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July 7, 2017

The Honorable Eleanor Holmes Norton
U.S. House of Representatives
2136 Rayburn House Office Building
Washington, DC 20854

Dear Representative Norton:

It recently came to the attention of the Water Environment Federation (WEF) that there are efforts underway in Congress to insert a rider on the District of Columbia (D.C.) Appropriations bill to revoke the recently enacted D.C. Council legislation establishing “Do Not Flush” labeling requirements and “flushable” criteria for nonwoven products, such as personal hygiene wipes and baby wipes. WEF is strongly opposed to any rider to restrict D.C. from implementing measures to control the significant damage being caused to their wastewater collections and treatment systems by wipes. Wipes have become a major problem for wastewater utilities nationwide, and the legislation passed by the D.C. Council is a reasonable and balanced process to address this problem.

WEF is the technical and professional association for the wastewater and stormwater treatment sector. With 34,000 members, WEF is the voice of the professionals who operate and maintain wastewater collections and treatment systems across the nation. WEF’s members are the men and women who repair the damage wipes are causing to systems, the vast majority of which are publically owned. Ratepayers are already facing increased wastewater utility bills to maintain and modernize systems to meet regulatory obligations, and the damage from wipes further burdens ratepayers.

In December 2016, when the D.C. Council unanimously approved the Nonwoven Disposable Products Act, it became the first local or state government in the U.S to establish labeling and flushable requirements. Other states have recently or are currently considering similar legislation, including New Jersey, Maryland and Minnesota. The process established with the D.C. law requires the D.C. Department of Energy and Environment (DOEE) to receive input from all stakeholders – businesses, industry, the public, and associations like WEF – when developing the local ordinance. The DOEE will codify the “Do Not Flush” labeling requirement that has already been established in the Code of Practice of the Association of the Nonwoven Fabrics Industry (INDA). DOEE will also develop a flushable requirement for wipes to disperse when flushed so they do not continue to clog DC’s wastewater collections and treatment systems. When establishing the flushable requirement, DOEE will draw data from a wide variety of sources, including new international criteria scheduled for release later this year and based on extensive research. DOEE has until the end of 2017 to establish the new labeling and flushable requirements.

It is important that D.C. continues to move forward. The cost of repairing damages caused by wipes has been estimated to be upwards of \$1 billion dollars annually in the U.S. To put that in perspective, Congress provided \$1.35 billion in FY17 for the Clean Water State Revolving Fund program, which is a substantial source of funding for wastewater infrastructure investments for utilities. Not only do the clogs caused by wipes

cost ratepayers, they also potentially impact businesses, the environment, public health, and the health of utility workers. When a clog disrupts wastewater service, local restaurants, stores, and office buildings must close until the problem is repaired, and significant traffic issues can occur when the clog is under a road or public use area. In some cases, clogs can also cause the overflow of untreated sewage into waterways or the community. The men and women who work for utilities are also put at risk daily because of exposure to untreated sewage due to the need to constantly remove wipes at treatment plants.

To the wastewater sector, a solution to this problem isn't too far from being realized. We have formulated some common sense and reasonable expectations for how wipes should be disposed of and eventually manufactured. WEF participated in a position statement drafting process through the International Standards Organization (ISO), and in September 2016 the "*International water industry position statement on non-flushable and 'flushable' labelled products*" was released. It has already signatories from 25 countries, including 244 wastewater companies/authorities and 69 partner organizations. The document can be downloaded at <http://www.wef.org/advocacy/policy-and-position-papers>.

The position statement addresses the following:

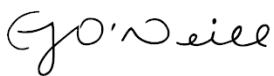
- Key requirements for flushable products include that it must break into small pieces quickly, must be buoyant, and must not contain plastic or regenerated cellulose.
- Wipes labelled "flushable" should NOT be flushed until there is a standard or requirement that the water and wastewater industry agrees upon.
- All wipes and personal hygiene products should be clearly labeled as "Do Not Flush" and disposed of in a trashcan.
- Manufacturers should provide consumers with clear information on appropriate product disposal.
- And, most importantly, the wastewater industry only supports the flushing of the 3Ps – Pee, Poop, and (toilet) Paper.

Claims by wipes manufacturers that their products do not impact wastewater collections and treatment systems are unsupported by any sound evidence. A commonly-cited study was, in fact, poorly executed by consultants to the New York City Law Department and not conducted in conjunction with the New York City Department of Environmental Protection (NYC DEP), which oversees the wastewater system. The NYC DEP recently released a statement refuting the study and stated "*The study's findings also contradict DEP's observations at its 14 WWTP [Wastewater Treatment Plants] and the numerous significant adverse operations, maintenance, and performance impacts to the entire treatment plant. Flushed non-woven fabric products, including those labeled as "flushable" that do not disperse in water when flushed as advertised, regularly damage the City's wastewater infrastructure.*"

WEF applauds efforts by the D.C. Council to move forward in addressing the problems caused by wipes to their system. Inserting a rider into the D.C. Appropriations bill will do nothing but delay the inevitable outcome that wipes must be better labeled as "Do Not Flush" and designed to disperse in the event they are flushed.

Thank you very much for your attention to this important matter.

Sincerely yours,



Eileen J. O'Neill, Ph.D.,
Executive Director
Water Environment Federation

Cc: Committee on Appropriations, U.S. House of Representatives
Committee on Appropriations, U.S. Senate