

A better way to save water

Everyone hates taxes but prices > regulations

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My dad has a pre-Obama dishwasher at his summer house. It's loud and cleans dishes really fast, and I like to troll my family by talking about how great it is, though the truth is I'm with Kevin Drum and **don't really care about dishwasher speed**. At home we run our dishwasher overnight and unload it in the morning, so 95 percent of the time the speed is irrelevant and I appreciate that my high-efficiency dishwasher is quieter than my dad's.¹

Still, I'm not a Communist and I find it a little odd that this is an area of command-and-control regulation.

It's totally reasonable for people to disagree about the ideal performance characteristics of home appliances, and for certain older people to be set in their ways and just prefer the things they're accustomed to.

Dishwashers weren't the only consumer regulatory battle Obama waged — his administration also enacted new efficiency rules for lightbulbs, essentially phasing out incandescent bulbs in favor of more efficient, longer-lasting new technology. This bothered some people at first, because the light emitted by the new bulbs was **"cooler"** than the old bulbs, but the technology improved fast enough that by the time Trump was in office, nobody cared. By contrast, the efficiency rules for dishwashers and washing machines are still actively contested, with Trump moving to cancel Obama-era rules, then Biden canceling the

cancellation, and conservative judges perhaps cancelling Biden's cancellation of Trump's cancellation.

With energy efficiency, the purpose of the rules is at least clear enough.

The majority of our electricity comes from sources that also generate pollution. So to the extent you can get the same thing done using less electricity, you generate less air pollution and contribute to hitting various emissions targets. The water rules are weird, though, because it's not totally clear that efficiency regulations reduce water consumption and also because the actual water situation is so varied across the country.

This is not the most important issue in the world, but it is an example of how infuriating it can be when we can't find ways to build consensus toward addressing problems with flexible, efficient, price-based solutions.

The water war

Our story begins with the 1975 Energy Policy and Conservation Act, which occurred between the twin pressures of the 1973 oil crisis and the rising power of the environmental movement. This bill featured a bunch of provisions, including the creation of the Strategic Petroleum Reserve. It also gave the Energy Department a statutory mandate to set energy efficiency standards for home appliances (and more energy-efficient washing machines and dishwashers also use less water). Then the 1992 Energy Policy and Conservation Act included [efficiency standards for](#)

showerheads, which is purely about water, and ever since then, water conservation has clearly been a goal of the appliance regulators.

In 2009, Obama called for tougher efficiency standards for home appliances, and the rules were finalized shortly after his reelection.

Obama also updated showerhead standards. The 1992 rule limited showerheads to 2.5 gallons of water per minute, but over time people started selling shower fixtures that had multiple nozzles in order to comply with the letter of the rules while using more water. In 2013, the updated regulations clarified that it should be 2.5 gallons of water in total.

Trump tried to create a new regulatory category of dishwashers that would be exempt from the Obama-era rule, did something similar for clothes washers, and reverted the showerhead rule.

But when Joe Biden became president, he issued a sweeping executive order calling for a halt to all Trump-era rulemakings and a review of their consistency with Biden's climate priorities. That led to a reversal of his showerhead rule in 2021, of the dishwasher rule in 2023, and of the clothes washer rule in 2024. Conservative judges on the 5th Circuit slapped the Biden administration back on the dish and clothing fronts, arguing that EPCA does not empower the Energy Department to make water efficiency standards for appliances — though the showerheads, where the statutory text is clearer, are not part of this litigation.

I am not that interested in jurisprudence, though. To me, what's interesting here is that there is clearly a drive to impose water efficiency regulations.

If you ask anyone who works in the Biden administration, they'll tell you that *energy* issues are a priority all across the country because Democrats care a lot about climate change. The people who work for the Biden administration are generally very sincerely motivated on climate, regardless of what issue they actually work on. Democratic donors care a lot about climate. There are big climate-focused interest groups and climate-centric media outlets. I think a political problem for Democrats is that **most Americans don't care that much about this**, but it's not a big mystery why Democrats try to come up with ways to reduce emissions.

But who has the water juice? Nobody I've talked to has suggested that there's incredible external pressure on Biden to deliver on water conservation. The back-and-forth just has a kind of automatic quality to it. A big memo went out calling to "reverse Trump's regulatory stuff," and so the wheels of government began to spin. To my knowledge, there was no high-level meeting where top officials decided that America had to tackle this topic. It's just an unimportant issue silo where the pro-regulatory side gets what it wants.

Actual water use is complicated

The showerhead rules aim to regulate the *rate* at which water comes out of the shower. But the actual volume used is a function of that rate multiplied by the time spent in the shower. At least one study from the

UK suggests that [lower-flow showers lead people to take longer showers](#) and actually use more water.

By the same token, the Natural Resources Defense Council (NRDC), which [strongly supports stricter dishwasher rules](#), cautions people [against hand-washing dishes](#).

1. If you have a dishwasher, put down the sponge.

It may feel more virtuous to wash by hand, but it's actually more wasteful: You use up to 27 gallons of water per load by hand versus as little as 3 gallons with an ENERGY STAR-rated dishwasher. And just scrape off the food scraps instead of rinsing each dish before you load it.

So what if longer machine cycles lead people to hand wash more and actually use more water?

I am certainly not completely sold on the claim that these efficiency standards are counterproductive. My point is that we are dealing with a very crude regulatory instrument to address household water use, because these are not regulations on household water use. They are regulations on appliances. You are free, in Joe Biden's America, to take a shower for as long as you want. You can buy two dishwashers and run them both every day, if you want to. I could, right now, walk over to my

kitchen sink and turn the faucet on for no reason and just let the water run. I won't do that, but I could.

The NRDC offers other water saving tips that illustrates how complicated this issue actually is. They say, for example, that washing your own car uses a lot more water than taking to a car wash — good news for those of us who are lazy! They suggest adding an automatic shut-off valve to your garden hose, which seems like the kind of thing they would probably like to advocate for making mandatory, but which there is clearly no legal authority for. They also offer the creative idea that you could put a big bucket in the shower when you wash. That's not going to get you drinkable water or water you'd want to use washing dishes, but they say "you could capture a gallon or more that could be put to good use watering your plants."

I solve that problem by not having any plants. But speaking of plants, they mention that "one-third of residential water use goes toward watering the lawn and garden" and that you can reduce your lawn's water needs by relying on native plants that are well-adapted to the local climate rather than those that require additional hydration.

These are all fine points if you are highly motivated by a desire to save water, which NRDC says you should be "as climate change brings more intense droughts." But it also illustrates the fundamental weakness of appliance regulations as a tool. After all, communities vary enormously in the extent to which they are exposed to arid conditions. Mine isn't. And households vary enormously in their water consumption, largely for reasons that have nothing to do with appliance efficiency.

What price pricing?

When promulgating the regulations, DOE touts consumer savings as one of the major benefits of stricter rules. That makes sense to me. I don't personally find the new dishwashers to be problematic, so getting something with lower ongoing operating costs seems like a good idea.

But different people have different opinions about this kind of thing. I could save money by making salad at home two or three days a week instead of buying lunch at Sweetgreen or Cava, but it would be odd for the government to *make me* make my own salad and then tell me it's helping me by saving me money.

If the concern is that the financial savings of more efficient appliances won't motivate enough switching and still leave us over-consuming water, then the clear solution seems to be to *make the price of water higher*. One nice thing about prices as a conservation tool is it helps address these concerns about backfiring behavioral response. If you want to cut your water bill, you might address that by getting a more efficient showerhead *and making sure you don't take longer showers*. You might get a more efficient dishwasher *and use it properly*. The other nice thing, though, is that it allows for all the other NRDC behavioral responses to take effect. Maybe you try the bucket shower thing. Maybe you get a less water-intensive lawn.

Even more to the point, pricing addresses the big structural issues in play here.

It's all well and good to have a less-thirsty lawn, but what about the size of your lawn? I don't have a lawn at all — that's a great way to save water. And, again, the question of whether water is even scarce is much better addressed through pricing. Perhaps even in water-rich regions of the country there is some need for conservation, but clearly the pressure should be primarily on the arid parts of the country and not here in the rainy east.

A concern about pricing is always that it's regressive. But this can be addressed pretty easily by adopting a progressive rate structure where water is cheap for those using a below-average amount, but then you face escalating marginal costs if you're using above-average amounts. That means everyone should be able to easily afford enough water to get by, but water super-users are facing meaningful pressure to conserve more. And if they don't want to, that generates revenue, which is always nice to have. We know, of course, that voters never like broad-based taxation, which is how we end up with these administrative regulations instead. But this is what elite politics is supposed to be for. Donald Trump has a bug up his butt about showerheads, and environmentalists want to conserve water, so you strike a deal that achieves the same conservation goals through pricing, let Trump pay for a longer shower, and use the revenue to do something useful.

More than water

This brings us, of course, to the Biden administration's [new tailpipe emissions rules for cars](#). After consulting with stakeholders from the big three and the UAW, they decided to somewhat water down their original aggressive EV targets and, in particular, become a lot more open to

plug-in hybrids. That seems like a reasonable and measured approach that it took an unreasonably long time for Democrats to come around to.

That being said, when I was coming up in the Neolithic Era of takes, you couldn't possibly have a big national debate about fuel efficiency standards without someone pointing out that it would make a lot more sense to this with higher gasoline taxes.

Everyone has gotten so tired of that take that this time around, nobody even bothered to write it. Which on some level I understand. But it's also genuinely important for young people out there watching this argument go back and forth between Democrats and Republicans to know that there is a much better solution available in the form of achieving emissions reductions via a higher gasoline tax.

Why is the gas tax better?

Well, think of it this way. Imagine a gas tax high enough to generate an equivalent market share growth of EVs and plug-in hybrids to this new Biden rule. That tax would *also* be high enough to induce other forms of behavior change. My car, for example, literally has a button you can press that puts it into "eco mode," where it runs more fuel efficiently but accelerates more slowly. Higher tax means more eco mode. A higher tax also means families that own more than one car are more likely to think to use the more fuel efficient one when everyone is in one vehicle for a family trip. It means people are more likely to consider car-pooling to a common destination rather than everyone taking a separate car. It means city-dwellers are more likely to ride transit than to hail an Uber. It also

just means that the people who are most likely to ditch their existing conventional engine for an EV or a plug-in hybrid are specifically the people who drive more than average rather than the people who are most ecologically minded.

Which is to say that an equivalently tough gas tax has *much larger emissions benefits* than any possible tailpipe emissions rule.²

The downside of a tax, of course, is that people have to pay more. But the regulatory method isn't free either — it just obscures the costs. Conversely, a tax *generates revenue*. In the land of Reason And Good Sense, Republicans would tell Biden, “instead of making a rule that **Trump can try to overturn** if he wins. Why don't we pass a law generating the same emissions benefits via a gas tax increase and use the funds to finance stuff Republicans think is good?” And then Democrats would say “you know what, that seems like a fair trade — it's a way of achieving something that we think is important and in exchange Republicans get to achieve something they think is important” (presumably lower taxes for rich people).

There are many reasons that the American political system does not work this way.

But I do want to note that one important reason no longer applies: For most of my career, interest rates have been persistently low, so there's been no political or policy reason to actually care about budget math and deficits. Today, though, rates are higher and people seem genuinely upset about it. **Fiscal discipline matters now**, and so the fact that many

issues can be efficiently addressed with taxes seems like something the world should try to remember.

1 I know some people complain that modern dishwashers don't successfully clean dishes, but in my experience that's because **people aren't using them correctly** — make sure to aid rinse aid and *don't* pre-rinse the dishes and you'll be fine.

2 Or you could generate *equivalent emissions reductions* with a *lower* tax that involves slower change to the vehicle mix.