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**SUBSTITUTE HOUSE BILL 2833**

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**State of Washington**

**52nd Legislature**

**1992 Regular Session**

**By** House Committee on Natural Resources & Parks (originally sponsored by Representatives Fraser, McLean, Rayburn, Edmondson, Valle, Miller, Belcher, Brekke and Haugen)

Read first time 02/07/92.

1       AN ACT Relating to water conservation and reclamation; adding new  
2 sections to chapter 43.70 RCW; adding new sections to chapter 43.21A  
3 RCW; creating new sections; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5       NEW SECTION.   **Sec. 1.**       The legislature finds that:

6       (1) The state of Washington, to ensure that the highest quality  
7 water resources are available for agricultural, commercial, and  
8 residential uses necessary for the future economic growth of the state,  
9 must encourage the use of reclaimed water;

10       (2) In order to protect and preserve the natural resources of the  
11 state of Washington, which are of paramount importance to its citizens,  
12 the conservation of water is an indispensable activity; and

13       (3) By encouraging the use of reclaimed water while assuring the  
14 health and safety of all Washington citizens and the protection of its

1 environment, the state of Washington will continue to use water in the  
2 best interests of present and future generations.

3 To facilitate the opportunity to use reclaimed water as soon as is  
4 practicable, the legislature encourages the cooperative efforts of the  
5 public and private sectors and the use of pilot projects to effectuate  
6 the goals of this act. The legislature further encourages the  
7 department of health and the department of ecology to coordinate  
8 efforts towards developing an efficient and streamlined process for  
9 creating and implementing processes for the use of reclaimed water.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.70 RCW  
11 to read as follows:

12 Unless the context clearly requires otherwise, the definitions in  
13 this section apply throughout section 3 of this act.

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

18 (2) "Land application" means application of treated effluent for  
19 purposes of irrigation or landscape enhancement.

20 (3) "Person" means any state, individual, public or private  
21 corporation, political subdivision, governmental subdivision,  
22 governmental agency, municipality, copartnership, association, firm,  
23 trust estate, or any other legal entity whatever.

24 (4) "Reclaimed water" means effluent from a wastewater treatment  
25 system that has been adequately and reliably treated, so that as a  
26 result of that treatment, it is suitable for a direct beneficial use or  
27 a controlled use that would not otherwise occur.

28 (5) "Sewage" means water-carried human wastes, including kitchen,  
29 bath, and laundry waste from residences, buildings, industrial and

1 commercial establishments, or other places, together with such ground  
2 water infiltration, surface waters, or industrial wastewater as may be  
3 present.

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

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

7 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.70 RCW  
8 to read as follows:

9 (1)(a) The department shall, in coordination with the department of  
10 ecology, develop interim guidelines on or before July 1, 1992, for the  
11 use of reclaimed water in land applications. The department shall, in  
12 coordination with the department of ecology, develop interim guidelines  
13 on or before November 15, 1992, for the use of reclaimed water by  
14 commercial and industrial users.

15 (b) The department and the department of ecology shall adopt a  
16 single set of standards, procedures, and guidelines on or before August  
17 1, 1993, for the use of reclaimed water. Uses, pursuant to this  
18 subsection, shall be limited to irrigation for agriculture, municipal  
19 irrigation, landscape enhancement, and industrial and commercial uses  
20 that begin after the effective date of this act. Any person using  
21 reclaimed water prior to the effective date of this act may continue to  
22 do so and shall not be required to comply with the standards,  
23 procedures, and guidelines set forth under this section before August  
24 1, 1994.

25 (c) The department may develop pilot projects to aid in achieving  
26 the purposes of this section.

27 (2) In cases where the standards, procedures, and guidelines  
28 adopted pursuant to subsection (1)(b) of this section provide for a  
29 permit to be issued by the department, the department may require a

1 permit for the use of reclaimed water and may require a reasonable fee  
2 for the acquisition of such a permit. Fees shall be established in  
3 amounts to fully recover and not to exceed expenses incurred by the  
4 department in processing permit applications and modifications,  
5 monitoring and evaluating compliance with permits, and conducting  
6 inspections and supporting the overhead expenses that are directly  
7 related to these activities. The department may require the permit to  
8 be renewed on a periodic basis. No person may use reclaimed water for  
9 uses allowed in this section without such permits as may be required  
10 from the department or the department of ecology.

11 (3) The authority of and duties created in this section are in  
12 addition to any authority and duties already provided in law with  
13 regard to sewage and wastewater collection, treatment, and disposal for  
14 the protection of health and safety and the protection of the quality  
15 of the state's waters. Nothing in this section limits the powers of  
16 the state or any political subdivision to exercise such authority.

17 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.21A RCW  
18 to read as follows:

19 Unless the context clearly requires otherwise, the definitions in  
20 this section apply throughout section 5 of this act.

21 (1) "Land application" means application of treated effluent for  
22 purposes of irrigation or landscape enhancement.

23 (2) "Person" means any state, individual, public or private  
24 corporation, political subdivision, governmental subdivision,  
25 governmental agency, municipality, copartnership, association, firm,  
26 trust estate, or any other legal entity whatever.

27 (3) "Reclaimed water" means effluent from a wastewater treatment  
28 system that has been adequately and reliably treated, so that as a

1 result of that treatment, it is suitable for a direct beneficial use or  
2 a controlled use that would not otherwise occur.

3 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.21A RCW  
4 to read as follows:

5 (1) The department shall, in coordination with the department of  
6 health, develop interim standards and procedures on or before July 1,  
7 1992, for the use of reclaimed water in land applications. The  
8 department shall, in coordination with the department of health,  
9 develop interim guidelines on or before November 15, 1992, for the use  
10 of reclaimed water by commercial and industrial users. The department  
11 and the department of health shall adopt a single set of standards,  
12 procedures, and guidelines on or before August 1, 1993, for land  
13 application of reclaimed water. All standards, procedures, and  
14 guidelines developed and adopted under this subsection shall be  
15 consistent with water quality standards for ground water.

16 (2) A permit from the department is required for any land  
17 application of reclaimed water. The department may issue a permit for  
18 land application of reclaimed water to the generator of such reclaimed  
19 water who may then distribute such water, subject to provisions in the  
20 permit governing the location, rate, water quality, and purpose of use.

21 (3) A permit under this section may be issued only to a municipal,  
22 quasi-municipal, or other governmental entity.

23 (4) Any person using reclaimed water prior to the effective date of  
24 this act may continue to do so and shall not be required to comply with  
25 the standards, procedures, and guidelines set forth under this section  
26 before August 1, 1994.

27 (5) The authority and duties created in this section are in  
28 addition to any authority and duties already provided in law. Nothing

1 in this section limits the powers of the state or any political  
2 subdivision to exercise such authority.

3 NEW SECTION. **Sec. 6.** The department of health shall report to  
4 the legislature on progress, compliance, and overall participation in  
5 the use of reclaimed water in the state of Washington and, to the  
6 extent possible, on the resulting savings of water. The report shall  
7 also review and evaluate all uses of reclaimed water as of the  
8 effective date of this act, with recommendations as to the application  
9 of standards, procedures, and guidelines by the department of health to  
10 such existing uses. The report shall further consider potential uses  
11 of greywater, including potential health impacts, and provide  
12 recommendations for such uses. The department of health shall prepare  
13 the report in coordination with the department of ecology, state  
14 building code council, and state board of health. The report under  
15 this section is due August 1, 1994.

16 NEW SECTION. **Sec. 7.** A new section is added to chapter 43.70 RCW  
17 to read as follows:

18 The department shall, before May 1, 1992, form an advisory  
19 committee, in coordination with the department of ecology, which will  
20 provide technical assistance in the development of standards,  
21 procedures, and guidelines required by sections 3 and 5 of this act.  
22 Such committee shall be comprised of individuals from the wastewater  
23 industry, landscaping enhancement industry, commercial and industrial  
24 application community, and any other persons deemed technically helpful  
25 by the department.

26 NEW SECTION. **Sec. 8.** This act is necessary for the immediate  
27 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and shall take  
2 effect immediately.

3 NEW SECTION. **Sec. 9.** Funds needed to carry out the provisions  
4 of this act shall be derived from funds currently available for the  
5 department of health and the department of ecology.