Washington State
House of Representatives
Office of Program Research

BILL ANALYSIS

Environment Committee

HB 1017

Brief Description: Creating new efficiency standards.

Sponsors: Representatives Morris, Fitzgibbon, Fey, Liias, McCoy, Hudgins, Farrell, Morrell, Ormsby, Upthegrove and Pollet.

Brief Summary of Bill

- Establishes minimum energy efficiency standards for battery charger systems.
- Establishes minimum water conservation performance standards for water closets and urinals.

Hearing Date: 1/16/13

Staff: Scott Richards (786-7156).

Background:

Efficiency Standards for Electrical Products.
Washington law sets minimum energy efficiency standards for several categories of electrical products sold, offered for sale, or installed in the state, including:

- automatic commercial ice cube machines;
- commercial refrigerators and freezers;
- certain incandescent reflector lights;
- pool heaters, residential pool pumps, and portable electrical spas;
- hot water dispensers and mini-tank electric water heaters;
- wine chillers used by individuals;
- tub spout diverters;
- commercial hot food holding cabinets; and
- bottle-type and point-of-use water dispensers.

Federal law generally allows states to establish minimum energy efficiency standards for electrical products that are not currently addressed in federal law.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Department of Commerce (Department) may recommend updates to the energy efficiency standards and test methods for products listed under the energy efficiency laws. The Department may also recommend establishing state standards for additional non-federally covered products. In making its recommendations, the Department must use the following criteria: (1) multiple manufacturers produce products that meet the proposed standard at the time of recommendation; (2) products meeting the proposed standard are available at the time of recommendation; (3) the products are cost-effective to consumers on a life-cycle cost basis using average Washington resource rates; (4) the utility of the energy efficient product meets or exceeds the utility of the comparable product available for purchase; and (5) the standard exists in at least two other states in the United States.

Water Conservation Performance Standards.
Washington law sets minimum water conservation performance standards for several categories of plumbing fixtures, including:

- water closets (1.6 gallons per flush);
- urinals (1.0 gallons per flush);
- showerheads (2.5 gallons per minute); and
- faucets (2.5 gallons per minute).

No individual, public or private corporation, firm, political subdivision, government agency, or other legal entity may, for purposes of use in this state, distribute, sell, offer for sale, import, install, or approve for installation any plumbing fixtures unless the fixtures meet the water conservation performance standards.

State Building Code.
The Washington State Building Code consists of a series of national model codes and standards that regulate the construction of residential, commercial, and industrial buildings and structures.

The State Building Code Council (Council) was created by statute in 1974 to provide analysis and advice to the Legislature and the Office of the Governor on state building code issues. The Council is responsible for the adoption of rules that implement and incorporate the states' water conservation performance standards. These standards shall apply to all new construction and all remodeling involving replacement of plumbing fixtures in all residential, hotel, motel, school, industrial, commercial use, or other occupancies determined by the Council to use significant quantities of water. In addition to water conservation performance standards, the Council establishes the minimum building, mechanical, fire, and energy code requirements in Washington by reviewing, developing, and adopting the State Building Code.

ASME Standards.
The ASME, founded as the American Society of Mechanical Engineers in 1880, develops codes and standards associated with mechanical engineering. The ASMEs' codes and standards cover topics that include, but are not limited to, pressure technology, nuclear plants, elevators and escalators, construction, engineering design, standardization, and performance testing.

Summary of Bill:

Efficiency Standards for Battery Charger Systems.

Minimum efficiency standards for battery charger systems are established. The minimum efficiency standards for these products are incorporated by reference to the California Code of Regulations as of the effective date of this bill.

Battery charger systems may not be sold or offered for sale in the state on or after January 1, 2014 unless the efficiency standard of the new product meets or exceeds the efficiency standards. Battery charger systems may not be installed for compensation in the state on or after January 1, 2015 unless the efficiency standard of the new product meets or exceeds the efficiency standards.

A battery charger system is defined as a battery charger coupled with its batteries or battery chargers coupled with their batteries, which together are referred to as battery charger systems. This term covers all rechargeable batteries or devices incorporating a rechargeable battery and the chargers used with them. The charging circuitry of battery charger systems may or may not be located within the housing of the end-use device itself. In many cases, the battery may be charged with a dedicated external charger and power supply combination that is separate from the device that runs on power from the battery.

Efficiency Standards for Water Closets and Urinals.
Minimum efficiency standards for water closets and urinals are established under the State Building Code.

Water closets must meet the following standards: (1) a dual flush water closet may not exceed 1.28 gallons, where effective flush volume is the composite, average flush volume for two reduced flushes and one full flush; and (2) a single flush water closet where the effective flush volume does not exceed 1.28 gallons. Flushing urinals must be high efficiency urinals that use no more than 0.5 gallons per flush. Nonwater-supplied urinals must provide, among other things, a trap seal that complies with the California plumbing code and be installed with a water supply rough-in to the urinal location that would allow a subsequent replacement of the nonwater-supplied urinal with a water-supplied urinal if desired by the owner or if required by the enforcement agency. All water closets, urinals, and nonwater-supplied urinals must meet certain performance, testing, and labeling requirements established by ASME.

Water closets and urinals, if manufactured on or after January 1, 2014, may not be sold or offered for sale in the state unless the efficiency of the new product meets or exceeds the efficiency standards. Water closets and urinals, if manufactured on or after January 1, 2014, may not be installed for compensation in the state on or after January 1, 2015, unless the efficiency of the new product meets or exceeds the efficiency standards.

Authorization for Ordinances Relating to Water Closets and Urinals.
A city or county may enact an ordinance authorizing the sale and installation of non-low consumption water closets or urinals upon its determination that either the unique configuration of building drainage systems or portions of a public sewer system within the jurisdiction, or both, require a greater quantity of water to flush the system in a manner consistent with public health. Cities, counties, and sewer district may prescribe more restrictive conservation requirements for water closets, urinals, and flushometer valves.

Additionally, a city or county may develop ordinances that allow water closets and urinals that do not meet the efficiency standards to be sold or installed for compensation in the state, if one of

the following circumstances is met: (1) installation of the water closet or urinal in compliance with the efficiency standards would require modifications to plumbing system components located beneath a finished wall or surface; or (2) the non-low consumption water closets, urinals, and flushometer valves, if any, would be installed in a home or building that has been identified by a local, state, or federal governmental entity as a historical site, and historically accurate water closets and urinals that comply with the flush volumes specified in the efficiency standards are not available.

Non-low consumption flushometer valves, non-low consumption urinals and non-low consumption water closets mean devices that use more than 1.6 gallons per flush for toilets and more than 1.0 gallons per flush for urinals.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.