

DOCKETED

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PMI Comments

PMI urges action to revise the CEC emergency regulation as it pertains to residential lavatory faucets so that a 1.5 gpm standard will take effect immediately, and a 1.2 gm standard will take effect on January 1, 2017. Please refer to the attached letter to the Governor's Office. I will submit the referenced timeline in another comment.

Additional submitted attachment is included below.



May 13, 2015

Mr. Wade Crowfoot, Senior Advisor
Office of Governor Jerry Brown
State Capitol
Sacramento, CA 95814

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Dear Mr. Crowfoot –

On behalf of Plumbing Manufacturers International [PMI], thank you very much for taking the time to meet with our organization last week to discuss our efforts in working together to implement the Governor's April 1 Executive Order B-29-15 regarding the drought.

PMI is an international, U.S.-based trade association representing 90% of U.S. plumbing products sold in the United States. It has made the promotion of water efficiency and safety a top priority and has included it in its mission statement. PMI's members are industry leaders in producing safe, reliable and innovative water efficient plumbing technologies and have supported water efficiency legislation and codes in California, as well as the voluntary US EPA WaterSense® program.

As we discussed in our meeting, PMI believes that action can be taken to augment the emergency regulation adopted by the California Energy Commission [CEC] on April 8 so that the water savings from low-flow residential faucets accomplishes significant water savings immediately, with a transition to even lower-flow faucets structured so that there is not a severe disruption in commerce.

In California, the future is now – a time when steps to sustain an ever-precious resource must be taken. As good stewards of the environment, plumbing manufacturers, wholesalers and retailers support the CEC emergency regulations that establish new, significantly lower flow rates for toilets, kitchen faucets, and public lavatory faucets that will be sold or offered for sale beginning January 1, 2016. These standards should accomplish noteworthy savings as consumers purchase products meeting these lower flow rates.

These businesses will also be engaged as the state moves forward with another requirement in the April 1 Executive Order that calls for a rebate program to encourage the purchase of products that meet these new requirements. This program can be a very positive incentive for consumers to make the decision to purchase new plumbing fixtures.

More can be done. The emergency regulation can be augmented to require that, effective immediately, residential lavatory faucets sold in California have a maximum flow rate of 1.5 gallons per minute [gpm]. These products are available today. However, it is estimated that less than five percent of California households have installed these faucets.

The 1.5 gpm standard represents significant savings over the previous appliance efficiency regulation's 2.2 gpm standard. Residential lavatory faucets have been tested to this standard within the federal WaterSense® program, and there are no indications of risk to public safety and health associated with these residential lavatory faucets.

This 1.5 gpm standard was embodied in the CEC's proposed appliance efficiency regulation [Docket #15-AAER-1] following significant stakeholder input, industry study, and CEC research and analysis. The public comment period had closed, and the public hearing was held on March 17 of this year. This was just a few weeks before the CEC suddenly announced a 1.2 gpm standard and approved it within a few days.

It is also important, however, that new CEC mandates aimed at achieving even further water savings do not go

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so far as to unnecessarily disrupt commerce. The January 1, 2016 effective date for the 1.2 gpm standard should be revised to take into consideration the significant efforts that must be undertaken by manufacturers, wholesalers, distributors and retailers to provide the California market with compliant products.

The effective date for a maximum 1.2 gpm flow rate needs to take into consideration a number of factors. One key factor is to ensure that compliant products will be available for the state's rebounding residential and commercial construction sectors.

Attached is an updated copy of the timeline we have prepared, setting forth the actions that are being taken by plumbing manufacturers, aerator manufacturers, as well as retailers and distributors in order to transition to 1.2 gpm residential faucets. As shown in this timeframe, these significant efforts necessitate a January 1, 2017 effective date for the standard.

All interests – including PMI - are committed to this transition, and in a manner that will accomplish the changes without severe disruptions to commerce including large and small distributors and retailers throughout the state that will have to expend major resources to transition inventory and supplies to conform to the new requirements.

For these reasons, PMI urges action to revise the CEC emergency regulation as it pertains to residential lavatory faucets so that a 1.5 gpm standard will take effect immediately, and a 1.2 gm standard will take effect on January 1, 2017.

Thank you for this opportunity to follow-up on our discussion last week. I can be reached at 847.481.5500, and please also feel free to contact PMI's California advocate, Jerry Desmond, Jr., at 916.441.4166.

Sincerely,



Barbara Higgins, CEO / Executive Director

Enclosure