting members must have voted in the affirmative.

C. Selover suggested scheduling the next call in 2-3 weeks to determine what the forward action should be. He suggested reading and responding to the comments in anticipation of moving forward to resolve them. P. Greiner agreed to compile the comments from the straw ballot for the task group's review.

**The group agreed to meet on April 25, 2008 from 2-3:30 pm ET with the goal of determining whether to move forward and send a ballot to the Joint Committee.**

### Action Items:

- C. Selover: share Annex G document to be sent to DTSC;
- All: review comments provided by P. Greiner on ballot and provide feedback on the documents from C. Selover.