

MEMORANDUM - Draft

From: Lange Agnes, Chair, Lead Task Group
To: Drinking Water Additives Joint Committee
Date: March xx, 2008
Subject: Request for Straw Ballot – Location of Lead Content Requirements

One of the tasks given to the Lead Task Group at the last DWA JC meeting, to make a recommendation whether the proposed lead content requirements should be placed in Standard 61 or if they should reside elsewhere. The task group has discussed this at length and no consensus has been reached. The essences of many of the arguments made for and against inclusion in the standard are provided below. Copies of all comments that were provided in writing can be accessed at this [Annex G location comments](#) folder.

In addition to considering where the requirements should reside, the task group has also been working on the content of the proposed annex. A copy of the revised annex as drafted to date can be accessed in this [standards online folder](#) (see v5). The revision has been complete with the exception of addressing how the use of coatings and/or lead surface treatments should taken into account when calculating the weighted average lead content of products that use them. Discussions and developments are proceeding separately on those points.

At this point we are asking for a straw ballot of the DWA JC on placement of the annex. If there is not support at the DWA JC for placement in Standard 61, then the work of the lead task group may be finished on this issue.

Should maximum lead content requirements be placed in Standard 61?

The following summarizes the essence of comments provided to the LTG. Please reference the comments folder for the full text of those provided in writing.

Reasons to include in Std 61:

1. It is of most use to the State of California in Standard 61 as their Waterworks legislation already references and requires compliance with the standard.
2. The scope of the standard is health effects from chemical contaminants, and a reduction in lead content in the product aids in the reduction of lead contamination at-the-tap.
3. The two requirements can work well together. The new one (restricting content) minimizes the intentional addition of lead and the current one (extraction performance) addresses the potential contamination from materials and processes. The extraction performance (current) requirements are still required on products as drafted, even if the optional lead content evaluation is performed.

Reasons not to include in Std 61:

1. As an optional annex, there are concerns that the addition may either cause confusion or weaken the standard. Questions about which requirement is more effective or which sections of the standard a product must comply or has been evaluated to may prevail.
2. The restricted content-based approach is not consistent with the methodologies currently in the standard. The standard currently uses an extraction-based performance approach for all potential contaminants.
3. Without references to Std 61 or Annex G in the CA legislation, and without participation or input from all appropriate CA agencies, there may little value in the requirements if manufacturers can't rely on them as meeting the requirements in the State.