

SENATE BILL REPORT

SB 5606

As Reported By Senate Committee On:
Ecology & Parks, February 22, 1995

Title: An act relating to water conservation and the reclamation and direct beneficial use of wastewater.

Brief Description: Providing for use of reclaimed water.

Sponsors: Senators Fraser, Haugen, Owen, McCaslin, Swecker, Newhouse, Oke, Rasmussen, Winsley, Morton and Schow.

Brief History:

Committee Activity: Ecology & Parks: 2/8/95, 2/22/95 [DPS].

SENATE COMMITTEE ON ECOLOGY & PARKS

Majority Report: That Substitute Senate Bill No. 5606 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fraser, Chair; C. Anderson, Vice Chair; McAuliffe and Spanel.

Staff: Gary Wilburn (786-7453)

Background: In 1992 the Legislature found that by encouraging the use of reclaimed water while assuring protection of health, safety and the environment, the state will continue to use water in the best interests of present and future generations. The Legislature encouraged cooperative efforts of the public and private sectors and the use of pilot projects to this end, and directed the Departments of Ecology and Health to develop coordinated procedures for approving uses of reclaimed water.

The agencies were required to adopt a single set of standards, procedures and guidelines by August 1993 for industrial and commercial use of reclaimed water. The Department of Health issues permits to the generator of the reclaimed water, who may distribute the water subject to provisions in the permit governing location, rate, water quality, and purpose of use. The permit may only be issued to a governmental entity or the holder of a water quality discharge permit.

The Department of Ecology was directed to adopt standards for land application of reclaimed water, and issue permits to generators of the water. The permits may be issued to governmental entities and waste discharge permit holders, who may distribute the water subject to permit conditions.

State water quality laws require the Department of Ecology to adopt water quality standards set to protect public health and environmental quality, including fish and other biota. The laws also establish a "nondegradation" standard, requiring discharges to state waters not degrade water quality levels that may exceed water quality standards. The laws also adopt

a "technology-based" standard, requiring that, regardless of the quality of the receiving water, all discharges to state waters be subject to all known, available and reasonable methods of water pollution control.

Rules adopted in 1960 require that existing treatment plant effluents eventually be diverted from discharge to Lake Washington and Lake Sammamish to a point or points on Puget Sound. Effluent from all future expansion of treatment plants were also to be so diverted.

Summary of Substitute Bill: The findings statements of the 1992 legislation are expanded to further discuss the uses of reclaimed water, including uses made in other states. The Legislature declares that reclaimed water use is not inconsistent with the state's antidegradation policy regarding state water quality. The Departments of Ecology and Health are to take the necessary steps to encourage the development of water reclamation facilities. Reclaimed water facilities are declared eligible for financial assistance from the Centennial Clean Water Fund.

Reclaimed water may be used for surface spreading, provided it meets ground water recharge criteria, has been incorporated into local water or sewer plans, and has been approved by the Department of Ecology. Discharge limits for specific contaminants are to be established if the criteria do not contain a standard for such contaminants.

Reclaimed water may be used for discharge to created wetlands provided it meets class A reclaimed water standards and other requirements. Reclaimed water not meeting class A standards may be approved by Ecology for discharge to created wetlands on a pilot basis to test use of such wetlands for advanced treatment. Reclaimed water may be used for streamflow augmentation where federal and state water pollution control laws are met, the use is incorporated into local sewer or water plans, and is approved by Ecology.

Standards for direct recharge using reclaimed water and for discharge to wetlands must be adopted by Ecology in consultation with the Department of Health. The agencies must review potential conflicts between reclaimed water projects and existing rules relating to the Lake Washington basin and propose amendments if required. Deadlines are set for adoption of the standards and proposed rule amendments. The water reuse advisory committee must include water utilities.

Definitions of terms are provided.

Substitute Bill Compared to Original Bill: Deleted are provisions relating to who may be issued reclaimed water permits and waste discharge permits for reclaimed water facilities. The phrase "environmental enhancement" for uses of reclaimed water is replaced by the phrase "streamflow augmentation" and discharge to wetlands is separately addressed. The standards for surface spreading and other purposes are revised in the proposed substitute. The requirements for agency adoption of standards, procedures, and guidelines, and expansion of the advisory committee, are added in the substitute. Definitions are revised.

Appropriation: None.

Fiscal Note: Requested on February 22, 1995.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: Existing interim standards for water reuse projects are not adequate to address the many new types of projects being proposed, and additional direction is needed to achieve expeditious agency review and approval of these projects.

Testimony Against: None.

Testified: PRO: Guillemette Regan, Commissioner, Shoreline Water District; Joe Daniels, Jamie Morin, WA State Water/Wastewater Assn.; Krista Eichler, Seattle Chamber of Commerce; Dave Parkinson, CH2M Hill; Dave Clark, DOH; Jerry Harper, Pt. Blakely Communities; John Kirner, Tacoma Water; Maureen Morris, Assn. of Washington Cities; Don Chance, AWB; Carol Fleskes, DOE; Jim Blundell, City of Yelm.