

1 **SSB 5606 - H AMD 875 ADOPTED 4/14/95**

2 By Representatives Mastin and Chandler

3 On page 2, line 6, after "of" strike everything down to and  
4 including "This" on page 6, line 14 and insert "salvaged water by  
5 local communities and individuals for domestic, agricultural,  
6 industrial, recreational, and fish and wildlife habitat creation  
7 and enhancement purposes, including wetland enhancement, will  
8 contribute to the peace, health, safety, and welfare of the people  
9 of the state of Washington. To the extent salvaged water is  
10 appropriate and available for beneficial uses, it should be used  
11 where feasible to supplement existing water supplies without  
12 threatening existing resources or public health in order to  
13 preserve potable water for drinking purposes and encourage water  
14 conservation practices.

15 The legislature further finds and declares that the use of  
16 salvaged water is not inconsistent with the policy of  
17 antidegradation of state waters announced in other state statutes,  
18 including the water pollution control act, chapter 90.48 RCW and  
19 the water resources act, chapter 90.54 RCW, nor is it inconsistent  
20 with the state's relinquishment statutes, chapter 90.48 RCW.

21 It is the intent of the legislature that the department of  
22 ecology and the department of health undertake the necessary steps  
23 to encourage the development of water reclamation facilities so  
24 that reclaimed water may be made available to help meet the growing  
25 water requirements of the state. It is also the intent of the  
26 legislature that the relationship between reclaimed water and other  
27 salvaged water be clarified to allow for the maximum use of current  
28 water conservation technologies and promote efficient  
29 administration of this limited resource.

30 The legislature further finds and declares that reclaimed  
31 water facilities are water pollution control facilities as defined

1 in chapter 70.146 RCW and are eligible for financial assistance as  
2 provided in chapter 70.146 RCW.

3  
4 **Sec. 2.** RCW 90.46.010 and 1992 c 204 s 2 are each amended to  
5 read as follows:

6 Unless the context clearly requires otherwise, the definitions  
7 in this section apply throughout this chapter.

8 (1) "Greywater" means (~~sewage~~) wastewater having the  
9 consistency and strength of residential domestic type wastewater.  
10 Greywater includes wastewater from sinks, showers, and laundry  
11 fixtures, but does not include toilet or urinal waters.

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

15 (3) "Person" means any state, individual, public or private  
16 corporation, political subdivision, governmental subdivision,  
17 governmental agency, municipality, copartnership, association,  
18 firm, trust estate, or any other legal entity whatever.

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

24 (5) "Sewage" means water-carried human wastes (~~(, including~~  
25 ~~kitchen, bath, and laundry waste)~~) from residences, buildings,  
26 industrial and commercial establishments, or other places, together  
27 with such ground water infiltration, surface waters, or industrial  
28 wastewater as may be present.

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

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

32 (8) "Beneficial use", as used in this chapter, means the use  
33 of reclaimed water, that has been transported from the point of

1 production to the point of use without an intervening discharge to  
2 the waters of the state, for a beneficial purpose.

3 (9) "Direct recharge" means the controlled subsurface addition  
4 of water directly to the ground water basin that results in the  
5 replenishment of ground water.

6 (10) "Ground water recharge criteria" means the contaminant  
7 criteria found in the drinking water quality standards adopted by  
8 the state board of health pursuant to chapter 43.20 RCW and the  
9 department of health pursuant to chapter 70.119A RCW.

10 (11) "Planned ground water recharge project" means any  
11 reclaimed water project designed for the purpose of recharging  
12 ground water, via direct recharge or surface percolation.

13 (12) "Reclamation criteria" means the criteria set forth in  
14 the water reclamation and reuse interim standards and subsequent  
15 revisions adopted by the department of ecology and the department  
16 of health.

17 (13) "Salvaged water" means water reclaimed under this chapter  
18 and water made surplus through efficiencies in use and related  
19 activities.

20 (14) "Streamflow augmentation" means the discharge of  
21 reclaimed water to rivers and streams of the state or other surface  
22 water bodies, but not wetlands.

23 (15) "Surface percolation" means the controlled application of  
24 water to the ground surface for the purpose of recharging ground  
25 water.

26 (16) "Wetland or wetlands" means areas that are inundated or  
27 saturated by surface water or ground water at a frequency and  
28 duration sufficient to support, and that under normal circumstances  
29 do support, a prevalence of vegetation typically adapted to life in  
30 saturated soil conditions. Wetlands generally include swamps,  
31 marshes, bogs, and similar areas. No agency shall use a  
32 delineation process for what constitutes a wetland that is more

1 stringent than that adopted by the United States army corps of  
2 engineers.

3 (17) "Man-made wetlands" means a wetland intentionally created  
4 from a nonwetland site to produce or replace natural habitat.

5  
6 NEW SECTION. Sec. 3. A new section is added to chapter 90.46  
7 RCW to read as follows:

8 (1) Reclaimed water may be beneficially used for surface  
9 percolation provided the reclaimed water meets the ground water  
10 recharge criteria as measured in ground water beneath or down  
11 gradient of the recharge project site, and has been incorporated  
12 into a sewer or water comprehensive plan, as applicable, adopted by  
13 the applicable local government and approved by the department of  
14 health or department of ecology as applicable.

15 (2) If the state ground water recharge criteria as defined in  
16 RCW 90.46.010 do not contain a standard for a constituent or  
17 contaminant, the department of ecology shall establish a discharge  
18 limit consistent with the goals of this chapter.

19 (3) Reclaimed water that does not meet the ground water  
20 recharge criteria may be beneficially used for surface percolation  
21 where the department of ecology has specifically authorized such  
22 use at such lower standard.

23  
24 NEW SECTION. Sec. 4. A new section is added to chapter 90.46  
25 RCW to read as follows:

26 (1) Reclaimed water may be beneficially used for discharge  
27 into man-made wetlands provided the reclaimed water meets the class  
28 A or B reclaimed water standards as defined in the reclamation  
29 criteria, and the discharge is incorporated into a sewer or water  
30 comprehensive plan, as applicable, adopted by the applicable local  
31 government and approved by the department of health or department  
32 of ecology as applicable.

1 (2) Reclaimed water that does not meet the class A or B  
2 reclaimed water standards may be beneficially used for discharge  
3 into man-made wetlands where the department of ecology has  
4 specifically authorized such use at lower standards.

5  
6 NEW SECTION. **Sec. 5.** A new section is added to chapter 90.46  
7 RCW to read as follows:

8 Reclaimed water intended for beneficial reuse may be  
9 discharged for streamflow augmentation provided the reclaimed water  
10 meets the requirements of the federal water pollution control act,  
11 chapter 90.48 RCW, and is incorporated into a sewer or water  
12 comprehensive plan, as applicable, adopted by the applicable local  
13 government and approved by the department of health or department  
14 of ecology as applicable.

15  
16 NEW SECTION. **Sec. 6.** A new section is added to chapter 90.46  
17 RCW to read as follows:

18 The department of ecology shall, in consultation with the  
19 department of health, adopt a single set of standards, procedures,  
20 and guidelines, on or before December 31, 1996, for direct recharge  
21 using reclaimed water. The standards shall address both water  
22 quality considerations and avoidance of property damage from  
23 excessive recharge.

24  
25 NEW SECTION. **Sec. 7.** A new section is added to chapter 90.46  
26 RCW to read as follows:

27 The department of ecology shall, in consultation with the  
28 department of health, adopt a single set of standards, procedures,  
29 and guidelines, on or before June 30, 1996, for discharge of  
30 reclaimed water to wetlands.

31  
32 NEW SECTION. **Sec. 8.** A new section is added to chapter 90.46  
33 RCW to read as follows:

1 On or before December 31, 1995, the department of ecology and  
2 department of health shall, in consultation with local governments  
3 and local interested parties, jointly review and, if required,  
4 propose amendments to chapter 372-32 WAC to resolve conflicts  
5 between the development of reclaimed water projects in the Puget  
6 Sound region and chapter 372-32 WAC.

7  
8 NEW SECTION. **Sec. 9.** The department of ecology and the  
9 department of health shall report on the progress of the  
10 implementation of this act to the members of the agriculture and  
11 ecology committee of the house of representatives and the members  
12 of the ecology and parks committee of the senate by December 15,  
13 1995.

14  
15 **Sec. 10.** RCW 90.46.050 and 1992 c 204 s 6 are each amended to  
16 read as follows:

17 (1) The department of health shall, before (~~May 1, 1992~~)  
18 July 1, 1995, form an advisory committee, in coordination with the  
19 department of ecology and the department of agriculture, which will  
20 provide technical assistance in the development of standards,  
21 procedures, and guidelines required by this chapter. Such  
22 committee shall be composed of individuals from public water and  
23 wastewater utilities, landscaping enhancement industry, commercial  
24 and industrial application community, and any other persons deemed  
25 technically helpful by the department of health.

26 (2) (~~The department of health shall report to the joint~~  
27 ~~select committee on water resource policy by December 1, 1992, on~~  
28 ~~the fee structure which has been recommended under RCW 90.46.030(3)~~  
29 ~~and review fees authorized under RCW 90.46.40(3).)~~ The advisory  
30 committee shall: review and make recommendations regarding the  
31 relationship between the right to use reclaimed water and the  
32 abandonment and relinquishment statutes, chapter 90.48 RCW; examine  
33 the anomaly in water allocation law posed by statutes calling for

1 the issuance of permits under the water pollution control laws,  
2 chapter 90.48 RCW, rather than permits issued under the state's  
3 water allocation laws which govern other salvaged water; analyze  
4 whether the administration of use permits for reclaimed water  
5 should be transferred to the water allocation laws; and identify  
6 administrative barriers to the use of practices or technologies  
7 that will result in water being made surplus because of greater  
8 efficiencies.

9  
10 NEW SECTION. Sec. 11. Sections 1 through 10 of this"

11  
12 Correct internal references accordingly and correct the title.