



October 28, 2013

California Energy Commission
Dockets Office, MS-4
Re: Docket No. 12-AAER-2
1516 Ninth Street
Sacramento, CA 95814-5512
docket@energy.ca.gov



Dear Commissioners:

Plumbing Manufacturers International (PMI) appreciates this opportunity to provide comments to the California Energy Commission in its current rulemaking on water closets, urinals and faucets under Docket No. 12-AAER-2C. PMI is the 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 safety and efficiency a top priority and has included it in its mission statement¹. PMI's members are industry leaders in producing safe, reliable and innovative water efficient plumbing technologies and have supported the water efficiency legislation and codes in California as well as the voluntary US EPA WaterSense program.

PMI acknowledges and appreciates the ultimate goal of this rulemaking – as set forth in the Order Instituting the Rulemaking Proceeding – to reduce excessive energy and water consumption by regulated appliances in the state.

We would like to add comments as a supplement to the PMI July 26, 2013 response during the Invitation to Participate [ITP] phase of Docket No. 12-AAER-2C on Water Appliances. In outlining our issues and concerns on the rulemaking process and other comments received so far, we would like to note the following:

- Not all comments submitted to the CEC have been posted on the Docket web site, including those submitted by PMI and Kohler. While the Kohler comments have since been posted on the Docket web site, attached are additional copies of PMI comments submitted in May and June.

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.

- The Investor Owned Utility (IOU) comments note flush volumes for trough-type urinals. There is no flush mechanism for trough-type urinals. Trough-type urinals are operated by a continuous flow (as prescribed by DOE regulation) of water during events at stadiums and concerts and do not have a flush device.
- The IOU's had proposed different consumption rates for wall-mounted (0.125 gpf max) and floor-mounted urinals (0.5 gpf max). PMI would like to stress the point that the CEC should maintain the specifications in CALGreen and AB715 which has one urinal category at 0.5 gallons per flush. Also, the US EPA WaterSense labeling program for urinals sets the efficiency level at ≤ 0.5 gpf for this voluntary, performance-based third-party certification program. The 0.5 gpf level is the benchmark for this voluntary water efficiency program and is available in a variety of design choices in wall and floor mount configurations.
- PMI would like to continue to encourage communications between CEC, the California Department of Housing and Community Development and the Building Standards Commission for this rulemaking. These California regulatory agencies have overlap on water efficiency issues and we encourage coordination of their efforts.
- The IOU comments propose a 1.0 gallon per minute flow rate for lavatory faucets, this is contrary to the current CALGreen code levels which went into effect on January 1, 2011 and the levels in WaterSense which set flow rates at 1.5 gpm. This proposal has no supporting technical justification or economic impact and only rationalizes itself in terms of water, energy and carbon savings. There is no supporting research to look at the unintended consequences and impact on health, safety or sanitation.
- The IOU proposal incorrectly cites the PERC Phase I report which notes in the final report: "Due to the inherent variability with this test plan and considering the fact that the Delta values are tightly grouped within the significant and non-significant test variables, the PERC TC urges caution against basing any plumbing system design decisions on the discrete rankings among those factors, pending further study."
- Wash fountains should be defined as plumbing fixtures to be consistent with Model and State plumbing and building codes and industry standards; however, wash fountains are currently defined as plumbing fittings and water consumption requirements are located in the "Plumbing Fittings" sections of the document. Wash fountains have both water supply and waste drainage and are therefore plumbing fixtures by definition.
- Remove wash fountains from Table H-1 and move them to Table I. Wash fountains should be listed as plumbing fixtures.
- Add "Electronic wash fountains" to Table I with a maximum water consumption of 0.4 gpm (gallons per minute) per 20 inches of rim space.

- The flow rate for metering wash fountains should be 0.25 gpc (gallons per cycle) per 20 inches of rim space to be in agreement with metering faucets. The current requirement is 0.25 gpm

In closing, PMI would like to thank the California Energy Commission for the opportunity to provide our latest comments for the rulemaking being promulgated for Title 20 through Docket 12-AAER-2C on Water Appliances. Our partnership with the regulatory and stakeholder communities in the State of California will continue to promote water efficiency that will produce safe, sanitary, efficient and reliable products.

Sincerely,



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