

# HOUSE BILL REPORT

## HB 2378

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**As Reported By House Committee On:**  
Agriculture & Ecology

**Title:** An act relating to reclaimed water.

**Brief Description:** Revising regulations concerning reclaimed water.

**Sponsors:** Representatives Chandler, Mastin, Schoesler, Dyer, Elliot, Johnson, B. Thomas, Thompson and Mulliken.

**Brief History:**

**Committee Activity:**

Agriculture & Ecology: 1/22/96, 2/2/96 [DPS].

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### HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Chandler, Chairman; Koster, Vice Chairman; Chappell, Ranking Minority Member; Linville, Assistant Ranking Minority Member; Boldt; Clements; Delvin; Honeyford; Johnson; Mastin; Ogden; Regala; Robertson; Rust and Schoesler.

**Minority Report:** Without recommendation. Signed by 2 members: Representatives R. Fisher and Murray.

**Staff:** Bill Lynch (786-7092).

**Background:** The Legislature enacted SSB 5606 during the 1995 session to encourage the use of reclaimed water. Reclaimed water is defined as effluent derived in any part from sewage from a wastewater treatment system that has been adequately and reliably treated, so that as a result of that treatment it is suitable for a direct beneficial use or a controlled use that would not otherwise occur.

Reclaimed water was specifically authorized to be used for surface spreading if the reclaimed water meets the criteria for ground water recharge, is incorporated into a sewer or water comprehensive plan, and is approved by the Department of Ecology or the Department of Health. There is no authority for the Department of Ecology to authorize the use of reclaimed water that does not meet the ground water recharge criteria for surface spreading.

The use of reclaimed water was also specifically authorized for discharge into created wetlands so long as the water meets class A reclaimed water standards, the discharge is incorporated into a sewer or water comprehensive plan, and is approved by the Department of Health or the Department of Ecology. Reclaimed water that does not meet class A reclaimed water standards may be discharged into created wetlands when specifically authorized by the Department of Ecology in conjunction with a pilot project to test the use of created wetlands for advanced treatment.

Agencies are not precluded from adopting a definition that is more stringent than the definition adopted by the United States Army Corps of Engineers when implementing the reclaimed water laws.

**Summary of Substitute Bill:** Reclaimed water that does not meet the ground water recharge criteria may be used for surface percolation when the Department of Ecology, in consultation with the Department of Health, has specifically authorized this use at a lower standard.

Reclaimed water may be discharged into man-made wetlands if the water meets the class A or B reclaimed water standards. Reclaimed water that does not meet the class A or B reclaimed water standards may be discharged into man-made wetlands when specifically authorized by the Department of Ecology in consultation with the Department of Health. The requirement that a discharge of reclaimed water under lower standards must be in conjunction with a pilot program is deleted.

When plans are submitted to the Department of Ecology for the construction of new sewerage systems, sewage treatment or disposal systems, or improvements to those systems, they must include consideration of opportunities for using reclaimed water.

The Department of Health and the Department of Ecology must report on the progress of implementing the reclaimed water laws to the House Agriculture and Ecology Committee and the Senate Ecology and Parks Committee by December 15, 1996.

Agencies must delineate wetlands in accordance with the 1987 manual adopted by the United States Army Corps of Engineers.

The term "surface spreading" is changed to "surface percolation," and the term "created wetlands" is changed to "man-made wetlands." References to "direct beneficial use" are changed to "beneficial use." Other technical changes are made.

**Substitute Bill Compared to Original Bill:** The substitute added the requirements that the Department of Health be consulted before the Department of Ecology could authorize the discharge of reclaimed water that did not meet the requisite criteria. The consideration of opportunities for using reclaimed water as part of a sewage plan is also added. Other technical amendments are made.

**Appropriation:** None.

**Fiscal Note:** None.

**Effective Date of Substitute Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This will encourage the use of reclaimed water. Using reclaimed water will put less demand on other water sources.

**Testimony Against (Original Bill):** People need to feel confident that reclaimed water is safe. Lowering the standards of reclaimed water without input from the Department of Health is unwise.

**Testified:** Mike Llewelyn, Department of Ecology; and Judy Turpin, Washington Environmental Council (in favor with concerns). John T. Mudge, Critical Issues Council; and Jeff Parson, People for Puget Sound (con).