

STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

Appliance Efficiency Regulations)	Docket No. 15-AAER-07
California Code of Regulations)	
Title 20, Section 1601, et seq.)	Resolution Number 15-1209-05
_____)	

**RESOLUTION ADOPTING AMENDMENTS TO THE
APPLIANCE EFFICIENCY REGULATIONS**

I. INTRODUCTION

California is in a severe drought and water supplies continue to be severely depleted. Aggressive water conservation actions need to be implemented including amending the water efficiency regulations covering faucets, showerheads, and tub spout diverters.

The California Energy Commission (“Commission”) hereby adopts amendments to its Appliance Efficiency Regulations regulating the water use of faucets, showerheads, and tub spout diverters. (California Code of Regulations, title 20, sections 1601–1605.) The Commission takes this action under the authority of, and to implement, Executive Order B-29-15 issued on April 1, 2015 and sections 25213 and 25218(e) of the Public Resources Code.

In adopting and implementing these regulations for showerheads, California would allow the development and sale of lower flow showerheads than currently allowed under the regulation. The minimum flow at 20 and 45 pounds per square inch (psi) would be a percentage of the measured flow rather than the maximum flow.

Amending the regulations to limit the scope of the kitchen faucet regulation to consumer products would be consistent with the Department of Energy Appliance regulations. The commercial kitchen faucets would be permitted to provide the flow rate required to meet the commercial kitchen operation while maintaining the recently adopted flow rates for consumer products.

The current tub spout diverter test method regulation does not provide a clear test method. The proposed changes will clarify the test method to ensure functionality.

II. FINDINGS

Based on the entire record for Docket No. 15-AAER-07, the Commission finds as follows:

- A. Executive Order B-29-15, paragraph 16, issued on April 1, 2015, directs the Commission to adopt emergency regulations establishing standards that improve the

efficiency of water appliances such as faucets and showerheads available for sale and installation in California.

- B. Implementation of the regulations will allow lower flowing showerheads, commercial kitchen faucets to meet the needs of commercial kitchens and clarity for the tub spout diverter test method.
- C. The Warren-Alquist Act. The regulations will complement existing water efficiency regulations previously adopted to reduce the wasteful, uneconomic, inefficient, and unnecessary consumption of water on a statewide basis for faucets, showerheads, and tub spout diverters and are otherwise consistent with the Public Resources Code section 25402 and Executive Order B-29-15. Under paragraph 30 of the Executive Order, the regulations are exempt from the procedural limitations and requirements of the Public Resources Code, commencing with section 25400 that would delay implementation of the regulations.
- D. The Administrative Procedure Act. Under paragraph 30 of Executive Order B-29-15, the regulations are exempt from the requirements of the Government Code, commencing with section 11340.

III. EXEMPTION FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT

Under Executive Order B-29-15, paragraph 26, adoption of the regulations is exempt from the California Environmental Quality Act, Public Resources Code section 21000, et seq.

IV. ADOPTION OF PROPOSED AMENDMENTS FOR DOCKET 15-AAER-07

The Commission, after considering the entire record in Docket Number 15-AAER-07, the directive of Executive Order B-29-15, and all relevant public comments, hereby adopts the proposed water efficiency amendments to the Appliance Efficiency Regulations as presented to the Commission.

V. DELEGATION OF AUTHORITY AND DIRECTIVES TO THE EXECUTIVE DIRECTOR

The Commission delegates the authority and directs the Executive Director for the Commission to take, on behalf of the Commission, all actions reasonably necessary to have the adopted amendments to the Appliance Efficiency Regulations go into effect, including but not limited to, making any appropriate non-substantive changes, changes for consistency within the regulations and preparing and filing all appropriate documents as may be required for publication by the Secretary of State.

CERTIFICATION

The undersigned Secretariat to the California Energy Commission does hereby certify that the foregoing is a full, true, and correct copy of an approved RESOLUTION duly and regularly adopted at a meeting of the California Energy Commission held on December 09, 2015:

AYE: [*List Commissioners*]

NAY: [*List Commissioners*]

ABSENT: [*List Commissioners*]

ABSTAIN: [*List Commissioners*]

Tiffani Winter,
Secretariat