



Santa Clara Valley Water District

File No.: 20-0552

Agenda Date: 7/28/2020

Item No.: 3.3.

BOARD AGENDA MEMORANDUM

SUBJECT:

Adopt Recommended Positions on State Legislation: AB 2060 (Holden) Drinking Water Fixtures and Plumbing Lead Content; and Other Legislation Which May Require Urgent Consideration for a Position by the Board.

RECOMMENDATION:

Adopt a Position of "Support" on: AB 2060 (Holden) Drinking Water Fixtures and Plumbing Lead Content.

SUMMARY:

AB 2060 (Holden) Drinking Water Fixtures and Plumbing Lead Content (A-06-04-2020)

Position Recommendation: Support

Priority: 3

Current law defines "lead free" as not containing more than 0.2% lead in water-touching pipes used for manufacturing, industrial processing, or dispensing water for human consumption and no more than a weighted average of 0.25% lead when referring to wetted surfaces of pipes, pipe fittings, plumbing fittings, and fixtures. This definition considers only the physical makeup of the items used for plumbing drinking water for human consumption, but not the potential for leaching of lead that may occur. This bill would amend the definition of "lead free" to require endpoint devices used for the human consumption of drinking water, such as faucets and fixtures, to not *leach* more than one microgram of lead ($\mu\text{g/L}$), until NSF International adopts a more stringent standard.

In addition, AB 2060 would allow the Department of Toxic Substances Control, which is currently charged by law to regulate lead content in plumbing items, to base the compliance of endpoint devices upon documentation developed by an American National Standards Institute (ANSI) certified third party.

Importance to Valley Water

Although Valley Water is not a water retailer, we treat and provide safe drinking water for human consumption. It is important that the public trusts that the drinking water they receive is safe and that the plumbing systems used for conveyance are free from contaminants that

could degrade the quality of treated water provided by public water systems.

A report released on April 25, 2018, by NSF International indicated that of the 692 plumbing products tested, including approximately 500 faucets, 73 percent leached one microgram or less of lead. This indicated that hundreds of products on the market could potentially leach harmful levels of lead, especially during the first few weeks of installation.

Lead is a carcinogen that harms organs in people of all ages, and it is also a neurotoxin that damages the brains and central nervous systems of young children. Even with water pipes that have lower lead content, faucets and fixtures that can still leach harmful levels of lead pose a danger to the community. While there have been several new requirements to test drinking water for lead and to replace lead-containing plumbing in schools and childcare centers, replacing the items with potentially lead-leaching fixtures is counterproductive. Newly enacted lead reduction efforts make AB 2060 timely for reducing the potential for continued lead contamination.

Staff recommends that the Board adopt a position of “Support” on AB 2060.

Pros

- Reduces a potential source of lead contamination in drinking water.
- May reduce health risks associated with lead in drinking water.

Cons

- May increase costs of production for plumbing fixture manufacturers and the purchasers of new plumbing fixtures.

FINANCIAL IMPACT:

There is no financial impact associated with this item.

CEQA:

The recommended action does not constitute a project under CEQA because it does not have a potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

ATTACHMENTS:

None

UNCLASSIFIED MANAGER:

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