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Texas Takes the Lead on Water Conservation; HB 2667 Balances Product Supply with Water Savings

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Texas became the second state in the nation to require high-efficiency toilets (HETs) on June 19 when Governor Rick Perry signed into law Texas House Bill 2667. A coalition led by the Plumbing Manufacturers Institute (PMI) helped Texas continue its leadership role in water conservation efforts.

An HET uses no more than 1.28 gallons of water per flush (GPF), or 20 percent less than the 1.6 GPF models mandated by the National Energy Policy Act of 1992. On average, HETs are estimated to save between 8,000 to 11,000 gallons of water per household annually, according to estimates from the Environmental Protection Agency.

To ensure builders and consumers with a reliable supply of product, HB 2667 mandates that toilets and urinal manufacturers phase in HETs over the next four years, starting with 50 percent of in-state sales by January 1, 2010, and culminating with 100 percent by January 1, 2014. The measure, which took effect September 1 of this year, also sets maximum showerhead flow rates of 2.5 gallons per minute and urinal flush volumes of 0.5 gallons per flush. Once the bill goes into effect, manufacturers will need to verify their compliance through letters to the state.

“Using water efficiently is critical today in Texas and for the nation,” says PMI Executive Director Barbara C. Higgins. “We wanted to get ahead of the curve and put in place an implementation timeframe for manufacturers that ensures the state with an adequate supply of effective toilets

that work.” The gradual rollout also ensures manufacturers, distributors and contractors with adequate time to phase out current inventories and build up supplies of newer models.

Another key provision of HB 2667 is its strong encouragement to manufacturers to move to even more efficiency under the Environmental Protection Agency’s WaterSense Program. The WaterSense Program provides additional marketing incentives for manufacturers that produce products that use even less water than the 1.28 gallon HETs. Any plumbing product certified by the federal WaterSense Program is exempt from the new Texas efficiency standards. This marks the first time that WaterSense, which was unveiled by the U.S. Environmental Protection Agency in 2006, has been specifically referenced in a state law.

Strong Coalition: Rep. Alan Ritter (D-Nederland) and Sen. Chuy Hinojosa (D-Mission) filed the legislation in March and a diverse coalition testified on behalf of the measure. Supporters included Carole Baker of the Alliance for Water Efficiency and Karen Guz of the San Antonio Water System as well as PMI. Environmental groups – the National Wildlife Federation, the Texas Alliance of Groundwater Districts and the Lone Star Chapter of the Sierra Club – also registered their support for HB 2667, helping to speed its passage through both houses of the Texas Legislature this past April and May.

“We certainly enjoyed our working relationship with the Texas Association of Builders,” said Higgs. “They asked all the questions that needed to be asked and both their organization and ours wanted to have legislation that saved water with products that worked.”

The bill’s relatively smooth progress through the legislature reflects the strength of the coalition that PMI helped build over the previous 12 months. Working closely with state environmentalists and water-conservation organizations, the association also maintained close communication with Rep. Ritter, who is chair of the House Natural Resources Committee, Sen. Chuy Hinojosa (D-Mission) and the offices of Governor Perry, Lt. Gov. David Dewhurst, and Speaker of the House Joe Straus (R-San Antonio).

“Our work in Texas is part of PMI’s overall strategy to harmonize water efficiency standards across the United States to make saving water an effective, practical reality for all property owners and businesses,” says Higgs. “PMI members have successfully developed the various plumbing technologies that meet the demanding criteria of national WaterSense program,

helping Americans save water without sacrificing comfort or convenience. We actively support current legislative efforts – both federal and state – that seek to write these technological achievements into law in a consistent way from state to state, while also creating effective economic incentives for the installation of these products.”

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Barbara C. Higgens oversees the Plumbing Manufacturers Institute (PMI), the international trade association representing manufacturers of most plumbing fixtures and fittings used in North America. Since joining PMI in April 1998 as its Executive Director, Barbara has served as a respected spokesperson for the plumbing industry, sharing and advocating the views of PMI members.

She is well versed and knowledgeable about everything from water efficiency to “green” initiatives, to plumbing product safety and fair trade programs. As a homeowner and consumer, Barbara can also put top industry issues into everyday terms for people to understand how plumbing impacts their daily lives — and what they can do to ensure their continued health and safety. She can be reached at: bhiggens@pmihome.org; (847) 481-5500 extension 102.