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"Remedios, Sally" <SAR@deltafaucet.com>
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To: "OIRA_bc_rpt@omb.eop.gov." <OIRA_bc_rpt@omb.eop.gov>

cc:

Subject: Review of Manufacturing Regulations

<<NAM-ORIA.doc>>

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Office of Information and Regulatory Affairs.
Department of Commerce,
Washington, D.C.

Re: ORIA Regulatory Review.

Delta Faucet Company is committed to producing plumbing products which comply with all Federal, state and local laws, regulations and codes. Under the Energy Policy Act of 1992, manufacturers are mandated to meet specific conservation regulations for water usage.

Beginning in January of 1994 this amended Act requires manufacturers of shower heads, kitchen and lavatory faucets, water closets and urinals to disclose their water usage rates on all products, packaging and labeling as well as in catalogues and point of sale promotional materials.

In addition, the amended rule also requires manufacturers of faucets, showerheads, urinals and water closets to document the water usage of all such products that they manufacture and submit a report annually to the FTC specifying these values.

These levels of water conservation for these products cover water usage rates that are currently required by state, local, and model codes through national consensus standards.

In order to show compliance to these standards we certify and list our products with third party certification bodies. In this way not only do we show compliance to the codes but also to EPACT 92 since the water usage requirements are the same.

The Energy Policy and Conservation Act (EPAC), as amended in 1997 required the DOE to administer an energy and water conservation program for certain plumbing products. This program requires manufacturers of residential products to submit, for each basic model, certain types of data and information in their certification reports to the Department.

This is a duplicate copy of the report submitted to the FTC except it is in a different format.

These reports are a time and cost burden for manufacturers who already have this information verified by the third party certification bodies, and ultimately pass this along to the consumer.

It is recommended that this reporting structure to the FTC and DOE be replaced by acceptance of the lists that are available on-line through the certification bodies.

55 East 111th Street
P.O. Box 40980
Indianapolis, IN 46280
(317) 848-1812
www.deltafaucet.com

A Masco Company





ORIA Regulatory Review. (cont'd)

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The DOE program would remain one of policing the product in the marketplace which is required, under EPAC 92, to be marked with the water usage in order for consumers to have a choice in the type of efficient product they buy. If tested and found to be non-compliant to these advertised water usage values, then DOE is empowered to assess civil penalties under EPAC.

We believe this is deterrent enough, in a market place where complying manufacturers are competing against imported products seemingly not subjected to the same reporting regulations.

Your consideration of this issue would be appreciated so that the manufacturing sector of the plumbing industry is not burdened with duplicate reporting, that does not benefit the consumer, who is already being supplied with the information they require to make an informed choice when buying water conserving products.

Yours sincerely,

Sally Remedios,
Manager, Product Compliance,
Delta Faucet Company,
317 587 1270
sar@deltafaucet.com

55 East 111th Street
P.O. Box 40980
Indianapolis, IN 46280
(317) 848-1812
www.deltafaucet.com

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