

## International Association of Plumbing and Mechanical Officials

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## U.S. EPA Releases Final Regulation on Lead Reduction Rule

**Washington, D.C.** (Aug. 13, 2020) — The U.S. Environmental Protection Agency (EPA) has released its long-awaited final regulation on the "Use of Lead Free Pipes, Fittings, Fixtures, Solder and Flux for Drinking Water." IAPMO has been an active participant in the rule-making process from the beginning and submitted numerous comments for consideration.

The rule's goal is to reduce lead in drinking water and assure that states, manufacturers, inspectors and consumers have a common understanding of "lead-free" plumbing. In the final rule, the EPA makes conforming changes to existing regulations based on the Reduction of Lead in Drinking Water Act of 2011 (RLDWA) and the Community Fire Safety Act enacted by Congress. The final rule also requires that manufacturers or importers certify that their products meet the requirements using a consistent verification process within three years of the final rule publication date in the Federal Register.

Additionally, manufacturers with 10 or more employees, as well as importers entering products purchased from or produced by manufacturers with 10 or more employees, must obtain third-party certification by an ANSI-accredited certification body in order to demonstrate, with some exceptions, that any pipe or plumbing fitting or fixture introduced into commerce meets the definition of lead free.

A helpful graphic explaining the new rule is available at: https://www.iapmort.org/media/24548/iapmort\_rldwa\_fnl.pdf

To read the rule in its entirety and learn more about it, direct your web browser to the following URLs:

- https://www.epa.gov/sdwa/use-lead-free-pipes-fittings-fixtures-solder-and-flux-drinking-water
- <a href="https://www.epa.gov/sdwa/questions-and-answers-about-final-lead-free-rule">https://www.epa.gov/sdwa/questions-and-answers-about-final-lead-free-rule</a>

Though initially proposed, the final rule stops short of requiring the marking and labeling of lead-free pipes, fittings and fixtures, citing that the EPA "anticipates the final rule's certification provisions, combined with the widespread practice of voluntary labeling by firms that obtain third-party certification, will likely result in the marketing of many potable use plumbing products in a way that communicates the lead-free status of the products to the purchaser without the burden of regulatory requirements to do so." The EPA does, however, continue to recommend the marking and labeling of lead-free products and packages to indicate compliance with the Safe Drinking Water Act (SDWA).

The rule does require a label for solder that is not lead free, which must state, "... illegal to use the solder or flux in the installation or repair of any plumbing providing water for human consumption."

The EPA recognizes three certification standards as being in compliance with the rule: NSF/ANSI Standard 372; NSF/ANSI Standard 61, Annex G; and California AB 1953, Section 116875. IAPMO R&T and ASSE International are third-party certification bodies that can evaluate products and provide nationally recognized certification. With successful completion of that evaluation and certification, manufacturers are authorized to use IAPMO or ASSE certification marks to prove they meet RLDWA.

The White House Office of Management and Budget (OMB) reviewed the rule on July 8. The RLDWA changed the SDWA's definition of "lead-free" to require that by Jan. 4, 2014, all pipes and potable water plumbing fixtures have a weighted average of no more than 0.25 percent lead content. Previously, pipes and pipe fittings could contain up to 8 percent lead and still be considered lead-free. The EPA in 2012 began exploring how to address the need for new labeling of lead-free fixtures, and plumbing fixtures manufacturers urged the agency

in 2013 to provide the industry with maximum flexibility to select third-party certifiers to ensure products meet the newer standards. The agency conducted additional outreach to stakeholders, including a 2015 webinar, before proposing its rule in 2017.

"While we expect the official regulation to be posted in the Federal Register any day, this updated Final Rule released by the EPA is a welcome sight," said Dain Hansen, IAPMO executive vice president of Government Relations. "Nearly a decade since the Reduction of Lead in Drinking Water Act of 2011 was signed into law, this new regulation helps all facets of the industry with a clear understanding of how to comply with the law and how we can help keep lead out of our nation's drinking water. IAPMO's nearly 100-year-old commitment to public safety and health remains unchanged. As this new regulation takes effect, we will continue to provide world-class code and standards development along with product testing and certification."

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Sponsor of the Uniform Codes, IAPMO – The International Association of Plumbing and Mechanical Officials – works in concert with government and industry for safe, sanitary plumbing and mechanical systems. Learn more about IAPMO at <a href="https://www.iapmo.org">www.iapmo.org</a>.