

Matt Parker

From: Bartson, Mark (CDPH-DDWEM) [Mark.Bartson@cdph.ca.gov]
Sent: Wednesday, November 18, 2009 12:23 PM
To: Matt Parker
Cc: Walker, Leah (CDPH-DDWEM)
Subject: RE: AB-1953

This is in response to your email requesting clarification on the applicability of AB 1953 and other legislation from last year concerning lead-free piping and plumbing fixtures.

I understand the confusion that may exist with these statutes. However, the CA Dept of Public Health has no enforcement authority under these statutes. Our authority is over public water systems, and the water system by definition ends at the service connection. We do not regulate piping or plumbing fixtures thin a home, except for water treatment devices making a health claim to remove contaminants.

Therefore, we cannot make any legal interpretation of the applicability of the statutes on various products. I regret that I cannot provide more specific information. If you have further questions please contact me.

Mark Bartson, P.E. Chief
Technical Operations Section
(916) 449-5622

-----Original Message-----

From: Matt Parker [mailto:mparker@lasco.net]
Sent: Tuesday, November 17, 2009 3:33 PM
To: Bartson, Mark (CDPH-DDWEM)
Subject: FW: AB-1953

Mark,

I received this e-mail back as non deliverable. Can you advise me on the content listed below?

Thanks

Matt Parker

Vice President of Sales
Larsen Supply Company

-----Original Message-----

From: Matt Parker [mailto:mparker@lasco.net]
Sent: Tuesday, November 17, 2009 4:28 PM
To: 'gray.yamamoto@cdph.ca.gov'
Subject: FW: AB-1953

Gray,

I have contacted the DTSC regarding clarification and Enforcement of California AB-1953. They have referred me to your office. I was told they are only the testing agency and have nothing to do with enforcement or clarification of the law. Where can I get information

regarding this Law and how it will be enforced, the fines for non compliance, and other issues my industry is having with interpretation. Please advise as soon as possible.

Thanks

Matt Parker

Vice President of Sales
Larsen Supply Company

-----Original Message-----

From: leadinplumbing [mailto:leadinplumbing@dtsc.ca.gov]
Sent: Tuesday, November 17, 2009 3:52 PM
To: Matt Parker
Subject: Re: AB-1953

Hello,

Thank you for recent inquiry for the new lead in plumbing law.

However, the Department of Toxics Substances Control (DTSC) has a very limited role in the implementation of these new lead content requirements. California statute requires DTSC to conduct up to 75 sampling testing based on availability of our resource. The annual testing results will be transmitted to California Department of Public Health (CDPH). DTSC does not have authority for enforcement and interpretation of the new lead in plumbing law.

State statute confers rulemaking authority to the California Department of Public Health as well as enforcement authority to state and local building and health officers. (See for example Health and Safety Code § 116880). DTSC recommends you contact them with your questions as the question is directly related to the interpretation and enforcement of the law.

California Department of Public Health (CDPH) is the resource that might be the most helpful since they are required to adopt building standards to implement new lead free requirements. You could contact their Division of Drinking Water and Environmental Management at

Gary Yamamoto
Acting Division Chief, Division of Drinking Water and Environmental Management
(gray.yamamoto@cdph.ca.gov; 916-449-5647)

Mark Bartson
Supervisor, Drinking Water Treatment and Research Fund Division of Drinking Water and Environmental Management California Department of Public Health (mark.bartson@cdph.ca.gov; 916-449-5622)

If you have the specific questions regarding the testing protocol and our testing program, please feel free to contact us again.

Hope this helps,
Lead in Plumbing

>>> "Matt Parker" <mparker@lasco.net> 11/16/2009 2:27 PM >>>
Xiaoying Zhou,

I want to know where I can find clarification on specific categories under the umbrella of AB-1953. There is much false information circulating out there and my company needs direction on specific categories, enforcement and other areas of the law. Please advise

Thanks

Matt Parker

Vice President of Sales

Larsen Supply Company