

**ASSOCIATION OF CALIFORNIA WATER AGENCIES  
ASSOCIATION OF METROPOLITAN WATER AGENCIES  
CALIFORNIA ASSOCIATION OF SANITATION AGENCIES  
CALIFORNIA MUNICIPAL UTILITIES ASSOCIATION  
EASTERN MUNICIPAL WATER AGENCY  
INLAND EMPIRE UTILITIES AGENCY  
LAS CRUCES UTILITIES  
NATIONAL WATER RESEARCH INSTITUTE  
NATIONAL WATER RESOURCES ASSOCIATION  
METRO WASTEWATER RECLAMATION DISTRICT  
PLANNING AND CONSERVATION LEAGUE  
SANITATION DISTRICTS OF LOS ANGELES COUNTY  
SOUTHERN CALIFORNIA ALLIANCE OF PUBLICLY OWNED TREATMENT WORKS  
SOUTHERN CALIFORNIA SALINITY COALITION  
SOUTHERN CALIFORNIA WATER COMMITTEE  
Tri-TAC  
WATEREUSE ASSOCIATION  
WATEREUSE ASSOCIATION, CALIFORNIA SECTION  
WESTERN COALITION OF ARID STATES  
WESTERN MUNICIPAL WATER DISTRICT**

July 21, 2011

Nancy Stoner, Acting Assistant Administrator  
Office of Water  
Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, N.W.  
Mailcode 4101M  
Washington, DC 20460

WaterSense Notification of Intent to Develop Efficiency and  
Performance Specifications For Residential Cation Exchange Water Softeners

Dear Assistant Administrator Stoner:

The undersigned organizations remain deeply concerned about the Notification of Intent (NOI) to Develop Efficiency and Performance Specifications for Residential Cation Exchange Water Softeners proposed by EPA's WaterSense Program last November. We are writing to ask that you direct the WaterSense Program to stop work on development of this standard. Instead, we recommend EPA develop a more fully integrated approach that both protects our nation's water quality and promotes water efficiency.

Please understand that the undersigned organizations are all strong supporters of the EPA's WaterSense program, and many are WaterSense Partners. We actively promote the water efficient products endorsed by the EPA through this program. Last January we wrote to Assistant Administrator Silva to express our concerns about this effort.

However, we feel our concerns still have not been adequately addressed (see attached correspondence).

Typical Cation Exchange Water Softeners (also known as Self-Regenerating Water Softeners (SRWS)) used in homes are water intensive. These devices are also very effective at removing hardness from water, which means they are useful for protecting other water and energy efficient appliances from the impacts of calcium and magnesium that are found in local water supplies. For WaterSense to identify self regenerating water softeners as candidates for evaluation is understandable.

The problem is the amount of salt that this type of water softener discharges to the sewer system (or to septic systems), which can average over 1 pound of salt per day. From a national perspective, salinity is a significant water quality issue, contributing throughout the country to impairments in surface and groundwater supplies. The EPA's 303 (d) impaired waters list shows almost 1,800 listings across the country due to salinity or related compounds (including total dissolved solids, chloride, sulfates, conductivity and/or combinations of these compounds). High levels of salt entering sewer systems also threaten the ability of communities to use recycled water when salinity in these supplies rises to unacceptable levels.

Salt management is a major water challenge facing our nation, especially, though not exclusively, in the arid west. Many communities throughout the nation have found self-regenerating water softeners to be a significant contributor to pollutant loadings. Local and state agencies in California, Texas, Arizona, Montana, Kentucky, Michigan, Massachusetts, Connecticut and New Jersey and elsewhere have at one time enacted or are now contemplating laws, regulations and ordinances to limit or ban the use of self-regenerating water softeners.

Thank you for your consideration of our request to immediately withdraw the WaterSense Notification of Intent to Develop Efficiency and Performance Specifications For Residential Cation Exchange Water Softeners. We recommend EPA develop a broader framework for salt management and would be happy to work with you on this initiative.

Sincerely,



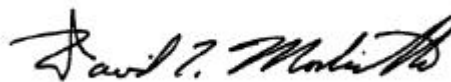
Tim Quinn  
Executive Director  
Association of California Water Agencies



Diane Van De Hei  
Executive Director  
Association of Metropolitan Water Agencies



Catherine Smith  
Executive Director  
California Association of  
Sanitation Agencies



David Modisette  
Executive Director  
California Municipal Utilities Association

Anthony Pack  
General Manager  
Eastern Municipal Water Agencies

Thomas A. Love  
General Manager  
Inland Empire Utilities Agency

*Joshua Rosenblatt*

Joshua Rosenblatt  
Regulatory and Environmental Analyst  
Las Cruces Utilities

Jeff Mosher  
Executive Director  
National Water Research Institute

Barbara Biggs  
Governmental Affairs Officer  
Metro Wastewater Reclamation District

Thomas Donnelly  
Executive Vice President  
National Water Resources Association

Jonas Minton  
Senior Water Policy Advisor  
Planning and Conservation League

Philip L. Friess  
Department Head, Technical Services  
Sanitation Districts of Los Angeles County

John Pastore  
Executive Director  
Southern California Alliance of Publicly  
Owned Treatment Works

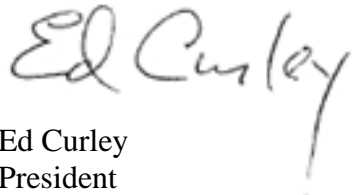
Jeff Mosher  
Administrative Director  
Southern California Salinity Coalition

Richard Atwater  
Executive Director  
Southern California Water Committee

Ben Horenstein  
Chair  
Tri-TAC

Wade Miller  
Executive Director  
WaterReuse Association

Dave Smith  
Managing Director  
WaterReuse California



Ed Curley  
President  
Western Coalition of Arid States



John Rossi  
General Manager  
Western Municipal Water District

cc:

Jim Hanlon, Director, Office of Wastewater Management  
Sheila Frace, Director, Municipal Support Division, Office of Wastewater  
Management  
Veronica Blette, WaterSense Program, Office of Wastewater Management

Attachment



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

APR - 8 2011

OFFICE OF  
WATER

Mr. Philip L. Friess  
Dept. Head, Technical Services  
Sanitation Districts of Los Angeles County  
P. O. Box 4998  
Whittier, CA 90607-4998

Dear Mr. Friess:

Thank you for your letter of January 25, 2011, to Peter S. Silva, former Assistant Administrator of the U.S. Environmental Protection Agency's (EPA) Office of Water. Your letter expressed concern about a recent notice of intent (NOI) to develop a WaterSense specification for cation exchange water softeners and suggested that EPA include the use of non water-using technologies in the specification.

Your letter highlighted concern about the potential impact softeners could have on surface water quality. EPA understands the concerns that some communities are facing due to increased loading of chlorides from softeners used within their service areas. We also recognize that increased salinity and total dissolved solids are a concern in many surface waters across the country. There are many sources responsible for elevated salinity levels and a comprehensive assessment of sources and appropriate controls on a watershed basis is an important step in improving water quality.

Encouraging water efficiency, while also maintaining product performance, is a key objective of the WaterSense program. Our NOI process is intended to provide notice to the public that the WaterSense program believes there may be an opportunity for significant water savings through the development of efficiency and performance standards for products. There is no commitment on the part of the agency to develop a specification within a certain time period after release of the NOI, if at all.

Our concern is that the technologies proposed as an alternative to traditional water softening products are not well-defined or understood. Efforts are currently underway on several fronts that could potentially give the WaterSense program the certainty it needs to ensure that products would perform in accordance with consumer expectations. The program is continuing to follow these developments, carrying out discussions with interested parties, and conducting additional research of available information to help it come to a decision on next steps with respect to a specification.

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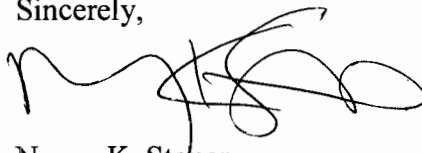
DUC #  
[ ] Friess L.

Internet Address (URL) • <http://www.epa.gov>

EPA and the WaterSense program staff appreciates the support expressed in your letter because it is critical to the success of the program. In the time since your letter was received, staff has met with representatives of the Inland Empire Utilities Agency and Sanitation Districts of Los Angeles County, and I understand plans may be underway to convene a meeting to further discuss this issue. Your letter will also be added to the record and inform our decision-making process.

Again, thank you for your letter. We hope that we may continue to depend on your support and that of the broader water efficiency community as we work to expand awareness about water issues. If you have further questions, please contact me or your staff may call Sheila Frace, Director of the Municipal Support Division, at (202) 564-0749.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nancy K. Stoner', with a large, stylized flourish at the end.

Nancy K. Stoner  
Acting Assistant Administrator

**Association of California Water Agencies (ACWA)**  
**Association of Metropolitan Water Agencies (AMWA)**  
**California Association of Sanitation Agencies (CASA)**  
**California Municipal Utilities Association (CMUA)**  
**City of Phoenix, Water Services Department**  
**City of Scottsdale, Water Resources**  
**Clean Water Action**  
**Inland Empire Utilities Agency**  
**Las Cruces Utilities**  
**Metro Wastewater Reclamation District**  
**Multi-State Salinity Coalition**  
**National Association of Clean Water Agencies (NACWA)**  
**National Water Research Institute**  
**National Resources Defense Council**  
**Planning and Conservation League**  
**Sanitation Districts of Los Angeles County**  
**Southern California Alliance of Publicly Owned Treatment Works (SCAP)**  
**Southern California Salinity Coalition**  
**Southern California Water Committee**  
**Tri-TAC**  
**WaterReuse Association**  
**WaterReuse California**  
**Western Coalition of Arid States (WESTCAS)**

January 25, 2011

Peter S. Silva, Assistant Administrator  
Office of Water  
Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, N.W.  
Mailcode 4101M  
Washington, DC 20460

Subject: WaterSense Notification of Intent to Develop Efficiency and Performance  
Specifications for Residential Cation Exchange Water Softeners

Dear Mr. Silva:

The undersigned organizations are writing to call to your attention our concerns regarding the Notification of Intent (NOI) to Develop Efficiency and Performance Specifications for Residential Cation Exchange Water Softeners by the U.S. Environmental Protection Agency's (EPA's) WaterSense Program. For the reasons indicated below, we urge that the NOI be

Peter S. Silva  
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expanded to include non-salt discharging appliances. We request the opportunity to meet with you, at your earliest convenience, to discuss potential solutions to these concerns. We believe that we can work with you to develop a fully integrated approach that will work for WaterSense Partners throughout the nation.

The undersigned organizations are all strong supporters of the Environmental Protection Agency's WaterSense program. We firmly believe in the importance of improving the water efficiency of appliances, buildings, and landscapes, and in the significance of creating an easily-recognizable "brand" for products with the highest water efficiency ratings. Indeed, many of the undersigned organizations are WaterSense Partners. We actively promote the water efficient products endorsed by the EPA through this program.

We understand that typical Cation Exchange Water Softeners (also known as Self-Regenerating Water Softeners (SRWS)) used in homes are water intensive. These devices are also very effective at removing hardness from water, which means they are useful for protecting other water and energy efficient appliances from the impacts of calcium and magnesium that are found in local water supplies. For WaterSense to identify self regenerating water softeners as candidates for evaluation is understandable.

The problem is the amount of salt that this type of water softener discharges to the sewer system on average 1 pound or more of salt per day. From a national perspective, this is a significant water quality concern, potentially contributing to impairments in surface and groundwater supplies. The EPA's 303 (d) impaired waters list shows almost 1,800 listings across the country due to salinity or related compounds (including total dissolved solids, chloride, sulfates, conductivity and/or combinations of these compounds). High levels of salt entering sewer systems also compromise the ability of communities to use recycled water when salinity in these supplies rises to unacceptable levels.

Salt management is a major water challenge facing our nation, especially, though not exclusively, in the arid West. The EPA, along with the Department of Agriculture and the Department of Interior, have congressional mandates for implementing programs to reduce salt impacts, including the Colorado River Salinity Control Act and the joint federal/California initiative to protect the San Francisco Bay Delta. In addition, these agencies, along with the U.S. Council on Environmental Quality, are promoting the use of recycled water as a water efficiency measure.

Many communities throughout the nation have found self-regenerating water softeners to be a significant contributor to pollutant loadings. Local and state agencies in California, Texas, Arizona, Montana, Kentucky, Michigan, Massachusetts, Connecticut, and New Jersey and elsewhere have at one time enacted or are now contemplating laws, regulations, and ordinances to limit or ban the use of self-regenerating water softeners.



Peter S. Silva  
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Understandably, for those of us who have been working for decades and spending ratepayer dollars to reduce salt loadings into our systems, the possibility of an EPA WaterSense label limited to devices that discharge significant quantities of salt (even if the amount could be less than comparable softeners) is of profound concern. If approved as proposed by the NOI, such a WaterSense specification would preclude many WaterSense partners from promoting the water softener specification.

We have spoken with the WaterSense staff about this problem, and understand that the existing program guidelines currently preclude a better approach to identifying the appropriate water efficient product for the control of hardness or scale. Staff indicates that the WaterSense process is limited to a consideration of older technology that may be able to achieve a 20% or more improvement in water efficiency. *This means that the available alternative technologies (used in Europe and now starting to be introduced into the American market) that use neither water nor salt cannot be evaluated in the WaterSense Program – even though these appliances may achieve 100% water efficiency while protecting the nation’s water quality.*

Our recommendation is that the WaterSense program guidelines be modified to permit evaluation of non-water using technologies **and** that the NOI be revised so that the EPA can evaluate and compare salt and non-salt discharging appliances.

Admittedly, this will be a somewhat more extensive and challenging task than the evaluation contemplated under the NOI, but the benefits to the public and to the implementation of the Clean Water Act will be substantial.

In summary, we strongly believe that there is a better way to integrate EPA’s water resource and water quality goals through the WaterSense Program. We are committed to working with you and the WaterSense program to develop a broader water softener evaluation initiative.

Thank you for your consideration of our request to meet with you at your earliest convenience to discuss our concerns and a possible new joint initiative.

Sincerely,

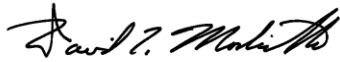


Tim Quinn  
Executive Director  
Association of California Water Agencies



Catherine Smith  
Executive Director  
California Association of Sanitation Agencies

Peter S. Silva  
Page Four



David Modisette  
Executive Director  
California Municipal Utilities Association



Marshal Brown  
Water Resources Executive Director  
City of Scottsdale



Jennifer Clary  
Policy Analyst  
Clean Water



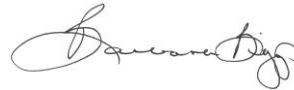
Edmund G. Archuleta  
MSSC Chairman  
President and CEO  
El Paso Water Utilities



Thomas A. Love  
General Manager  
Inland Empire Utilities Agency

**Joshua Rosenblatt**

Joshua Rosenblatt  
Regulatory & Environmental Analyst  
Las Cruces Utilities



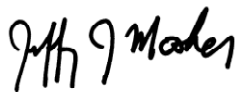
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Metro Wastewater Reclamation District



Ken Kirk  
Executive Director  
National Association of Clean Water Agencies  
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National Resources Defense Council



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Planning and Conservation League

Peter S. Silva  
Page Five



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Mark R. Norton  
Chair  
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Robert Hollander  
President  
Western Coalition of Arid States



Dave Smith  
Managing Director  
WateReuse California



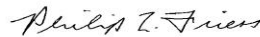
Wade Miller  
Executive Director  
WateReuse Association



Barbara Glaus  
Acting Water Services Director  
Phoenix Water Services Department



Diane Van De Hein  
Executive Director  
Association of Metropolitan Water Agencies



Philip L. Friess  
Department Head, Technical Services  
Sanitation Districts of Los Angeles County

cc: Nancy Stoner, Deputy Administrator  
Bob Perciasepe, EPA Assistant Administrator for Water  
Jim Hanlon, Director, EPA Office of Wastewater Management  
Veronica Blette, WaterSense Program, EPA Office of Wastewater Management  
Alexis Strauss, Director, EPA Region IX Water Division  
Tom Howard, Executive Director, California Water Resources Control Board