

The AL REPORT
Legislative and Rulemaking Updates

By Al Dietemann, Seattle Public Utilities

Washington State Senate 5948: requiring high efficiency toilets and urinals in NEW residential construction after January 1, 2014. This bill failed to pass in the 2010 legislative session. The sponsors promise to try again in 2011.

Federal Dept. of Energy (DOE) Final Rulemaking on Residential Clothes Washers: would establish new national water and energy efficiency standards. A recent court case requires DOE to update residential clothes washer standards. Current standards date back to 2002. As part of the 2007 Energy Act, Congress approved a new process for expedited rulemaking, providing for stakeholders to submit “consensus proposals” to DOE from major stakeholders. If accepted, DOE can publish the proposal and issue a rule within a year, bypassing a number of federal procedural steps that can hold up rulemaking for up to three years. Three meetings have been held in Washington, D.C. to negotiate among the stakeholders for a consensus proposal. Al Dietemann is part of the stakeholder negotiation team and is the only water utility representative among manufacturer, energy, consumer, and environmental interests. The City of Seattle is paying Al’s salary, but no travel costs. PWC is paying for Al’s travel since the City of Seattle has travel restrictions in effect. Aggressive clothes washer standards would produce significant future water savings and wastewater reductions for the Pacific NW Region, and could potentially reduce the total cost of market transformation rebates currently offered by water and energy utilities.

Revised Federal Standards for Toilet, Faucets and Urinals: are now being discussed in light of actions taken in several states to require higher efficiency products than federal requirements. Key utility, environmental, and manufacturer stakeholders have begun discussions in an attempt to reach some type of consensus on new national standards. A January 1, 2014 effective date is being talked about to mesh with laws recently passed in Texas and California (and the legislative proposal in Washington State as S5948 – see above).

The Federal Home Star Energy Retrofit Act of 2010: is a proposed bill (HR 5019) designed to stimulate job growth by providing short-term incentives for energy efficiency. On the Senate side, an amendment to this proposed bill by Senator Wyden (Oregon) proposes to add selected water efficiency measures to the qualified energy efficiency measures eligible for federal incentives. Al Dietemann has been involved in offering suggestions for eligible measures as part of the bill drafting process. A number of water utilities in the Pacific NW have urged their elected officials to support the Wyden amendment. The bill is being considered in the House of Representatives. For more information and to show your support for the Wyden amendment see this link: <http://www.allianceforwaterefficiency.org/1Column.aspx?id=4894>