



Time to Repeal the Politically Correct Toilet Law

by Michael E. Heberling, Ph. D.

Summary

New 1.6-gallon toilets mandated by Congress in 1992 are supposed to conserve water and work as well as the older, standard 3.5-gallon toilets. Unfortunately, they do neither, and Michigan Congressman Joe Knollenberg has proposed a bill that will take Washington out of Americans' bathrooms and allow them to again use toilets that work.

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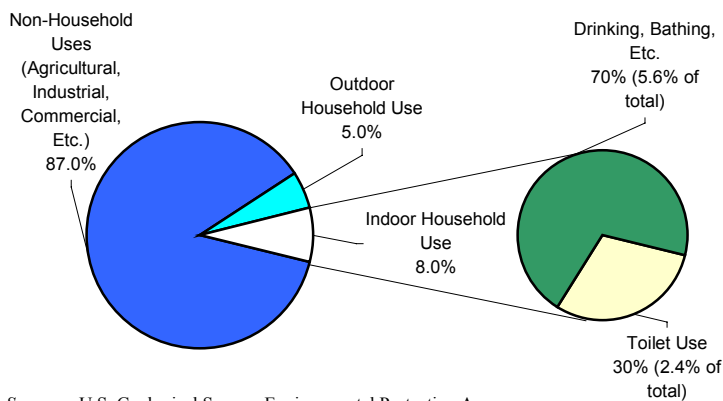
Last year my family and I moved into our newly built house in Grand Blanc, and while all new houses have some problems, I was not expecting our toilet to be among them. Flushing it has become an anxious game of chance for all of us. Will it work? Will it require just one flush, or will it take two or more to get the job done? Will it clog up? Or will it, heaven forbid, overflow?

Why has using the bathroom become a source of anxiety in my home? It is because I am the not-so-proud owner of three federally mandated, supposedly environmentally friendly, but decidedly consumer-unfriendly toilets. The older and standard 3.5-gallon toilet, which worked, was outlawed by Congress's Energy Policy and Conservation Act of 1992 in favor of the new, politically correct, 1.6-gallon toilet, which, contrary to assurances from consumer advocate groups and others, does not work.

Why does this law even exist? I have a choice if I want to buy a gas-guzzling sport utility vehicle (SUV), even though gasoline is a non-renewable/non-recyclable resource. In contrast, water is recyclable and reusable. So why is it that Americans are allowed to buy any size product that uses non-reusable energy (such as a car, stove, or refrigerator), but we cannot buy a 3.5-gallon toilet that uses water, a reusable resource, that can be returned to the environment after treatment?

I am not suggesting the federal government limit consumer choices in automobiles or appliances, but the above facts show the logical inconsistency behind the toilet law. Other facts demonstrate the law's ultimate ineffectiveness. For example, I can water my lawn all day and wash my SUV in the driveway. The government does not restrict either of these activities, even though they account for 40 percent of total household water use. But the stated reason for enacting the toilet law was to save water. The new toilet is supposed to save, in theory, 1.9 gallons of water

Water Use in the United States



The federal toilet law is supposed to save water by mandating smaller toilets, but toilets account for only 30 percent of indoor household water use and less than 3 percent of all water used in the U. S.

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per use and \$50 per year. (This assumes no double or triple flushing, which is in my house quite an assumption.)

Advocates of the new toilets note that the old 3.5-gallon toilet accounts for 30 percent of (indoor) household water use, which sounds like a significant figure. However, when you include outside household water use in the total, this figure drops to 18 percent. If we then include all the water used by agriculture, industry, and commercial businesses, we find that household toilets account for a little over two percent of America's total water use.

What does this mean in practical terms? It means that in exchange for all the fuss and bother of non-working toilets, Americans are saving, in the best case scenario, little more than one one-hundredth of the water we would normally use. In the worst case, all the double and triple flushing necessary to make the new toilets work probably means we are not saving any water at all.

The Environmental Protection Agency recently warned Congress that America will need to expend \$280 billion in the next two decades for the treatment of drinking and waste water. Michigan's share will be nearly \$10 billion. This cost will be a function of how much water is treated each year, but it will be borne by those who use the service (private citizens, agriculture, industry, and businesses). Isn't this the only fair way? If the federal government or the state of Michigan is not paying for this, why is this a government problem?

Michigan Congressman Joe Knollenberg (R-Bloomfield Hills) agrees that it is time for Washington to butt out of our bathrooms. He is sponsoring the Plumbing Standards Act, a bill that would repeal the federal government's ridiculous toilet mandate and once again allow Americans to use the 3.5-gallon toilet, if that is what they want.

Instead of issuing toilet edicts, the government could provide information to help people make their own decisions. Similar to the energy guide on new refrigerators, a water usage guide attached to each new toilet could state the estimated water usage and cost per year. If people later decide that they want to use less water and save money, they can put a brick or a plastic bottle in their toilet's tank. The important point is that consumers' freedom of choice be restored.

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