



## **CIPH and PMI Comments to Natural Resources Canada (NRCan) Amendment 18 – Gazette I**

<https://canadagazette.gc.ca/rp-pr/p1/2024/2024-06-22/html/reg1-eng.html>

### **PROPOSED REGULATORY TEXT Comment (Use no more than 20000 characters):**

The Canadian Institute of Plumbing & Heating (CIPH) and Plumbing Manufacturers International (PMI) appreciate the opportunity to provide comment on the NRCan's new appliance efficiency regulations. This submission will focus on new regulations relation to faucets and showerheads. The CIPH has additionally joined the submission of Air-Conditioning, Heating, and Refrigeration Institute (AHRI) in relation to consumer water heaters, electric water heaters, gas-fired storage water heaters, and central system air conditioners/heat pump.

Our last opportunity to weigh in on the regulations was in our September 15, 2022 letter to Natural Resources Canada, where we shared concerns about flow rates, which will be reiterated below. Some of the concerns we previously voiced were captured in the commentary published in the Canada Gazette along with the regulations.

### **FAUCETS AND SHOWERHEADS**

The Amendment contains a number of provisions that seek to align Canada with the most stringent US jurisdictions in any given area of regulation. Canada will adopt the current U.S. standards for metering faucets and the current California standards for non-metering faucets (as California standards are more stringent). US testing standard will be adopted and maximum flow rates imposed.

The Amendment would also incorporate the current U.S. testing standard, as amended from time to time. The efficiency standards would introduce a maximum flow rate that would limit the quantity of water passing through a product. The requirements under consideration would apply to faucets manufactured on or after July 1, 2026.

Regarding these measures, CIPH and PMI have consistently recommended the adoption of efficiency standards that align with the flow rates in the **National Plumbing Code** of Canada (NPC):

- Private-use lavatory faucets – 5.7 L/min @ 60 psi



- Showerheads – 7.6 L/min @ 80 psi

Some of our comments from the 2022 consultation were published with the Regulation, in particular CIPH highlights the following:

Jurisdictional conflict with the *National Plumbing Code*: Fixture fittings (ex. lavatory faucets and showerheads) are already certified to the ASME A112.18.1/CSA B125.1 standard referred to in the current plumbing code. The Regulations introduced are duplicative and in conflict.

Questionable water savings: Adopting the NRCan's fixture fittings flow rate will not result in any additional water or energy savings for hot water fixture fittings (ex. lavatory faucets and showerheads) beyond those currently in the NPC unless water distribution pipe sizes are reduced in size. This is due to the amount of time it takes to get hot water to a lavatory faucet or showerhead.

Public health concerns: The infrastructure of water supply lines, in accordance with the base requirements of plumbing and building codes, is designed for much higher anticipated water delivery rates than what is currently in use. As water supply systems and supporting infrastructure ages or becomes outdated and as water efficient plumbing fixtures and fittings replace older inefficient models and are installed in new construction, the decreased flow rates keep water in pipes longer, increasing hot water delivery times and providing an environment for opportunistic premise plumbing pathogens (OPPPs) to flourish.

In the June 2024 printing of the regulations in the Gazette, NRCan notes that they consulted with Health Canada and concluded that there is "insufficient evidence [of health impacts] to not advance the Regulations under consideration." However, Health Canada reported to the August 13, 2024 meeting of the Canadian Advisory Council on Plumbing (CACP) what it was concerned enough about the health impacts of plumbing flow rates that that they were actively working on publishing guidance related to microorganism growth and OPPPs. It seems clear that NRCan's regulations are being made prior to Health Canada fully understanding the issue.

### Resolving Conflict with the ***National Plumbing Code***

The CIPH continues to hold these concerns about the chosen regulatory path. As it seems that NRCan is prepared to move forward with its chose regulatory path regardless, CIPH would like to make additional submissions related to the window of implementation.

NRCan's changes to flow rates should be brought into force at the same time they are adopted into the National Plumbing Code in the 2030 code cycle.

The National Plumbing Code must at all times be aligned with the NRCan's flow rates in order to not cause confusion in enforcement. As an example, a 7.6l shower head could be manufactured and sold in Ontario, however, any showerhead coming into Ontario from another province or country, would have to meet the federal regulation. This dual standard will cause issues to



inspectors for inspectors and homeowners. The NPC needs to align with NRCan at the same time, therefore this amendment needs to be delayed until the 2030 code cycle when the flow rates in the NPC can be changed.

In the alternative should NRCan persist in taking the regulation of these products in Canada out of alignment, CIPH requests that the Regulations come into force no less than 24 months after the date of adoption to allow a reasonable window for industry adoption as there are not 1-to-1 replacements for all current products.

All of which is respectfully submitted,

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