

# STATE OF NEW YORK

6960

## IN SENATE

January 6, 2020

Introduced by Sen. KAMINSKY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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:

1 Section 1. Subdivisions 2, 3 and 8 of section 15-0314 of the environ-  
2 mental conservation law, as amended by a chapter of the laws of 2019,  
3 amending the environmental conservation law relating to water saving  
4 performance standards, as proposed in legislative bills numbers S. 354-A  
5 and A. 2286, is amended to read as follows:

6 2. The water saving performance standards for sink and lavatory  
7 faucets, shower heads, drinking water fountains, urinals and water clos-  
8 ets, including tank-type toilets, flushometer-tank toilets, flushome-  
9 ter-valve toilets, electromechanical hydraulic toilets, dual-flush  
10 toilets and all other types of toilets that use water shall be as  
11 follows:

12 (a) for lavatory faucets, at a constant water pressure of sixty pounds  
13 per square inch, maximum flow shall not exceed 1.5 gallons of water per  
14 minute (or .25 gallons per cycle for lavatory faucets designed as meter-  
15 ing faucets) and provided that those faucet models installed in public  
16 buildings must be of a self-closing variety and must be designed to  
17 limit the discharged flow rate of water to a maximum of .5 gallons per  
18 minute at a constant water pressure of sixty pounds per square inch or  
19 must be of the metering type which limit the discharge of water to a  
20 maximum of .25 gallons per cycle; and

21 (b) for sink faucets, at a constant water pressure of sixty pounds per  
22 square inch, maximum flow shall not exceed 2.2 gallons of water per  
23 minute; and

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

27 (d) for urinals and associated flush-valve, if any, maximum flow shall  
28 not exceed an average of 0.5 gallons of water per flush (except for

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

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1 urinals designated and marketed exclusively for use in prisons or mental  
2 health care facilities); and

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

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

12 3. Each shower head, sink or lavatory faucet, both box and product,  
13 shall be marked and labeled, and each water closet or urinal, or each  
14 component if the water closet or urinal is comprised of two or more  
15 components, both box and product, shall be marked and labeled in accord-  
16 ance with the latest revision of the standards designated American  
17 National Standards, written under American National Standards Institute  
18 (ANSI), and, as applicable, the following United States [~~environmental~~  
19 ~~protection agency~~] Environmental Protection Agency watersense program  
20 specification: showerheads (July 26, 2018), tank-type toilets (June 2,  
21 2014), lavatory faucets (October 1, 2007), flushing urinals ([~~October 8~~]  
22 August 14, 2009), and flushometer-valve toilets (December 17, 2015).

23 8. The commissioner, to the extent practicable and appropriate, shall  
24 utilize the latest revision of the standards designated American  
25 National Standards, written under American National Standards Institute  
26 (ANSI) procedures in determining requirements under this section, and,  
27 as applicable, the following United States [~~environmental protection~~  
28 ~~agency~~] Environmental Protection Agency watersense program specifica-  
29 tion: showerheads (July 26, 2018), tank-type toilets (June 2, 2014),  
30 lavatory faucets (October 1, 2007), flushing urinals ([~~October 8~~] August  
31 14, 2009), and flushometer-valve toilets (December 17, 2015).

32 § 2. This act shall take effect on the same date and in the same  
33 manner as a chapter of the laws of 2019, amending the environmental  
34 conservation law relating to water saving performance standards, as  
35 proposed in legislative bills numbers S. 354-A and A. 2286, takes  
36 effect.