

# PLUMBING

P E R S P E C T I V E



## Lead Free

LEGISLATION IS A  
GAME-CHANGER

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# LEAD FREE

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**B**y now, contractor demand for lead-free plumbing components in California and Vermont, the first two states to pass their own lead-free plumbing laws, is an ongoing need with no turning back. Recently, Maryland passed legislation, and Louisiana has stepped onto the batter's mound.

During the next nine to ten months, wholesalers and contractors in all other states, including here in Florida and the rest of the Southeast, will need to comply. One wholesaler's advice: "Ease your way into it, but begin immediately if you haven't already. Sell or install all of the standard products now while you can and, as inventory is reduced, replenish supplies with the new lead-free technology."

Recently, Watts Water Technologies conducted a random survey of 16 wholesalers and contractors in Vermont and California. They found that wholesalers were generally eager to talk about the impact of lead-free technology, and that their contractor customers, as a whole, were receptive to the change.

The key variable they found, however, was the way manufacturers responded to the need to re-tool their products and how effectively they introduced wholesalers to the new products. Watts Water managers were delighted to learn from wholesalers and contractors that they (Watts Water) handled the transition well.

There are many facets, and some challenges, to the seismic shift to lead-free plumbing components. As a leading producer of lead-free products and technology, the brands of Watts Water have made a commitment to being an information leader as well. Learn more at [WeAreLeadFree.net](http://WeAreLeadFree.net).

## OLD MAN AND THE HOT TUB

"Converting from standard brass to lead-free plumbing components is kind of like an old man who needs to ease into a hot tub," said Darrell Read, operations manager at a branch for wholesaler F.W. Webb's Williston, Vt., branch, New England's largest plumbing and heating, cooling and industrial supplies distributor with more than 70 locations in New England and New York.

"Here, in a state most immediately affected by the legislation, we recognize the need to make changes—and to provide the new lead-free products—quickly, but we also recognized the need to be deliberate about it," added Read.

## IN THE OPINION OF CONTRACTORS

Minnesota master plumber Eric Aune, president of Zimmerman, Minnesota-based Aune Plumbing, says that he's gradually making preparations for the switch to lead-free plumbing components. Even though he's not in one of the "cutting edge" states where legislation was adopted quickly, Aune says "I'd like to be ahead of the curve, not behind it."

"A key concern of mine is product availability," added Aune. "When lead free goes large scale, the last thing I'll want to hear when I go to my supplier is that lead-free products are unavailable. Knowing that Watts made a proactive commitment to be ahead of the curve and to have the broadest line of lead-free products on the market makes a very important statement to me."

He's also got a few opinions about the U.S. economy and our responsibility as buying/consuming Americans. "We owe it to

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our own labor force and manufacturers to buy American,” he said. “The lead free issue is one we’ll all have to deal with, so we can at least help by installing products made here in the USA.

“My advice for making the transition to lead-free components is to keep stock and inventory of lead-free ball valves and fittings for all variety and type of heating and plumbing needs,” said one West Coast contractor. “Knowing that we’d need to meet legislation, we chose to switch to lead free for everything from the start.”

“It’s really not possible to be too well prepared,” he added. “Suppliers are limited in their ability to meet the demand for lead-free products, and short supplies means that both installers and wholesalers will have issues. When you can, stock up on important parts and components.”

### IT’S A DONE DEAL

In December 2010, politicians and industry experts anticipated new legislation that would make the “Land of the Free” also the “Land of the Lead Free,” pending a single but very important signature.

In January 2011, President Obama signed the “Reduction of Lead in Drinking Water Act” (or Senate Bill S.3874), which set a new federal standard for the level of permissible lead in plumbing fixtures that carry water for human consumption. The Land of the Lead Free now begins in just 12 months.

By 2014, the allowable lead content in products providing water for human consumption will change from up to 8% to not more than a weighted average of 0.25% of wetted surfaces. The new bill will align allowable lead levels in all 50 states with the earlier adopted, permissible lead levels in California, Vermont, and Maryland state legislation.

“In our opinion, the legislation appears simple and straight forward. However, if you’re in the business of installing, specifying, distributing, or manufacturing products to comply with the legislation, there is much more to it than meets the eye,” said Stephanie Ewing, director of strategic partnerships, Watts Water Technologies.

### WESTERN WHOLESALERS TELL IT LIKE IT IS

Ken Varnes, Bay Area outside sales manager for Elk Grove-based Slakey Brothers’ Salinas, Calif., branch, said that—early in the compliance period—manufacturers were slow to

prepare. “Over the past year, and into the home stretch, they certainly stepped up the pace.”

Varnes added that “Contractors haven’t been too concerned. They rely on us to provide product to install. In some cases, lead-free products aren’t available from their manufacturer of choice, so they had to find alternate sources.”

He also revealed that, initially, some standard products were occasionally finding their way into installations. “But that’s definitely on the decline,” commented Varnes. “Policing of the new

policy is rigid, but we know there’ve been some infractions. Local inspectors haven’t been asked, yet, to verify the use of lead-free components. Their focus, as expected, is safety and quality installation.”

Randall Densley is operations manager at Mission Valley Pipe based in San Diego, Calif. In the summer of ’09, he was appointed to serve as the

wholesaler’s lead free liaison between the company, their customers, and manufacturers. “We were quick to embrace the need for lead free compliance. In fact, that fall, he and the company’s owners hosted a lead free symposium that drew 100+ attendees, there to learn about impact of the new legislation.

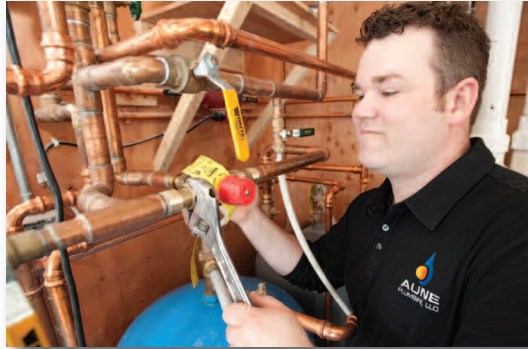
“In the market, it’s all about education,” said Varnes. “Our early efforts, already more than three years ago, set the proactive tone. “We were quick to make changes and don’t regret it.”

Another wholesaler offered this advice: “It’s helpful to have cross-reference part numbers, so when you do run out of the traditional product, you’ll know what to replace it with.”

Risks of legal liability: Many incorrectly believe that manufacturers or suppliers are the only ones at risk when making false claims of a product’s lead free compliance. This could not be further from the truth. As with laws from California and Vermont, the national law states, “products introduced into commerce” must comply with the Reduction of Lead in Drinking Water Act.

Distributors and wholesalers selling products that falsely claim to be lead free could be just as liable as a manufacturer or supplier. The law goes on to state that legal action can be brought by any individual, corporation, company, association, municipality, state, or federal agency. Distributors and wholesalers found guilty could face significant monetary penalties.

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## ACT, PARTNER, PROTECT

With mandatory, U.S.-wide compliance set for January 2014, it's now time to grapple with the implications. Watts Water recommends:

- **Distributors, contractors, and engineers should be *proactive*.** Don't wait too long to start the transition because delays may ultimately be costly.
- **Team up with quality manufacturers.** The new law will change both the material and manufacturing process for bronze and brass products used in potable water systems. The change is comprehensive, requiring of manufacturers ample R&D resources.
- **Protect your business:** Fines and lawsuits may be just around the corner for those who don't abide by the law.



"Lead free is a game changer," adds Ewing. "Our customers in California, Vermont, and Maryland can attest to the impact to their business. We do believe that proper planning and compliance will shape our success or failure for years to come."

After Jan. 4, 2014, every potable plumbing product that does not meet the new federal standard will be illegal and cannot be sold or installed for use with potable water. Period.

States will be required to implement the new lead free requirements through state or local plumbing codes, and some states may also enforce the requirements through consumer protection statutes or other laws. Violators of the federal law may be subject to monetary penalties, government lawsuits, or civil lawsuits brought by concerned citizens.

## MANAGING RISK

Lead free changes the landscape for your business and introduces risks—from your competitors, from product quality issues, and possibly from legal and regulatory action. Another facet of the lead free movement: Allowing your competitors to get ahead of you means running the risk of losing your customers and sales.

Here's good advice: Protect your business. Work with reputable suppliers and manufacturers. This will ensure that the products you sell start from the highest-quality materials and processes and are able to meet or exceed lead free requirements.

## FAILURE TO PLAN—NOT AN OPTION

Now, with fewer than 10 months remaining, if you haven't already, you should start your transition.

A good first move is to contact each supplier to confirm that their products are already lead free compliant or that they have clear plans to transition to a lead free equivalent in time for your business to keep pace with the legislation.

In most cases, you'll want to identify and sell off low-volume specialty or seasonal products first. Transitioning to high-volume lead-free products will typically occur later in the transition plan.

Watts Water has taken the implications of the federal mandates seriously. They're focusing R&D resources on the lead-free conversion. They have also broken ground on a 30,000-plus-square-foot expansion to their Franklin, N.H., foundry. The plant's multi-million dollar expansion is expected to be complete in the spring of 2013 and will focus exclusively on producing lead-free products.

## MATERIALS AND MANUFACTURING

Selecting lead-free materials is not as simple a process as it would seem. There are many options available to manufacturers, and each option has its own set of limitations. When complying with the lead free laws, there are many variables to address that cover multiple manufacturing processes, while being mindful of material suitability and product cost.

The primary options available for materials are lead-free brass and bronze, stainless steels, and plastics. Each lead-free technology has costs beyond the basic raw material to consider.

"Manufacturers have a responsibility to deliver lead-free-compliant products that meet the customers' expectations for performance and serviceability. With the various material options available to meet the requirements of the lead free statutes, development of a material strategy is critical to maintain performance and deliver value to the end user," said Jeff Scilingo, director of R&D engineering for Watts Water Technologies.

## HOW TO GET STARTED?

For those impacted by the new national lead free legislation, making the transition to lead-free products can appear overwhelming at first. "Partnering with a manufacturer who understands the impact of the law and has experience with the challenges of a change of this size is important," said Bill Tracey, western regional manager for Watts Water.

One of the best sources of information about current lead-free needs here in the U.S. is the website developed by Watts Water Technologies: [WeAreLeadFree.net](http://WeAreLeadFree.net). This site offers frequently updated news about what is happening around the country with lead free legislation and requirements. ●

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