

---

**SUBSTITUTE HOUSE BILL 1114**

---

**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** House Committee on Agriculture & Ecology (originally sponsored by Representatives Mastin, Chandler, McMorris, Delvin, Mulliken, Johnson, Schoesler and Honeyford)

Read first time 02/12/97.

1 AN ACT Relating to reclaimed water; amending RCW 90.46.010,  
2 90.46.080, and 90.46.090; adding a new section to chapter 90.46 RCW;  
3 adding a new section to chapter 90.48 RCW; and creating a new section.

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

5 **Sec. 1.** RCW 90.46.010 and 1995 c 342 s 2 are each amended to read  
6 as follows:

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

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

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

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

1 (4) "Reclaimed water" means effluent derived in any part from  
2 sewage from a wastewater treatment system that has been adequately and  
3 reliably treated, so that as a result of that treatment, it is suitable  
4 for a (~~direct~~) beneficial use or a controlled use that would not  
5 otherwise occur and is no longer considered wastewater.

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

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

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

14 (8) "~~(Direct)~~ Beneficial use" means the use of reclaimed water,  
15 that has been transported from the point of production to the point of  
16 use without an intervening discharge to the waters of the state, for a  
17 beneficial purpose.

18 (9) "Direct recharge" means the controlled subsurface addition of  
19 water directly to the ground water basin that results in the  
20 replenishment of ground water.

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

25 (11) "Planned ground water recharge project" means any reclaimed  
26 water project designed for the purpose of recharging ground water, via  
27 direct recharge or surface (~~(spreading)~~) percolation.

28 (12) "Reclamation criteria" means the criteria set forth in the  
29 water reclamation and reuse interim standards and subsequent revisions  
30 adopted by the department of ecology and the department of health.

31 (13) "Streamflow augmentation" means the discharge of reclaimed  
32 water to rivers and streams of the state or other surface water bodies,  
33 but not wetlands.

34 (14) "Surface (~~(spreading)~~) percolation" means the controlled  
35 application of water to the ground surface for the purpose of  
36 replenishing ground water.

37 (15) "Wetland or wetlands" means areas that are inundated or  
38 saturated by surface water or ground water at a frequency and duration  
39 sufficient to support, and that under normal circumstances do support,

1 a prevalence of vegetation typically adapted to life in saturated soil  
2 conditions. Wetlands generally include swamps, marshes, bogs, and  
3 similar areas. Wetlands regulated under this chapter shall be  
4 delineated in accordance with the manual adopted by the department of  
5 ecology pursuant to RCW 90.58.380.

6 (~~16~~) (~~("Created wetlands" means a wetland intentionally created~~  
7 ~~from a nonwetland site to produce or replace natural habitat.)~~)  
8 "Constructed beneficial use wetlands" means those wetlands  
9 intentionally constructed on nonwetland sites to produce or replace  
10 natural wetland functions and values. Constructed beneficial use  
11 wetlands are considered "waters of the state."

12 (~~17~~) "Constructed treatment wetlands" means those wetlands  
13 intentionally constructed on nonwetland sites and managed for the  
14 primary purpose of wastewater or storm water treatment. Constructed  
15 treatment wetlands are considered part of the collection and treatment  
16 system and are not considered "waters of the state."

17 **Sec. 2.** RCW 90.46.080 and 1995 c 342 s 3 are each amended to read  
18 as follows:

19 (1) Reclaimed water may be beneficially used for surface  
20 (~~(spreading)~~) percolation provided the reclaimed water meets the  
21 ground water recharge criteria as measured in ground water beneath or  
22 down gradient of the recharge project site, and has been incorporated  
23 into a sewer or water comprehensive plan, as applicable, adopted by the  
24 applicable local government and approved by the department of health or  
25 department of ecology as applicable.

26 (2) If the state ground water recharge criteria as defined by RCW  
27 90.46.010 do not contain a standard for a constituent or contaminant,  
28 the department of ecology shall establish a discharge limit consistent  
29 with the goals of this chapter.

30 (~~3~~) Reclaimed water that does not meet the ground water recharge  
31 criteria may be beneficially used for surface percolation where the  
32 department of ecology, in consultation with the department of health,  
33 has specifically authorized such use at such lower standard.

34 **Sec. 3.** RCW 90.46.090 and 1995 c 342 s 4 are each amended to read  
35 as follows:

36 (1) Reclaimed water may be beneficially used for discharge into  
37 (~~(created)~~) constructed beneficial use wetlands and constructed

1 treatment wetlands provided the reclaimed water meets the class A or B  
2 reclaimed water standards as defined in the reclamation criteria, and  
3 the discharge is incorporated into a sewer or water comprehensive plan,  
4 as applicable, adopted by the applicable local government and approved  
5 by the department of health or department of ecology as applicable.

6 (2) Reclaimed water that does not meet the class A or B reclaimed  
7 water standards may be beneficially used for discharge into ~~((created))~~  
8 constructed treatment wetlands where the department of ecology, in  
9 consultation with the department of health, has specifically authorized  
10 such use at such lower standards ~~((in conjunction with a pilot project~~  
11 ~~designated pursuant to this chapter, the purpose of which is to test~~  
12 ~~and implement the use of created wetlands for advanced treatment))~~.

13 (3) The department of ecology and the department of health must  
14 develop appropriate standards for discharging reclaimed water into  
15 constructed beneficial use wetlands and constructed treatment wetlands.  
16 These standards must be considered as part of the approval process  
17 under subsections (1) and (2) of this section.

18 NEW SECTION. Sec. 4. A new section is added to chapter 90.46 RCW  
19 to read as follows:

20 (1) The department of health shall develop standards, procedures,  
21 and guidelines for the reuse of greywater, consistent with RCW  
22 43.20.230(2), by January 1, 1998.

23 (2) Standards, procedures, and guidelines developed by the  
24 department of health for reuse of greywater shall encourage the  
25 application of this technology for conserving water resources, or  
26 reducing the wastewater load, on domestic wastewater facilities,  
27 individual on-site sewage treatment and disposal systems, or community  
28 on-site sewage treatment and disposal systems.

29 (3) The department of health and local health officers may permit  
30 the reuse of greywater according to rules adopted by the department of  
31 health.

32 NEW SECTION. Sec. 5. A new section is added to chapter 90.48 RCW  
33 to read as follows:

34 The evaluation of any plans submitted under RCW 90.48.110 must  
35 include consideration of opportunities for the use of reclaimed water  
36 as defined in RCW 90.46.010.

1        NEW SECTION.    **Sec. 6.**    The department of ecology and the department  
2 of health shall report on the progress of the implementation of chapter  
3 342, Laws of 1995, as amended by chapter . . . , Laws of 1997 (this act)  
4 to the members of the agriculture and ecology committee of the house of  
5 representatives and the members of the agriculture and environment  
6 committee of the senate by December 15, 1997.

7        NEW SECTION.    **Sec. 7.**    If any provision of this act or its  
8 application to any person or circumstance is held invalid, the  
9 remainder of the act or the application of the provision to other  
10 persons or circumstances is not affected.

--- END ---