
ENGROSSED SUBSTITUTE HOUSE BILL 1184

State of Washington

67th Legislature

2021 Regular Session

By House Local Government (originally sponsored by Representatives Duerr, Ramel, Dolan, and Harris-Talley)

READ FIRST TIME 02/02/21.

1 AN ACT Relating to risk-based water quality standards for on-site
2 nonpotable water systems; and adding a new section to chapter 90.46
3 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 90.46
6 RCW to read as follows:

7 (1)(a) By July 1, 2022, the department of health, in consultation
8 with the Washington state building code council and the Washington
9 state association of plumbers and pipefitters who participate in the
10 development of the Uniform Plumbing Code under chapter 19.27 RCW,
11 shall adopt rules for:

12 (i) Risk-based water quality standards for the on-site treatment
13 and reuse of nonpotable alternative water sources for nonpotable end
14 uses in multifamily residential, commercial, and mixed-use buildings,
15 and district-scale projects, including a mix of multifamily
16 residential, commercial, and mixed-use buildings; and

17 (ii) Construction standards to adopt the risk-based framework
18 water quality standards.

19 (b) The department of health must ensure that rules adopted
20 under this subsection take effect by December 31, 2022.

1 (2) At a minimum, the rules required under subsection (1) of this
2 section must address the following:

3 (a) Risk-based log reduction targets for the removal of
4 pathogens, such as enteric viruses, parasitic protozoa, and enteric
5 bacteria for alternative water sources, including wastewater from all
6 domestic fixtures, gray water, rainwater, and stormwater for
7 nonpotable end uses such as toilet and urinal supply water, clothes
8 washing, irrigation, and dust suppression;

9 (b) Treatment and performance requirements;

10 (c) Water quality monitoring requirements;

11 (d) Reporting requirements for the treatment, performance, and
12 water quality monitoring results;

13 (e) Notification and public information requirements;

14 (f) Cross-connection controls;

15 (g) Permitting; and

16 (h) Any conflicts the rules adopted in this section have with the
17 department of ecology's municipal stormwater general permit and
18 guidance manuals on stormwater for eastern and western Washington.
19 Any calculations of the amount of water that a property owner or
20 permit holder must make to address runoff from impervious surfaces
21 must reduce the amount of rainwater considered to be stormwater when
22 it is captured to be used for alternative nonpotable end uses in
23 buildings and projects.

24 (3) (a) An on-site treated nonpotable water system in operation
25 before January 1, 2022, must comply with the rules established
26 pursuant to subsection (1) of this section by January 1, 2024.

27 (b) If a permitting local jurisdiction finds that the permittee
28 is unable to come into compliance with the rules adopted under
29 subsection (1) of this section because the engineering, repair, or
30 replacement of the system is cost prohibitive, the local jurisdiction
31 may grant the permittee a waiver of compliance with the rules.

32 (4) The department of health may consult or contract with other
33 public or private entities including, but not limited to, the state
34 building code council and the department of ecology for advice on
35 state building code language, water rights, water quality, and other
36 technical matters relating to adoption of the risk-based water
37 quality standards pursuant to subsection (1) of this section.

1 (5) For the purposes of this section, "local jurisdiction"
2 includes a county, city, or town.

--- END ---