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March 23, 2016

Senator Vicki Jensen

95 University Avenue W.

Minnesota Senate Building, Room 3229

St. Paul, MN 55155

Sent via email to [Nathan.Zacharias@senate.mn](mailto:Nathan.Zacharias@senate.mn)

**Re: SF 2525, Labeling of Nonwoven Disposable Products - Support**

Dear Senator Jensen:

The National Association of Clean Water Agencies (NACWA) appreciates the opportunity to express support for Senate File (SF) 2525, which would require that flushable wipes be safe for sewer systems and that non-flushable wipes be clearly labeled as “do not flush.” NACWA and its nearly 300 public wastewater treatment utility members across the United States are concerned about the expensive problems caused by wipes for utilities, as well as the environmental impacts of these wipes. NACWA, the Water Environment Federation (WEF), and the American Public Works Association (APWA) have been working with INDA (the trade association of the nonwoven fabrics industry) for several years to improve the wipe industry’s voluntary flushability guidelines and labeling Code of Practice (COP).

INDA published its 3<sup>rd</sup> Edition *Guidelines for Assessing the Flushability of Disposable Nonwoven Products* (“GD3”) in 2013 without considering input from wastewater utility professionals, despite NACWA communicating its concerns with INDA prior to publication. The tests in GD3 do not replicate the conditions found in most sewer systems and are therefore not an accurate predictor of whether a wipe is safe to flush. The turbulence in the water allowed by the “slosh box” test in GD3 is much greater than what a wipe would experience in a typical sewer system, and the time allowed for a wipe to break apart is too long. In addition, the criteria for passing the GD3 municipal pump test is not strict enough to ensure that clogging and other operational problems are not experienced by the pumps found in a sewer system. Despite the lax GD3 criteria for flushability, widespread adoption of GD3 by wipes manufacturers has still not occurred.

The voluntary labeling COP that was published concurrently with GD3 is also inadequate. While an effective “do not flush” logo was developed by INDA, its use is also not widespread on baby wipes, cleaning wipes, and other wipes that are not

designed to be flushed. The COP allows the “do not flush” logo to be too small and to be placed on the back of wipes packages, where the consumer has little chance to see it. In some cases, the DNF logo is placed **under** the thermoseal flap of the wipe package, where it is almost completely hidden to the consumer.

NACWA supports your efforts to allow the term “flushable” to be used for a wipe only if strict flushability standards are met, to ensure that the wipe will not harm sewer systems or wastewater treatment plants. NACWA, WEF, APWA, and INDA, along with the Canadian Water & Wastewater Association (CWWA) and the Water Services Association of Australia (WSAA), are currently working on a 4<sup>th</sup> Edition flushability guidelines (“GD4”), which would be a consensus between the wastewater associations and INDA. GD4 should be completed later this year, if an agreement can be reached between the associations. NACWA recommends that SF 2525 include language that will only allow a wipe to be labeled “flushable” if it meets standards agreed to by at least two of the three U.S. associations representing the wastewater sector (NACWA, WEF, and APWA), such as GD4.

NACWA also recommends that SF 2525 specify that any wipe product that does not meet these standards carry the “do not flush” logo on the package, along with the words “do not flush,” in a location (or locations) that will be seen by the consumer when the product is purchased and each time the product is used. A minimum size of the logo, such as 1.5-inch diameter, should be required, with proportional sizing required based on the size of the package (i.e., a larger logo would be required on large boxes of wipes, while the 1.5-inch diameter logo would be suitable for individual packages of wipes). INDA and the wastewater associations are working on a new labeling COP that should be completed later this year.

Please contact me at 202-533-1836 or [cfinley@nacwa.org](mailto:cfinley@nacwa.org) if you have any questions regarding NACWA’s support of SF 2525 or the criteria that should be used for labeling or determining flushability.

Sincerely,



Cynthia A. Finley, Ph.D.  
Director, Regulatory Affairs

Cc: Greta Gauthier, Minnesota Pollution Control Agency