

SENATE BILL REPORT

SB 5725

As Reported By Senate Committee On:
Agriculture & Environment, February 27, 1997

Title: An act relating to reclaimed water.

Brief Description: Changing provisions relating to reclaimed water.

Sponsors: Senators Swecker and McDonald.

Brief History:

Committee Activity: Agriculture & Environment: 2/26/97, 2/27/97 [DPS, DNP].

SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

Majority Report: That Substitute Senate Bill No. 5725 be substituted therefor, and the substitute bill do pass.

Signed by Senators Morton, Chair; Swecker, Oke and Rasmussen.

Minority Report: Do not pass.

Signed by Senator Fraser.

Staff: Kari Guy (786-7437)

Background: In 1992, the Legislature enacted the Reclaimed Water Act to encourage and facilitate water reuse. Reclaimed water is an effluent derived from a wastewater treatment system that has been treated so that it is suitable for a beneficial use. The act requires a permit from the Department of Health for commercial or industrial uses or reclaimed water, and a permit from the Department of Ecology for land application of reclaimed water. In practice, both uses of reclaimed water are permitted as a part of the generator's water quality discharge permit.

A generator permitted under the Reclaimed Water Act may distribute the water subject to provisions in the permit governing the location, rate, water quality, and use. However, the act is silent on whether this use constitutes a new water right.

Summary of Substitute Bill: The owner of a wastewater treatment facility that generates reclaimed water under a reclaimed water permit has the exclusive right to that water. A permit for a new water right is not required.

Substitute Bill Compared to Original Bill: The substitute bill applies to wastewater treatment facilities that discharge to both marine and fresh waters. Exemptions from liability under the Model Toxics Control Act and state water pollution laws that were included in the original bill are deleted in the substitute bill.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The public expects effective water use and conservation. This bill will encourage water reuse. The bill would remove cumbersome administrative procedures for determining rights of reclaimed water, and allow wastewater plants to better plan for future infrastructure needs.

Testimony Against: None.

Testified: Maureen Welch, Mark Isascson, King County (pro); Paul Parker, Washington Association of Counties.