STATE OF NEW YORK

4591--A

Cal. No. 867

2017-2018 Regular Sessions

IN SENATE

February 21, 2017

Introduced by Sens. VALESKY, AVELLA, FUNKE, LATIMER -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the environmental conservation law, in relation to water saving performance standards

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivisions 2, 3 and 8 of section 15-0314 of the environmental conservation law, as amended by chapter 161 of the laws of 2002, are amended to read as follows:

2. The water saving performance standards for sink and lavatory faucets, shower heads, drinking water fountains, urinals and water closets, including tank-type toilets, flushometer-tank toilets, flushometer-valve toilets, electromechanical hydraulic toilets, **dual-flush toilets** and all other types of toilets that use water shall be as follows:

(a) for lavatory faucets, at a constant water pressure of [~~eighty~~] **sixty** pounds per square inch, maximum flow shall not exceed [~~2.5~~] **1.5** gallons of water per minute (or .25 gallons per cycle for lavatory faucets designed as metering faucets) and provided that those faucet models installed in public buildings must be of a self-closing variety and must be designed to limit the discharged flow rate of water to a maximum of .5 gallons per minute **at a constant water pressure of sixty pounds per square inch** or must be of the metering type which limit the discharge of water to a maximum of .25 gallons per cycle; and

(b) for sink faucets, at a constant water pressure of [~~eighty~~] **sixty** pounds per square inch, maximum flow shall not exceed [~~2.5~~] **2.2** gallons of water per minute; and

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(c) for shower heads, at a constant water pressure of [~~eighty~~] sixty pounds per square inch, maximum flow shall not exceed [~~2.5~~] 2.0 gallons of water per minute; and

(d) for urinals and associated flush-valve, if any, maximum flow shall not exceed an average of [~~one gallon~~] 0.5 gallons of water per flush (except for urinals designated and marketed exclusively for use in prisons or mental health care facilities); and

(e) except for water closets and toilets designed and marketed exclusively for use in prisons or mental health care facilities, (1) for water closets and associated flush-valve, if any, maximum flow shall not exceed an average of [~~one and six-tenths~~] 1.28 gallons of water per flush; (2) for dual-flush tank-type water closets, the average of two reduced flushes and one full flush shall not exceed an average of 1.28 gallons of water per flush; and (3) for dual-flush flushometer-valve water closets, maximum flow shall not exceed an average of 1.28 gallons of water per flush; and

(f) drinking water fountains must be of a self-closing variety.

3. Each shower head, sink or lavatory faucet, both box and product, shall be marked and labeled, and each water closet or urinal, or each component if the water closet or urinal is comprised of two or more components, both box and product, shall be marked and labeled in accordance with the latest revision of the standards designated American National Standards, written under American National Standards Institute (ANSI), and, as applicable, the following United States environmental protection agency watersense program specification: tank-type toilets (June 2, 2014), lavatory faucets (October 1, 2007), flushing urinals (October 8, 2009), and flushometer-valve toilets (December 17, 2015).

8. The commissioner, to the extent practicable and appropriate, shall utilize the latest revision of the standards designated American National Standards, written under American National Standards Institute (ANSI) procedures in determining requirements under this section, and, as applicable, the following United States environmental protection agency watersense program specification: tank-type toilets (June 2, 2014), lavatory faucets (October 1, 2007), flushing urinals (October 8, 2009), and flushometer-valve toilets (December 17, 2015).

§ 2. This act shall take effect January 1, 2019.