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Additional submitted attachment is included below.



CLEAN WATER SoCAL
CREATING SUSTAINABLE SOLUTIONS



CVCWA
CENTRAL VALLEY CLEAN WATER ASSOCIATION

May 5, 2025

Submitted electronically to Jessica.Lopez@energy.ca.gov

Uploaded to <https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=22-AAER-05>

California Energy Commission
Jessica Lopez, Appliance Efficiency Standards Unit
715 P Street
Sacramento, CA 95814

Re: Docket No. 22-AAER-05 - Wastewater Responses to Request for Information re: Water Closets

Dear Ms. Lopez,

On behalf of the California Association of Sanitation Agencies (CASA), Clean Water SoCal, and the Central Valley Clean Water Association (CVCWA), thank you for the opportunity to provide responses to your "[Request for Information Appliance Efficiency Regulations for Water Closets.](#)" CASA represents more than 150 public agencies and municipalities in California that engage in wastewater collection, treatment, recycling, and resource recovery. Clean Water SoCal represents over 80 public water and wastewater agencies in southern California who provide essential water supply and wastewater treatment for approximately 20 million people in the counties of Los Angeles, Orange, San Diego, Santa Barbara, Riverside, San Bernardino, and Ventura. CVCWA is a non-profit association of public agencies located within the Central Valley region that provides wastewater collection, treatment, and water recycling services to millions of Central Valley residents and businesses.

We recognize and agree that water conservation must be a way of life in California, and we want to support the State in securing our water supply future. We are greatly appreciative of your attentiveness to the prior comments that had been submitted, and the resulting changes that are proposed will be more practicable for the state to pursue. Moreover, we have appreciated Staff's outreach and dialogues with us over the winter and spring.

Feedback on Proposed Recommendation for Near-Term Plans (1-3 years)

- 1. Staff seeks feedback on this recommendation for dual-flush tank-type water closets. That is, removing the effective flush volume and setting a maximum standard for the full flush volume and the reduced flush volume.**
 - a. This question is specific to the design of the closet and outside our purview. That said, we support consistency with EPA WaterSense Specification for Tank-Type Toilets, Version 2.0.
- 2. Staff seeks feedback on changing the draft staff report proposed recommendation from 0.8 gpf for the reduced flush volume to 0.9 gpf.**

- a. While we appreciate the shift from the previously proposed 0.8 gallons per flush (gpf) to 0.9 (gpf), respectfully, we are still concerned with the reduction of the reduced flush volume to 0.9 gpf. Our members' collection systems were designed for more flow than they are receiving currently, and this is expected to decrease further with the wider implementation and transition to the water closet regulations from 2016, much less the ongoing implementation of the legislatively mandated indoor water use standards that are part of the California EPA's Making Conservation a California Way of Life regulations, and so we recommend the implementation of a maximum reduced flush volume of 1.1 gpf.

Wastewater operations and the concomitant energy demand for adaptation for declining flows will be adversely impacted because of these changes wide-scale. Most wastewater treatment plants and collection systems are designed for 100+ gallons per capita per day (GPCD), which is 240% more than the 2030 indoor residential standard of 42 GPCD. See Slide 50.¹

In the SWRCB's [conservation rulemaking](#), they relied on a least-cost-approach to estimate the economic impact of their regulations and concluded the minimum estimate would be \$328M annually to wastewater treatment facilities, and \$45M annually for collection systems, or approximately \$375M a year combined, in 2022 dollars. See Slide 56.²

Moreover, in addition to expected changes from lowering the indoor standard, the SWRCB's Volumetric Annual Report has collected monthly influent and effluent data from approximately 95% of agencies across the state documenting ongoing annual declines. Over the last three dry years, influent declined 70,000 AFY, from 3,140,000 AFY in 2019 to 3,070,000 AFY in 2022. See Slide 6.³

These trends exhibit the other pressures facing our members' systems and why further decreases from shifting the standards for closets would increase the impacts.

- 3. Staff seeks feedback on this recommendation for dual-flush non-tank type toilets. That is, removing the effective flush volume and setting separate flush volume standards for the full flush volume and the reduced flush volume.**
 - a. This question is specific to the design of the closet and outside our purview.
- 4. Should the recommended maximum flush volumes align with WaterSense, align with the proposal for dual-flush tank-type water closets, or be at a different level?**
 - a. This question is specific to the design of the closet and outside our purview.

¹ https://www.waterboards.ca.gov/conservation/regs/docs/wastewater_12221_draft_eop_rev.pdf

² https://www.waterboards.ca.gov/conservation/regs/docs/wastewater_impacts_final.pdf

³ <https://bacwa.app.box.com/s/52ds1fxflevs1ira4vxkpv27xez5shlx>

5. **Staff is seeking further input on the proposed performance criteria for tank-type toilets and flushometer-valve water closets, providing further opportunity for stakeholder review of the proposal presented in the draft staff report.**
 - a. This question is specific to the design of the closet and outside our purview.
6. **Staff is seeking further input on the recommendation to include the test lab report requirements discussed above, providing further opportunity for stakeholder review of the proposal presented in the draft staff report**
 - a. This question is specific to measuring the performance of the closet and outside our purview.
7. **Staff is seeking further input on the recommendation to update the database criteria, providing further opportunity for stakeholder review of the proposal presented in the draft staff report.**
 - a. This question is specific to the tracking of closet performance and outside our purview.
8. **Staff seeks feedback on different marking methods for dual-flush toilets and associated manufacturing costs**
 - a. This question is specific to the design of the closet and outside our purview.
9. **Staff seeks feedback on different strategies the CEC can consider within the Appliance Efficiency Regulations to educate consumers about the functionality of dual-flush toilets and to encourage the use of the reduced flush when appropriate. For example, standardizing dual-flush labeling or flushing mechanisms.**
 - a. This question is specific to communication about the use of the dual-flush closet which would result in less water to convey waste to our members' treatment facilities.

Feedback on Long-Term Plans (3-10 years)

10. **Staff seeks feedback on the proposal stated in Option A: More Efficient Single-Flush Water Closets**
 - a. The CEC's 2015 rulemaking initiated a significant multi-decade shift in the California market for water closets. With the lower-flow requirements for numerous plumbing fixtures, California is the middle of the market transition for which the effects already are being realized and experienced, empirically.
11. **Staff seeks feedback on the proposal stated in Option B: Require Dual-Flush Water Closets**
 - a. We do not support requiring dual-flush water closets. Insofar as such a mandate is intended to decrease water use, it would result in impacts downstream with increased energy demand for our members to convey, treat, and recycle the water.
12. **Staff seeks feedback on the proposal stated in Option C: Establish Water Efficiency Standards in the Residential California Building Code**

- a. We support the CEC’s collaboration with other state agencies to update standards for water closets in the residential building code in order to better understand how prospective changes to closet requirements should be incorporated into their respective efforts for building resilient neighborhoods in the future without burdening older communities relying on wastewater systems designed for operation under different conditions.

13. We encourage stakeholders to propose alternative regulatory strategies that could achieve similar or greater water efficiency gains while maintaining product performance and consumer satisfaction.

- a. We support the CEC’s partnering with the Department of Water Resources on the SB 1157 water conservation studies for indoor use and the benefits and impacts of lowering the indoor standard in 2030. We think there are multiple opportunities for different scenarios under consideration to be explored and modeled within the SB 1157 research context to provide better insight for the final staff recommendation.
- b. We also recommend for the eventual analysis of environmental impacts and benefits to incorporate the increased energy and water needed for treatment of more concentrated sewage and additional sewer main flushing and vacuum cleaning because of declining flows. These reductions in flow also will have ramifications at the treatment plant with increased loadings of constituents, which oftentimes reduce the ability of treatment plants to achieve effluent limits as low as required in permits due to the strength of the influent since there is less water. It also results in less water that is available to recycle.
- c. We recommend that the CEC pursue a market penetration study in the next 5-8 years to fully understand the progress of implementing the previous water closets regulations from last decade, and combine the analysis with the annual data that the SWRCB collects on wastewater influent, effluent, and recycled water from every permitted agency in the state, to understand the trends and impact of declining flows and the necessity of pursuing further modification to the standards for closets at a future time when more information will be available to understand the effects of the current standards.

In closing, we appreciate your consideration of our responses to the questions in this RFI. We have appreciated your team’s work and communication in between last year and this year, and we look forward to ongoing dialogues. Please contact me at jvoskuhl@casaweb.org or (916) 446-0388 if you would like to schedule a meeting with us to discuss the concerns in our letter.

Thank you,



Jared Voskuhl
CASA Director of Regulatory Affairs



Steve Jepsen
Clean Water SoCal Executive Director



Debbie Mackey
CVCWA Executive Officer