



August 16, 2016

The Honorable Bob Latta
U.S. House of Representatives
2448 Rayburn House Office Building
Washington, DC 20515

The Honorable Jerry McNerney
U.S. House of Representatives
2265 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Latta and Congressman McNerney:

**Energy Modernization Policy Act of 2016:
Proposed Clarifying Amendment to WaterSense Authorization (H.R. 8)**

The National Association of Clean Water Agencies (NACWA), WaterReuse Association, Association of Metropolitan Water Agencies (AMWA), California Association of Sanitation Agencies (CASA), and the Association of California Water Agencies (ACWA) are writing to request a clarifying amendment to the authorization of the EPA WaterSense Program, which is contained in H.R. 8. We strongly support the WaterSense Program, which addresses water efficiency needs in a manner similar to the successful established EPA Energy Star Program. The clarifying amendment we are proposing will protect water quality, avoid unintended consequences, and reduce potential conflicts, particularly in salt-sensitive regions of the Nation.

By way of background, in 2010, EPA issued a Notice of Intent (NOI) to develop WaterSense specifications for self-regenerating water softeners. These point-of-use products use rock salt, and discharge a salty brine into wastewater collection and treatment systems that can make it more difficult to meet National Pollutant Discharge Elimination System permit requirements and recycle water. In 2011, EPA withdrew the NOI after water and wastewater agencies voiced strong concerns about the water quality impacts of these products.

We are now concerned that the language in the WaterSense Program authorization provision of both H.R. 8 and S. 2012 could allow EPA to develop WaterSense specifications in the future for products that add constituents such as salt and adversely impact water quality. Therefore, we request that the WaterSense authorization provision include the following language in Section 3162 of H.R. 8:

Section 324B(a)(2)(C) is amended to include:

“(v) ensuring that performance criteria for any WaterSense label do not allow the addition of constituents that directly or indirectly cause or contribute to the degradation of waste streams treated by publicly owned treatment works, recycled water quality, or create adverse impacts to water quality in receiving waters;”

The proposed amendment will ensure that the WaterSense product label educates the public about the appropriate use of water efficient technologies and other measures without inadvertently causing adverse impacts to water quality.

We appreciate your leadership in promoting water conservation and look forward to working with you to address this important issue.

Sincerely,



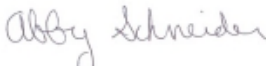
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