DWA Task Group on Lead
Draft Teleconference Summary
August 28, 2008

Participants

Lance Agness – Ford Meter Box – CHAIR
Jeff Baldwin – T& S Brass
Brian Bernados – CDPH
Jason Bourque – CIPH
Mike Briggs – IAPMO
Nate Buzard – Viega
Bill Chapin – CASH ACME
George DeJarlais – Badger Meter
Pete Greiner – NSF International
Jeff Hebenstreit – UL
David Heumann – LADWP
Jeff Kempic – USEPA
Sarah Kozanecki – NSF International
France Lemieux – Health Canada
Sally Remedios – Delta
Rick Sakaji – East Bay MUD
Mike Schock – USEPA
Craig Selover – Masco
Richard Sykes – East Bay MUD
Steve Tefft –AY McDonald
Joe Wallace – AO Smith
Bob Weed – CDA

S. Kozanecki read the antitrust statement and took roll call. L. Agness convened the meeting. He stated that several meeting summaries had been posted and asked if there were any comments. None were offered; S. Kozanecki suggested that as some additional summaries are posted and the group has a chance to review them, any comments should be directed to Lance (lagness@fordmeterbox.com).

Update on Annex G Ballot

S. Kozanecki stated that there had been two ballots sent – an adjudication ballot to resolve the negatives received on the first revision, and a second revision. She explained that the purpose of the adjudication ballot is to circulate the unresolved negatives to afford the other members an opportunity to change or maintain their original vote in light of the arguments offered by the negative votes. In the case of this ballot, though the consensus requirements were met, a few "new" – previously unargued (in the balloting process) – negative arguments arose. S. Kozanecki explained that one approach would be to say that these are new issues that should be handled separately. However, she emphasized that the recommended route, especially given the controversial nature of this issue and the scrutiny it bears, is to send the new negative arguments back to the JC for another round of adjudication (another 2 week ballot). S. Kozanecki stated that this approach was felt to be more beneficial in the long-term.

C. Selover asked if the second adjudication approach would potentially lead to opponents of the issue continuously voting negatively with new reasons in order to derail the issue. S. Kozanecki explained that this was discussed internally, and while it does seem to leave potential for that, the future ballot materials should explicitly state that the scope of the ballot is limited to evaluating the negative reasons given as the basis for a negative vote. S. Kozanecki explained that this task group, as the issue proponent, has the right to make this decision.

P. Greiner explained the negative votes in question, which were received from Rand Ackroyd, Tom Palkon, and Andy Kireta, Jr. He explained each comment as well as the response drafted. R. Ackroyd's comment questioned the evidence that exists for durability of liners supporting their inclusion in the annex when the lack of evidence on the durability of coatings was keeping them out. It was pointed out that the task group had discussed this issue extensively and agreed that, although improvement in language would benefit the annex, that language contained ("rigid liner sealed with a permanent barrier") was clear enough for now and that the document should proceed as drafted. It was anticipated that this would be addressed in the future when there was more information available. The task group also felt that this negative was outside of the scope of the adjudication ballot and should not be further adjudicated. There were no comments in favor of adjudicating. P. Greiner asked for input from the task group on language to address these points to include in the response letter addressing R. Ackroyd's comments. After discussing T. Palkon's and A. Kireta, Jr.'s comments, the group also agreed to not adjudicate them.

S. Kozanecki also mentioned that J. Cleland had submitted an unsubstantiated negative, and would recommend following up with him to get further comments so that the group could address his concerns. The task group felt this step unnecessary since he had had an opportunity to submit his comment and did not. S. Kozanecki explained N. Buzard's comment to change from "should" to "shall" in the informational note contained in Section 3 of the ballot and discussed the response to that, which is that his suggestion goes against the intent of the note (informational to mandatory). A change from "should" to "shall" merits a reballot since this is a substantive change. N. Buzard was satisfied with the response.

S. Kozanecki stated that R. Sakaji's comment was editorial, and that his suggestion was to be incorporated. The other negatives were sustained from the previous ballot, which had been adjudicated, and that those voters would receive a letter indicating that the resolution ballot was circulated but the JC did not find their comments persuasive. They would also be informed, per ANSI protocol, of their right to appeal procedural actions and/or inactions.

P. Greiner mentioned that B. Chapin submitted a comment through the ANSI public review mechanism. He reviewed the comment and the responses with the task group. S. Kozanecki explained that these public comments must be considered and responded to, and that they also move forward with the ballot. B. Chapin was given the opportunity to further explain his comments. The group felt that the response to his comments should be modified based on the discussion and made consistent with the response to R. Ackroyd where they overlapped. P. Greiner asked that any other suggestions be sent to him (greinerp@nsf.org).

The group was in favor of moving this ballot forward to the CPHC after the negatives are addressed.

Update on California Bills (SB.1334 and SB.1395)

These two bills are awaiting the governor's approval. They have been held up until the legislature proposes a budget. After that, it is anticipated that the governor will sign them.

Update on the Q Statistic Sub-task Group

P. Greiner stated that there were no new updates.

Update on the Extraction Water Chemistries Sub-task Group

P. Greiner stated that the AwwaRF project is likely to start early in 2009. This task group will continue to meet and evaluate whether that project meets their needs or whether supplemental information is required. F. Lemieux later emphasized the importance of continuing to monitor this. M. Schock offered that there is another AWWARF project under development that this task group will likely find interesting, but he was unable to give any additional details at that time.

University of North Caroline Lead Issue

P. Greiner explained that he received a call recently regarding problems with lead that had been observed in some new construction at UNC. They have been working with Marc Edwards to investigate and develop solutions to address the problem. P. Greiner was reminded that the LTG had expressed interest at one time in knowing about problems with products with lead in actual installations, and this sounded like a good opportunity for the task group to learn from this issue. P. Greiner discussed this with M. Edwards and Carolyn Elfland from UNC, who are both willing to participate on a conference call with the task group.

M. Schock asked if there were any more details on the products being used that had problems. P. Greiner stated that he was not sure, but as this was new construction, there were likely fewer complications and confounding factors than the reports with Philadelphia Public Schools that the task group sought to look into before. He stated a number of factors were thought to contribute to the UNC problem including the relatively aggressive, low alkalinity water distributed, as well as the items to do with the methods of construction. There is still some uncertainty unsure whether the problem was with the product, the standard, or something else. M. Edwards has a new AwwaRF project "Lead and Copper Corrosion Control in New Construction" based in part on the UNC experience. M. Edwards was also willing to talk about with the task group. The group expressed interest having Marc and Carolyn on the next conference call and also suggested there may be interest in having them attend the JC meeting to make a presentation. P. Greiner responded that the group could evaluate the interest level after the first discussion with them.

The date for the next conference call will be based on the availability of M. Edwards and C. Elfland and the progress of the CPHC ballot of the Annex G issue.

Conference on AB1953

P. Greiner informed the group that a conference is being held in Sacramento on November 13, 2008 on AB 1953. The information he has on the conference indicates that they are looking to provide clear information and clear up any misconceptions about the bill. P. Greiner stated that he would forward the information to the task group in case anyone was interested in finding out more.