

SHB 2430 - H AMD 691

By Representative Stanford

ADOPTED 02/12/2016

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that:

4 (1) Water is a finite resource, yet clean and plentiful water is  
5 essential to both healthy communities and ecosystems. Making better  
6 use of our existing water supplies will help ensure that more water  
7 remains available for agriculture, instream flows and fish, homes and  
8 businesses, and for other socially productive purposes;

9 (2) Plumbing fixtures, including faucets, showerheads, toilets,  
10 and urinals, are a major year-round source of water use;

11 (3) Water-efficient plumbing fixtures perform as well or better  
12 than standard models and save money on water and sewer bills for the  
13 state's families, businesses, schools, and local governments;

14 (4) Besides saving water and reducing a customer's costs, water  
15 efficiency offers other benefits:

16 (a) Substantial energy savings from more efficient faucets and  
17 showerheads;

18 (b) Less wastewater that requires collection, treatment, and  
19 disposal; and

20 (c) Less pollution from treated wastewater in our streams and  
21 waterways;

22 (5) Current Washington codes adopt nationally recognized  
23 performance and water efficiency standards by which plumbing fixtures  
24 and fitting efficiencies are measured. While Washington has not  
25 updated its water conservation standards since 1993, the current  
26 state building and plumbing codes do include standards that apply to  
27 defined types of plumbing fixtures "high efficiency toilet," "dual  
28 flush toilet," and "single flush toilet"; and

29 (6) The state building code council adopts and maintains the  
30 state building code and accordingly requires standards in terms of  
31 performance and nationally accepted standards. The state building  
32 code council regularly reviews updated versions of the model codes

1 that comprise the state building code, and adopts and amends the  
2 state building code in a manner that is consistent with the state's  
3 interests as prescribed by law.

4 **Sec. 2.** RCW 90.54.180 and 2007 c 445 s 9 are each amended to  
5 read as follows:

6 Consistent with the fundamentals of water resource policy set  
7 forth in this chapter, state and local governments, individuals,  
8 corporations, groups and other entities shall be encouraged to carry  
9 out water use efficiency and conservation programs and practices  
10 consistent with the following:

11 (1) Water efficiency and conservation programs should utilize an  
12 appropriate mix of economic incentives, cost share programs,  
13 regulatory programs, and technical and public information efforts.  
14 Programs which encourage voluntary participation are preferred.  
15 Programs should also consider the water efficiency standards  
16 established in RCW 19.27.170 and should prioritize gaps that are not  
17 covered by state efficiency standards or rules and that possess  
18 substantial potential for water conservation achievements.

19 (2) Increased water use efficiency and reclaimed water should  
20 receive consideration as a potential source of water in state and  
21 local water resource planning processes. In determining the cost-  
22 effectiveness of alternative water sources, consideration should be  
23 given to the benefits of conservation, waste water recycling, and  
24 impoundment of waters. Where reclaimed water is a feasible  
25 replacement source of water, it shall be used by state agencies and  
26 state facilities for nonpotable water uses in lieu of the use of  
27 potable water. For purposes of this requirement, feasible replacement  
28 source means (a) the reclaimed water is of adequate quality and  
29 quantity for the proposed use; (b) the proposed use is approved by  
30 the departments of ecology and health; (c) the reclaimed water can be  
31 reliably supplied by a local public agency or public water system;  
32 and (d) the cost of the reclaimed water is reasonable relative to the  
33 costs of conservation or other potentially available supplies of  
34 potable water, after taking into account all costs and benefits,  
35 including environmental costs and benefits.

36 (3) In determining the cost-effectiveness of alternative water  
37 sources, full consideration should be given to the benefits of  
38 storage which can reduce the damage to stream banks and property,  
39 increase the utilization of land, provide water for municipal,

1 industrial, agricultural, and other beneficial uses, provide for the  
2 generation of electric power from renewable resources, and improve  
3 streamflow regimes for fishery and other instream uses.

4 (4) Entities receiving state financial assistance for  
5 construction of water source expansion or acquisition of new sources  
6 shall develop, and implement if cost-effective, a water use  
7 efficiency and conservation element of a water supply plan pursuant  
8 to RCW 43.20.230(1).

9 (5) State programs to improve water use efficiency should focus  
10 on those areas of the state in which water is overappropriated; areas  
11 that experience diminished streamflows or aquifer levels; regional  
12 areas that the governor has identified as high priority for  
13 investments in improved water quality and quantity, including the  
14 Spokane river, the Columbia river basin, and the Puget Sound; areas  
15 most likely to be affected by global warming; and areas where  
16 projected water needs, including those for instream flows, exceed  
17 available supplies.

18 (6) Existing and future generations of citizens of the state of  
19 Washington should be made aware of the importance of the state's  
20 water resources and the need for wise and efficient use and  
21 development of this vital resource. In order to increase this  
22 awareness, state agencies should integrate public information  
23 programs on increasing water use efficiency into existing public  
24 information efforts. This effort shall be coordinated with other  
25 levels of government, including local governments and Indian tribes.

26 **Sec. 3.** RCW 19.27.170 and 1991 c 347 s 16 are each amended to  
27 read as follows:

28 (1) The state building code council shall adopt rules under  
29 chapter 34.05 RCW, not later than during the 2018 code adoption  
30 period and to become effective by no later than July 1, 2019, that  
31 implement and incorporate the water conservation performance  
32 standards in this subsection and subsections (4) and (5) of this  
33 section. These standards shall apply to all new construction and all  
34 remodeling involving replacement of plumbing fixtures in all  
35 residential, hotel, motel, school, industrial, commercial use, or  
36 other occupancies determined by the council to use significant  
37 quantities of water.

38 ~~(2) ((The legislature recognizes that a phasing-in approach to~~  
39 ~~these new standards is appropriate. Therefore, standards in~~

1 subsection (4) of this section shall take effect on July 1, 1990. The  
2 standards in subsection (5) of this section shall take effect July 1,  
3 1993.) By July 1, 2018, all fixtures, fittings, and toilets sold,  
4 offered for sale, or distributed in the state shall meet the  
5 requirements of subsection (4) of this section, except the following:

6 (a) Toilets used by children in day care facilities;

7 (b) Toilets used in bariatric applications;

8 (c) Toilets used in a correctional facility as defined in RCW  
9 72.09.015 and juvenile confinement facilities pursuant to RCW  
10 13.04.030; and

11 (d) Toilets used in any state hospital established under RCW  
12 72.23.020, any psychiatric unit of a hospital licensed under chapter  
13 70.41 RCW, any licensed service provider licensed under chapter 71.24  
14 RCW, or any evaluation and treatment facility as defined in RCW  
15 71.05.020.

16 (3)(a) No individual, public or private corporation, firm,  
17 political subdivision, government agency, or other legal entity may,  
18 for purposes of use in this state, distribute, sell, offer for sale,  
19 import, install, or approve for installation any plumbing fixtures  
20 unless the fixtures meet the standards as provided for in this  
21 section.

22 (b) If a retailer is able to show proof that a product prohibited  
23 for sale under this subsection was in stock and physically in the  
24 retail location before the effective date of this section, that  
25 retail location may sell that product until it is depleted, or until  
26 January 1, 2019.

27 (4)(a) Standards for water use efficiency effective by no later  
28 than July 1, ((1990)) 2019.

29 ((+a)) (i) Standards for waterclosets. The ((guideline))  
30 requirement for maximum water use allowed in gallons per flush (gpf)  
31 for any of the following waterclosets is the following:  
32

Tank-type toilets .....	((3.5)) 1.28 gpf.
Flushometer((-valve)) nontank toilets ....	((3.5)) 1.6 gpf.
((Flushometer-tank toilets ...	3.5 gpf.

Electromechanical hydraulic toilets . . .	3.5 gpf.)
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~~((b))~~ (ii) Standard for urinals. The ~~((guideline))~~ requirement for maximum water use allowed for any urinal is ~~((3.0))~~ 0.5 gallons per flush.

~~((e))~~ (iii) Standard for showerheads. The guideline for maximum water use allowed for any showerhead is ~~((3.0))~~ 2.5 gallons per minute.

~~((d))~~ (iv) Standard for faucets. The ~~((guideline))~~ requirement for maximum water use allowed in gallons per minute (gpm) for any of the following faucets and replacement aerators is the following:

<del>((Bathroom))</del> Lavatory faucets . . . . .	<del>((3.0))</del> <u>1.2</u> gpm.
Public lavatory faucets <u>other than metered</u> . . . . .	<del>((3.0))</del> <u>0.5</u> gpm.
Kitchen faucets . . . . .	<del>((3.0))</del> <u>2.2</u> gpm.
Replacement aerators . . . . .	<del>((3.0))</del> <u>2.2</u> gpm.

~~((e))~~ (v) Except where designed and installed for use by ~~((the physically handicapped))~~ individuals with disabilities, lavatory faucets located in restrooms intended for use by the general public must be equipped with a metering valve designed to close by spring or water pressure when left unattended (self-closing). Metered faucets must deliver a maximum of 0.26 gallons per cycle.

~~((f))~~ (vi) No urinal or watercloset that operates on a continuous flow or continuous flush basis shall be permitted.

(b) The water efficiency standards adopted pursuant to this subsection (4) do not apply to alternative technologies that do not rely on water flushing in order to function, including incineration toilets or composting toilets.

(5) Standards for water use efficiency effective July 1, ~~((1993))~~ 2022.

~~((a))~~ Standards for waterclosets. The ~~((guideline))~~ requirement for maximum water use allowed in gallons per flush (gpf) for any of the following waterclosets is the following:

<del>((Tank-type toilets . . .</del>	1.6 gpf.)
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Flushometer( <del>(-tank)) toilets . . . . .</del>	<del>((1.6))</del> <u>1.28</u> gpf.
<del>((Electromechanical hydraulic toilets . . .</del>	<del>1.6</del> gpf.

~~(b) Standards for urinals. The guideline for maximum water use allowed for any urinal is 1.0 gallons per flush.~~

~~(c) Standards for showerheads. The guideline for maximum water use allowed for any showerhead is 2.5 gallons per minute.~~

~~(d) Standards for faucets. The guideline for maximum water use allowed in gallons per minute for any of the following faucets and replacement aerators is the following:~~

<del>Bathroom faucets . . .</del>	<del>2.5</del> gpm.
<del>Lavatory faucets . . .</del>	<del>2.5</del> gpm.
<del>Kitchen faucets . . .</del>	<del>2.5</del> gpm.
<del>Replacement aerators . . .</del>	<del>2.5</del> gpm.

~~(e) Except where designed and installed for use by the physically handicapped, lavatory faucets located in restrooms intended for use by the general public must be equipped with a metering valve designed to close by water pressure when unattended (self-closing).~~

~~(f) No urinal or watercloset that operates on a continuous flow or continuous basis shall be permitted.)~~

~~(6) The building code council shall ((establish methods and procedures for testing and identifying fixtures that meet the standards established in subsection (5) of this section. The council shall use the testing standards designated as American national standards, written under American national standards institute procedures or other widely recognized national testing standards. The council shall either review test results from independent testing laboratories that are submitted by manufacturers of plumbing fixtures or accept data submitted to and evaluated by the international association of plumbing and mechanical officials. The council shall publish and widely distribute a current list of fixtures that meet the standards established in subsection (5) of this section.~~

~~(7) The building code council shall adopt rules for marking and labeling fixtures meeting the standards established in subsection (5) of this section.~~

1       ~~(8) This section shall not apply to fixtures installed before~~  
2 ~~July 28, 1991, that are removed and relocated to another room or area~~  
3 ~~of the same building after July 28, 1991, nor shall it apply to~~  
4 ~~fixtures, as determined by the council, that in order to perform a~~  
5 ~~specialized function, cannot meet the standards specified in this~~  
6 ~~section))~~ recognize conformity assessment bodies conforming to  
7 ISO/IEC 17065 requirements for bodies certifying products, processes,  
8 and services for the testing and listing of fixtures and fittings as  
9 adopted in the state building code and the standards as established  
10 in subsections (1), (4), and (5) of this section.

11       ~~((9))~~ (7) The water conservation performance standards shall  
12 supersede all local government codes. After ~~((July 1, 1990))~~ the rule  
13 effective date established in subsection (1) of this section, cities,  
14 towns, and counties shall not amend the code revisions and standards  
15 established under subsection (4) or (5) of this section."

16       Correct the title.

EFFECT: Adds toilets used in correctional facilities, juvenile  
confinement facilities, and certain mental health facilities to those  
which the underlying bill exempts from the new water use standards  
and reformats all the exemptions in a single list.

Renames "bathroom faucets" as "lavatory faucets" and renames  
"lavatory faucets" as "public lavatory faucets other than metered"  
and changes the water use standard for the former from 0.5 gallons  
per minute (gpm) to 1.2 gpm while maintaining the latter at 0.5 gpm.

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