

2 **SHB 2833** - S COMM AMD  
3 By Committee on Agriculture & Water Resources

4 ADOPTED 3/4/92

5 Strike everything after the enacting clause and insert the  
6 following:

7 "NEW SECTION. Sec. 1. The legislature finds that by  
8 encouraging the use of reclaimed water while assuring the health and  
9 safety of all Washington citizens and the protection of its  
10 environment, the state of Washington will continue to use water in the  
11 best interests of present and future generations.

12 To facilitate the opportunity to use reclaimed water as soon as is  
13 practicable, the legislature encourages the cooperative efforts of the  
14 public and private sectors and the use of pilot projects to effectuate  
15 the goals of this chapter. The legislature further directs the  
16 department of health and the department of ecology to coordinate  
17 efforts towards developing an efficient and streamlined process for  
18 creating and implementing processes for the use of reclaimed water."

19 "NEW SECTION. Sec. 2. Unless the context clearly requires  
20 otherwise, the definitions in this section apply throughout this  
21 chapter.

22 (1) "Greywater" means sewage having the consistency and strength of  
23 residential domestic type wastewater. Greywater includes wastewater  
24 from sinks, showers, and laundry fixtures, but does not include toilet  
25 or urinal waters.

1 (2) "Land application" means application of treated effluent for  
2 purposes of irrigation or landscape enhancement for residential,  
3 business, and governmental purposes.

4 (3) "Person" means any state, individual, public or private  
5 corporation, political subdivision, governmental subdivision,  
6 governmental agency, municipality, copartnership, association, firm,  
7 trust estate, or any other legal entity whatever.

8 (4) "Reclaimed water" means effluent derived in any part from  
9 sewage from a wastewater treatment system that has been adequately and  
10 reliably treated, so that as a result of that treatment, it is suitable  
11 for a direct beneficial use or a controlled use that would not  
12 otherwise occur.

13 (5) "Sewage" means water-carried human wastes, including kitchen,  
14 bath, and laundry waste from residences, buildings, industrial and  
15 commercial establishments, or other places, together with such ground  
16 water infiltration, surface waters, or industrial wastewater as may be  
17 present.

18 (6) "User" means any person who uses reclaimed water.

19 (7) "Wastewater" means water and wastes discharged from homes,  
20 businesses, and industry to the sewer system."

21 "NEW SECTION. Sec. 3. (1) The department of ecology shall, in  
22 coordination with the department of health, develop interim standards  
23 for pilot projects under subsection (3) of this section on or before  
24 July 1, 1992, for the use of reclaimed water in land applications.

25 (2) The department of health shall, in coordination with the  
26 department of ecology, develop interim standards for pilot projects  
27 under subsection (3) of this section on or before November 15, 1992,  
28 for the use of reclaimed water in commercial and industrial activities.

1 (3) The department of ecology and the department of health shall  
2 assist interested parties in the development of pilot projects to aid  
3 in achieving the purposes of this chapter."

4 "NEW SECTION. Sec. 4. (1) The department of health shall, in  
5 coordination with the department of ecology, adopt a single set of  
6 standards, procedures, and guidelines on or before August 1, 1993, for  
7 the industrial and commercial use of reclaimed water.

8 (2) The department of health may issue a reclaimed water permit for  
9 industrial and commercial uses of reclaimed water to the generator of  
10 reclaimed water who may then distribute the water, subject to  
11 provisions in the permit governing the location, rate, water quality,  
12 and purposes of use.

13 (3) The department of health in consultation with the advisory  
14 committee established in section 6 of this act, shall develop  
15 recommendations for a fee structure for permits issued under subsection  
16 (2) of this section. Fees shall be established in amounts to fully  
17 recover, and not exceed, expenses incurred by the department of health  
18 in processing permit applications and modifications, monitoring and  
19 evaluating compliance with permits, and conducting inspections and  
20 supporting the reasonable overhead expenses that are directly related  
21 to these activities. Permit fees may not be used for research or  
22 enforcement activities. The department of health shall not issue  
23 permits under this section until a fee structure has been established.

24 (4) A permit under this section for use of reclaimed water may be  
25 issued only to a municipal, quasi-municipal, or other governmental  
26 entity or to the holder of a waste discharge permit issued under  
27 chapter 90.48 RCW.

28 (5) The authority and duties created in this section are in  
29 addition to any authority and duties already provided in law with

1 regard to sewage and wastewater collection, treatment, and disposal for  
2 the protection of health and safety of the state's waters. Nothing in  
3 this section limits the powers of the state or any political  
4 subdivision to exercise such authority."

5 "NEW SECTION. Sec. 5. (1) The department of ecology shall, in  
6 coordination with the department of health, adopt a single set of  
7 standards, procedures, and guidelines, on or before August 1, 1993, for  
8 land applications of reclaimed water.

9 (2) A permit is required for any land application of reclaimed  
10 water. The department of ecology may issue a reclaimed water permit  
11 under chapter 90.48 RCW to the generator of reclaimed water who may  
12 then distribute the water, subject to provisions in the permit  
13 governing the location, rate, water quality, and purpose of use. The  
14 department of ecology shall not issue more than one permit for any  
15 individual land application of reclaimed water to a single generator.

16 (3) In cases where the department of ecology determines, in land  
17 applications of reclaimed water, that a significant risk to the public  
18 health exists, the department shall refer the application to the  
19 department of health for review and consultation and the department of  
20 health may require fees appropriate for review and consultation from  
21 the applicant pursuant to RCW 43.70.250.

22 (4) A permit under this section for use of reclaimed water may be  
23 issued only to a municipal, quasi-municipal, or other governmental  
24 entity or to the holder of a waste discharge permit issued under  
25 chapter 90.48 RCW.

26 (5) The authority and duties created in this section are in  
27 addition to any authority and duties already provided in law. Nothing  
28 in this section limits the powers of the state or any political  
29 subdivision to exercise such authority."

1        "NEW SECTION. Sec. 6.        (1) The department of health shall,  
2 before May 1, 1992, form an advisory committee, in coordination with  
3 the department of ecology and the department of agriculture, which will  
4 provide technical assistance in the development of standards,  
5 procedures, and guidelines required by this chapter. Such committee  
6 shall be composed of individuals from the public wastewater utilities,  
7 landscaping enhancement industry, commercial and industrial application  
8 community, and any other persons deemed technically helpful by the  
9 department of health.

10        (2) The department of health shall report to the joint select  
11 committee on water resource policy by December 1, 1992, on the fee  
12 structure which has been recommended under section 4(3) of this act and  
13 review fees authorized under section 5(3) of this act."

14        "NEW SECTION. Sec. 7.        The secretary of health has all of the  
15 enforcement powers granted to the secretary of health under chapter  
16 43.70 RCW to enforce this chapter."

17        "NEW SECTION. Sec. 8.        Any person lawfully using reclaimed  
18 water before the effective date of this act may continue to do so and  
19 is not required to comply with the standards, procedures, and  
20 guidelines under chapter 90.-- RCW (sections 1 through 8 of this act)  
21 before July 1, 1995."

22        "NEW SECTION. Sec. 9.        Sections 1 through 8 of this act shall  
23 constitute a new chapter in Title 90 RCW."

24        "NEW SECTION. Sec. 10.       The department of health shall report to  
25 the legislature on progress, compliance, and overall participation in  
26 the use of reclaimed water in the state of Washington and, to the

1 extent possible, on the resulting savings of water. The report shall  
2 also review and evaluate all uses of reclaimed water as of the  
3 effective date of this act, with recommendations as to the application  
4 of standards, procedures, and guidelines by the department of health to  
5 such existing uses, including guidelines and government agency  
6 approvals necessary to assure an adequate supply of safe, high quality  
7 food products for both domestic and export markets. The report shall  
8 further consider potential uses of greywater, including potential  
9 health impacts, and provide recommendations for such uses. The  
10 department of health shall prepare the report in coordination with the  
11 department of ecology, state building code council, and state board of  
12 health. The report under this subsection is due August 1, 1994."

13 "NEW SECTION. Sec. 11. This act is necessary for the immediate  
14 preservation of the public peace, health, or safety, or support of the  
15 state government and its existing public institutions, and shall take  
16 effect immediately."

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20 On page 1, line 1 of the title, after "reclamation;" strike the  
21 remainder of the title and insert "adding a new chapter to Title 90  
22 RCW; creating a new section; and declaring an emergency."