

BILL ANALYSIS

Senate Research Center
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Natural Resources
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Prerinse spray valves are used to remove larger food and waste particles from dishes and utensils before they are washed by hand or machine in restaurants, schools and other commercial kitchens. Spray valves in common use today tend to use three to six gallons of hot water per minute. In a typical restaurant, each spray valve is used several hours each day. Newer, high-efficiency spray valves use less than two gallons per minute – a substantial savings in both water and the energy used to heat the water.

In recent years, high-efficiency spray valves have come into the market. Nationwide, more than 20,000 new spray valves have been deployed. They have been well received by users and have resulted in substantial water and energy savings on a per-unit basis, but their vast potential has yet to be realized. In Texas, an estimated 75,000 inefficient spray valves remain in use.

This bill sets water efficiency standards for commercial prerinse spray valves by requiring that commercial spray valves sold in Texas use no more than 1.6 gallons per minute – the same standard used by other states leading the way in water-and energy-conservation efforts.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 372.001, Health and Safety Code, by adding Subdivision (5), to define "commercial prerinse spray valve."

SECTION 2. Amends Chapter 372, Health and Safety Code, by adding Section 372.005, as follows:

Sec. 372.005. COMMERCIAL PRERINSE SPRAY VALVE PERFORMANCE STANDARDS. (a) Prohibits a person from selling, offering for sale, distributing, leasing, or importing a commercial prerinse spray valve for use in this state unless the prerinse spray valve meets certain requirements.

(b) Requires the Texas Commission on Environmental Quality (TCEQ) to make and maintain a current list of commercial prerinse spray valves that are certified to TCEQ by the manufacturer or importer to meet the performance standards provided by Subsection (a)(1). Requires the manufacturer or importer to supply TCEQ with the identification and the performance specifications of the prerinse spray valve in the form prescribed by TCEQ, to have a commercial prerinse spray valve included on the list. Authorizes TCEQ to test a listed commercial prerinse spray valve to determine the accuracy of the manufacturer's or importer's certification and requires the removal from the list of a prerinse spray valve that TCEQ determines to be inaccurately certified.

(c) Authorizes TCEQ to assess a reasonable fee against a manufacturer or an importer for an inspection of a commercial prerinse spray valve to determine the accuracy of the manufacturer's or importer's certification in an amount determined by TCEQ to cover the expenses incurred in the administration of this subchapter.

Requires a fee received by TCEQ under this subsection to be deposited in the state treasury to the credit of the water resource management account. Authorizes fees deposited under this section be appropriated only for the administration of this chapter.

SECTION 3. Sets forth the commercial prerinse spray valves to which Section 372.005, Health and Safety Code, as added by this Act, does not apply.

SECTION 4. Effective date: January 1, 2006.