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**PMI Comments on CEC - Docket 21-AAER-01, Dipper Wells RFI
Submitted 2024-10-31**

Additional submitted attachment is included below.



October 31, 2024

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California Energy Commission
Docket Unit – Docker No. 21-AAER-01
715 P Street
Sacramento, CA 95814

RE: PMI Comments – Request for Information on Appliance Efficiency Regulations for Dipper Wells - Docket No. 21-AAER-01

Dear Commissioners,

Plumbing Manufacturers International (PMI) appreciates the opportunity to provide comments on the California Energy Commission’s request for information on Appliance Efficiency Regulations for Dipper Wells, which was published on September 24, 2024.

PMI is an international, U.S.-based trade association representing manufacturers that provide 90% of the plumbing products sold in the United States. We have made the promotion of water safety and efficiency a top priority and have included this in our mission statement¹. PMI’s members are industry leaders in producing safe, reliable and innovative water efficient plumbing technologies and have supported the U.S. EPA WaterSense® program since its inception. **In California, plumbing manufacturers contribute \$15.0 billion to the economy, provide more than 62,000 jobs (direct and indirect) and generate \$5.0 billion in wages.**

PMI’s comments to the Requests for information are included below:

Request for Feedback on Discussion Documents

1. Staff seeks feedback on the terms and definitions developed by the workgroup found in Attachment A.

The definitions are appropriate.

2. Staff seeks feedback on the draft test method for continuous dipper wells for measuring maximum flow rate found in Attachment B.

The test set-up and procedure are appropriate for confirming a faucet flow rate except for the recommendation below.

¹ PMI’s Mission: To promote the water efficiency, health, safety, quality and environmental sustainability of plumbing products while maximizing consumer choice and value in a fair and open marketplace. To provide a forum for the exchange of information and industry education. To represent openly the members’ interests and advocate for sound environmental and public health policies in the regulatory/legislative processes. To enhance the plumbing industry’s growth and expansion.

PMI recommends removing Item 1.1 c) below since dipper well faucets discharge to atmosphere.

~~1.1 c) have a pipe or tubing of the length specified in Item b) connected to the outlet of the specimen if the specimen does not discharge to the atmosphere;~~

3. Staff seeks feedback on the information provided by the food and safety experts and the outreach effort presented in Attachment C.

a. Do you agree with the preliminary determination that the food and safety code does not conflict with setting an efficiency standard for the maximum flow rate for continuous dipper wells? If no, please elaborate and explain why.

PMI does not agree with CEC's determination. A restriction in flow rate would directly conflict with the food and safety code requirement that utensils be stored in running water of sufficient velocity to flush particulates to the drain. Setting a dipper well faucet maximum flow rate could prevent a user from meeting this food and safety code requirement.

b. Are there additional food and safety experts that you recommend the CEC to consult with? If so, who and why?

PMI does not have any recommendations of experts for the CEC to consult.

Request for Feedback on Preliminary Staff Determinations and Other Considerations

4. Staff seeks feedback on the proposals to consider appliance efficiency regulations only for continuous dipper wells.

PMI encourages the CEC to maintain comparative requirements for the entire range of dipper wells. What the CEC is proposing would place a regulatory requirement on one type of dipper well without applying the same or equivalent requirements to other dipper wells. This would establish a competitive advantage for certain types of dipper wells in California.

5. Staff seeks feedback on a maximum flow rate of 0.2 gallon per minute (gpm) as an efficiency standard for continuous dipper wells.

CEC staff is not proposing an efficiency standard for dipper wells. It is proposing a regulation to establish a maximum flow rate of dipper well faucets. CEC staff has not yet determined an acceptable standard flow rate and operating parameters for dipper well faucets, therefore it is not possible to determine what is a more efficient vs less efficient product.

In addition, without taking into consideration the whole system including the dipper well bowl along with its function, to maintain proper food sanitation, the CEC is proposing to establish a flow rate that may put the public's health and safety at risk.

a. Are there any commercial food service applications for which a flow rate of 0.2 gpm for the continuous dipper well is insufficient and for which there are no practical alternatives? If so, what are these commercial food service applications? Please provide as much information and supporting evidence as available.

Any food service establishment that uses dipper well reservoirs greater than 0.2 gallons could be put at risk. At a minimum a dipper well faucet should be capable of providing a sufficient amount of water to turn over the water in the well once every minute.

A typical 7" continuous dipper well includes a 5 in diameter inner dipper well bucket with holes located about 4 in from the bottom of the bucket to allow for removal of food particles and overflow. The inner bucket of a 7" continuous dipper well holds between 0.27 and 0.31 gallons of water. At the suggested 0.2 gpm flow rate it would take between 81 and 93 seconds to deliver enough water to turn over the water in the inner dipper well bucket.

6. Staff seeks feedback on the preliminary determination to not include a test method to measure food clearance as a regulatory requirement.

CEC staff equate product efficiency with simply limiting the flow rate of the dipper well faucet. This assumption is inaccurate, incomplete, and potentially dangerous.

Efficiency is determined by "how much of a resource (energy, water, money, time, etc.)" is required to achieve a task or goal in comparison with the **standard** amount of the "resource" that it takes to achieve the same task or goal.

In the case of water efficiency for dipper wells, efficiency could be found by evaluating systems for the volume of water that is required to:

- a) remove a range of food substances from certain utensils, and
- b) maintain and/or clear the water in the dipper well bowl.

Note: A dipper well system includes an Inner bowl, Outer bowl, Drain and Faucet. In some cases, a more efficient system will use a higher flow rate and higher velocity water for a short period versus a lower flow rate for a longer period. The only way to determine if a product is efficient is by establishing a standard requirement or baseline for comparison. The CEC has not established a baseline standard for dipper wells nor shown that this proposed regulation would lead to greater efficiency.

Dipper wells are used in a variety of applications for different viscosity foods and their purpose is to maintain food safety. Therefore, without a test method that confirms sanitation the CEC is proposing a regulatory requirement that limits product performance to the point of placing the health and safety of the public at risk.

PMI requests that the CEC address this minimum Health and Safety concern prior to moving forward with the establishment of a maximum flow rate for dipper well faucets.

7. What types of food establishments are dipper wells regularly found in and for what food application(s)? Names of food establishments known to utilize dipper wells are helpful to ensure staff are neither over- nor under-counting the number of restaurants relying on these products.
a. For each type of food establishment, how many dipper wells are typically found per food establishment?

PMI has no comment on this item.

8. Staff seeks additional detail regarding the dipper well product market.

a. What fraction (or percentage) of total sales of dipper wells in California are continuous dipper wells?

b. What is the breakdown of sales of continuous dipper wells by volume size of the dipper well sink?

PMI has no comment on this item.

Thank you for considering our comments. If you have any questions regarding our comments, please do not hesitate to contact me.

Sincerely,



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