



April 4, 2006

Sent via email to: [california.petition@ee.doe.gov](mailto:california.petition@ee.doe.gov)

Samuel W. Bodman  
Secretary of Energy  
United States Department of Energy  
1000 Independence Avenue, SW  
Washington, DC 20585

Subject: Docket Number EE–RM–PET–100 - Petition To Exempt From Preemption California's Water Efficiency Standards For Residential Clothes Washers

Dear Secretary Bodman:

The Association Of California Water Agencies (ACWA) strongly supports the California Energy Commission petition to exempt from preemption California's Water Efficiency Standards For Residential Clothes Washers. ACWA is trade association representing nearly 450 public water agencies that supply over 90% of the water delivered in California for domestic, agricultural and industrial uses. ACWA and its member agencies are working diligently on many fronts to ensure that urban water use efficiency is maximized in a cost effective manner and that a reliable water supply will be available to support all aspects of California's communities, farms, economy and environment. ACWA appreciates the opportunity to comment on the petition as noticed by the U.S. Department of Energy in the Federal Register on February 6, 2006 (71 Fed. Reg. 6022 (2006)).

ACWA believes that the exemption from preemption should be granted for the following reasons:

**1. California's Interests are Unusual and Compelling**

California has the most extensive water importation and distribution system in the nation. Significant water supplies are located more than 300 miles from the urban

areas which are dependent upon these water sources. Much of the water supply system is vulnerable to catastrophic effects of earthquakes and/or levee failures that could interrupt water deliveries for many months and possibly years while repairs are made. Maximum practicable water use efficiency is essential to minimize the severe negative impact of major interruptions in California's unique and precarious water supply network.

## **2. Exemption from Preemption is Necessary to Significantly Reduce Water and Energy Waste**

Enhanced water efficiency standards for appliances are among a number of important strategies to solve our impending water crisis. Clothes washers are a major water use in 80% of homes. High efficiency washers save more than 50% of the water wasted by traditional washers. A typical family using a non-efficient washer wastes more than 6,000 gallons of water per year. The enhanced water efficiency standards will not only reduce this significant waste of precious water, but will also reduce energy waste as well. Although some water agencies currently offer rebates to encourage the purchase of the high-efficiency washers, this method has limited effect and is very costly to ratepayers, compared to mandating improved appliance standards.

## **3. Other Increased Water Use Efficiency Measures Are Also Being Implemented**

There are many innovative measures to improve water efficiency, and California water agencies are already implementing those that are locally cost effective. Improving the efficiency of clothes washers is only part of the overall solution for reliable water supply, yet it is a vital part. Improving the efficiency of clothes washers will not supplant other cost effective water conservation efforts, such as rebate and voucher programs, improved leak detection, increased public education programs, local landscape and water use ordinances, water transfers, new local storage reservoirs and groundwater conjunctive use projects, increased reclamation of stormwater and treated wastewater, and salt and brackish water desalination. It is clear that there is no one "silver bullet" to secure California's water future, but ACWA supports the efforts of its water agencies to implement those that will make significant incremental contributions using water more efficiently.

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We urge you to grant the California Energy Commission's petition to exempt State of California from the federal preemption. California has unique and compelling interests in obtaining a waiver from preemption for its RCW standards. The California standards are the best approach for achieving substantial water savings in residential clothes washers. ACWA agrees with the CEC that the California standards "offer the most comprehensive, highest-persistence, lowest-burden solution of all of the available alternatives. The standards create economic and environmental benefits, do not place significant burdens on industry, and do not significantly restrict performance or features."

On behalf of the nearly 450 public water agencies in California, we respectfully request that the Department of Energy grant a waiver from preemption. Please feel free to contact David Bolland, Senior Regulatory Advocate or myself if you have any questions at 916-441-4545.

Sincerely,

A handwritten signature in black ink, appearing to read "Krista Clark", written in a cursive style.

Krista Clark  
Director of Regulatory Affairs