

105TH CONGRESS
1ST SESSION

H. R. 859

To amend the Energy Policy and Conservation Act to eliminate certain regulation of plumbing supplies.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 1997

Mr. KNOLLENBERG introduced the following bill; which was referred to the Committee on Commerce

A BILL

To amend the Energy Policy and Conservation Act to eliminate certain regulation of plumbing supplies.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AMENDMENTS.**

4 The Energy Policy and Conservation Act is amend-
5 ed—

6 (1) in section 2 (42 U.S.C. 6201)—

7 (A) by inserting “and” at the end of para-
8 graph (6);

1 (B) by striking “; and” at the end of para-
2 graph (7) and inserting in lieu thereof a period;
3 and

4 (C) by striking paragraph (8);
5 (2) in section 321 (42 U.S.C. 6291)—

6 (A) by striking “or, with respect to
7 showerheads, faucets, water closets, and uri-
8 nals, water” in paragraph (1)(A);

9 (B) by striking “incandescent reflector
10 lamps, showerheads, faucets, water closets, and
11 urinals” in paragraph (1) and inserting in lieu
12 thereof “and incandescent reflector lamps”;

13 (C) by striking “, or, in the case of
14 showerheads, faucets, water closets, and uri-
15 nals, water use,” in paragraph (6)(A);

16 (D) by striking “(15), (16), (17),” in para-
17 graph (6)(B);

18 (E) by striking “325(r)” in paragraph (6)
19 and inserting in lieu thereof “325(p)”;

20 (F) by striking “, and in the case of
21 showerheads, faucets, water closets, and uri-
22 nals, the aggregate retail cost of water and
23 wastewater treatment services likely to be in-
24 curred annually,” in paragraph (7);

1 (G) by inserting at the end of paragraph
2 (30) the following new subparagraph:

3 “(T) The term ‘ANSI’ means the Amer-
4 ican National Standards Institute.”; and

5 (H) by striking paragraph (31);
6 (3) in section 322(a) (42 U.S.C. 6292(a))—

7 (A) by striking paragraphs (15) through
8 (18); and

9 (B) by redesignating paragraph (19) as
10 paragraph (15);

11 (4) in section 323 (42 U.S.C. 6293)—

12 (A) by striking “water use (in the case of
13 showerheads, faucets, water closets, and uri-
14 nals),” in subsection (b)(3);

15 (B) by striking “or, in the case of
16 showerheads, faucets, water closets, or urinals,
17 water use” in subsection (b)(4);

18 (C) by striking “, or in the case of
19 showerheads, faucets, water closets, or urinals,
20 representative average unit costs of water and
21 wastewater treatment service resulting from the
22 operation of such products during such cycle”
23 in subsection (b)(4);

24 (D) by striking “, water, and wastewater
25 treatment” in subsection (b)(4);

1 (E) by striking paragraphs (7) and (8) of
2 subsection (b);

3 (F) by striking “or, in the case of
4 showerheads, faucets, water closets, and uri-
5 nals, water use” in subsection (c)(1);

6 (G) by striking “or, in the case of
7 showerheads, faucets, water closets, and uri-
8 nals, water use” in subsection (c)(2);

9 (H) by striking “, measured energy use, or
10 measured water use” in subsection (e)(1) and
11 inserting in lieu thereof “or measured energy
12 use”; and

13 (I) by striking “, energy use, or water use”
14 each place it appears in paragraphs (2) and (3)
15 of subsection (e) and inserting in lieu thereof
16 “or energy use”;

17 (5) in section 324 (42 U.S.C. 6294)—

18 (A) by striking “325(j)” in subsection
19 (a)(2)(C)(ii) and inserting in lieu thereof
20 “325(i)”;

21 (B) by striking subparagraphs (D) and (E)
22 of subsection (a)(2);

23 (C) by striking “(19)” each place it ap-
24 pears in subsection (a)(3) and subsection (b)
25 and inserting in lieu thereof “(15)”;

1 (D) by striking “paragraphs (15) through”
2 in subsection (b)(1)(B) and inserting in lieu
3 thereof “paragraph”;

4 (E) by striking “(13), (14), (15), (16),
5 (17), and (18)” in subsection (c)(7) and insert-
6 ing in lieu thereof “(13) and (14)”; and

7 (F) by striking paragraph (8) of subsection
8 (e);
9 (6) in section 325 (42 U.S.C. 6295)—

10 (A) by striking “325(n)(1)” in subsection
11 (i)(6)(B) and inserting in lieu thereof
12 “325(l)(1)”;

13 (B) by striking subsections (j) and (k);

14 (C) by redesignating subsections (l)
15 through (t) as subsections (j) through (r), re-
16 spectively;

17 (D) by striking “(19)” in paragraphs (1)
18 and (2) of subsection (j), as so redesignated by
19 subparagraph (C) of this paragraph, and insert-
20 ing in lieu thereof “(15)”;

21 (E) by striking “(o) and (p)” in subsection
22 (j)(1), as so redesignated by subparagraph (C)
23 of this paragraph, and inserting in lieu thereof
24 “(m) and (n)”;

1 (F) by striking “(o) and (p)” in subsection
2 (j)(3), as so redesignated by subparagraph (C)
3 of this paragraph, and inserting in lieu thereof
4 “(m) and (n)”;

5 (G) by striking “(o)(2)(B)(i)(II)” in sub-
6 section (l)(2)(C), as so redesignated by sub-
7 paragraph (C) of this paragraph, and inserting
8 in lieu thereof “(m)(2)(B)(i)(II)”;

9 (H) by striking “or, in the case of
10 showerheads, faucets, water closets, or urinals,
11 water use,” in subsection (m)(1), as so redesi-
12 gnated by subparagraph (C) of this paragraph;

13 (I) by striking “, or, in the case of
14 showerheads, faucets, water closets, or urinals,
15 water efficiency,” in subsection (m)(2)(A), as so
16 redesignated by subparagraph (C) of this para-
17 graph;

18 (J) by striking “, or as applicable, water,”
19 in subsection (m)(2)(B)(i)(III), as so redesi-
20 gnated by subparagraph (C) of this paragraph;

21 (K) by striking “and water” in subsection
22 (m)(2)(B)(i)(VI), as so redesignated by sub-
23 paragraph (C) of this paragraph;

1 (L) by striking “, and as applicable,
2 water,” in subsection (m)(2)(B)(iii), as so re-
3 designated by subparagraph (C) of this para-
4 graph;

5 (M) by striking “, in the case of
6 showerheads, faucets, water closets, or urinals,
7 water, or” in subsection (m)(3)(B), as so redesi-
8 gnated by subparagraph (C) of this paragraph;
9 and

10 (N) by striking “(o)” both places it ap-
11 pears in subsection (n)(3)(A), as so redesi-
12 gnated by subparagraph (C) of this paragraph,
13 and inserting in lieu thereof “(m)”;

14 (7) in section 326 (42 U.S.C. 6296)—

15 (A) by striking “or water use” in sub-
16 section (b)(4); and

17 (B) by striking “, energy use, or, in the
18 case of showerheads, faucets, water closets, and
19 urinals, water use” in subsection (d)(1) and in-
20 serting in lieu thereof “or energy use”;

21 (8) in section 327 (42 U.S.C. 6297)—

22 (A) by striking “consumption or water
23 use” in subsection (a)(1) and inserting in lieu
24 thereof “consumption”;

1 (B) by striking “, water use,” in sub-
2 section (a)(1)(A);

3 (C) by striking “, energy efficiency, or
4 water use” each place it appears in subsection
5 (a)(1)(B), subsection (b), subsection (c), and
6 subsection (d)(1)(A), and inserting in lieu
7 thereof “or energy efficiency”;

8 (D) by amending paragraph (2) of sub-
9 section (a) to read as follows:

10 “(2) For purposes of this section, the term ‘State reg-
11 ulation’ means a law, regulation, or other requirement of
12 a State or its political subdivisions.”;

13 (E) by striking “flow rate requirements for
14 showerheads or faucets, or water use require-
15 ments for water closets or urinals,” in sub-
16 section (b)(1);

17 (F) by striking “, or is a regulation (or
18 portion thereof) regulating showerheads” and
19 all that follows through “325(k) is applicable”
20 in subsection (b)(4);

21 (G) by inserting “or” at the end of para-
22 graph (5) of subsection (b);

23 (H) by striking “; or” at the end of para-
24 graph (6) of subsection (b) and inserting in lieu
25 thereof a period;

1 (I) by striking paragraph (7) of subsection
2 (b);

3 (J) by striking “subparagraphs (B) and
4 (C) of section 325(j)(3), and subparagraphs (B)
5 and (C) of section 325(k)(3)” in subsection (c);

6 (K) by inserting “or” at the end of para-
7 graph (2) of subsection (c);

8 (L) by striking the semicolon at the end of
9 paragraph (3) of subsection (c) and inserting in
10 lieu thereof a period;

11 (M) by striking paragraphs (4), (5), and
12 (6) of subsection (c);

13 (N) by striking “or river basin commis-
14 sion” each place it appears in subsection
15 (d)(1)(A) and (B);

16 (O) by striking “or water” each place it
17 appears in subsection (d)(1)(B) and (C);

18 (P) by striking “, and, with respect to a
19 State” and all that follows through “water sup-
20 ply development” in subsection (d)(1)(C);

21 (Q) by striking “or, if the State” and all
22 that follows through “emergency condition,” in
23 subsection (d)(5)(B)(i);

1 (R) by striking “or, in the case of a water
2 emergency condition, water or wastewater treat-
3 ment,” in subsection (d)(5)(B)(i)(I); and

4 (S) by striking “or, in the case of a water
5 emergency condition, by the importation of
6 water,” in subsection (d)(5)(B)(i)(II);

7 (9) in section 336(c)(2) (42 U.S.C. 6306(c)(2)),
8 by striking “325(k)” and inserting in lieu thereof
9 “325(l)”; and

10 (10) in section 337 (42 U.S.C. 6307)—

11 (A) by striking “(a) IN GENERAL.—”; and

12 (B) by striking subsection (b).

○