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HOUSE BILL 2378

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State of Washington

54th Legislature

1996 Regular Session

By Representatives Chandler, Mastin, Schoesler, Dyer, Elliot, Johnson, B. Thomas, Thompson and Mulliken

Read first time 01/10/96. Referred to Committee on Agriculture & Ecology.

1 AN ACT Relating to reclaimed water; amending RCW 90.46.010,  
2 90.46.080, 90.46.090, and 90.46.072; and creating a new section.

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

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

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

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

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

15 (3) "Person" means any state, individual, public or private  
16 corporation, political subdivision, governmental subdivision,  
17 governmental agency, municipality, copartnership, association, firm,  
18 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~~) recharging 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. No agency may use a delineation process for what  
4 constitutes a wetland that is more stringent than that adopted by the  
5 United States army corps of engineers.

6 (16) "~~((Created))~~ Man-made wetlands" means a wetland intentionally  
7 created from a nonwetland site to produce or replace natural habitat.

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

10 (1) Reclaimed water may be beneficially used for surface  
11 ~~((spreading))~~ percolation provided the reclaimed water meets the  
12 ground water recharge criteria as measured in ground water beneath or  
13 down gradient of the recharge project site, and has been incorporated  
14 into a sewer or water comprehensive plan, as applicable, adopted by the  
15 applicable local government and approved by the department of health or  
16 department of ecology as applicable.

17 (2) If the state ground water recharge criteria as defined by RCW  
18 90.46.010 do not contain a standard for a constituent or contaminant,  
19 the department of ecology shall establish a discharge limit consistent  
20 with the goals of this chapter.

21 (3) Reclaimed water that does not meet the ground water recharge  
22 criteria may be beneficially used for surface percolation where the  
23 department of ecology has specifically authorized such use at such  
24 lower standard.

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

27 (1) Reclaimed water may be beneficially used for discharge into  
28 ~~((created))~~ man-made wetlands provided the reclaimed water meets the  
29 class A or B reclaimed water standards as defined in the reclamation  
30 criteria, and the discharge is incorporated into a sewer or water  
31 comprehensive plan, as applicable, adopted by the applicable local  
32 government and approved by the department of health or department of  
33 ecology as applicable.

34 (2) Reclaimed water that does not meet the class A or B reclaimed  
35 water standards may be beneficially used for discharge into ~~((created))~~  
36 man-made wetlands where the department of ecology has specifically  
37 authorized such use at such lower standards ~~((in conjunction with a~~

1 ~~pilot project designated pursuant to this chapter, the purpose of which~~  
2 ~~is to test and implement the use of created wetlands for advanced~~  
3 ~~treatment)).~~

4       **Sec. 4.** RCW 90.46.072 and 1995 c 342 s 8 are each amended to read  
5 as follows:

6       On or before December 31, 1995, the department of ecology and the  
7 department of health shall, in consultation with local governments and  
8 local interested parties, jointly review and, if required, propose  
9 amendments to chapter 372-32 WAC to resolve conflicts between the  
10 development of reclaimed water projects in the Puget Sound region and  
11 chapter 372-32 ((RCW-[WAC])) WAC.

12       NEW SECTION. **Sec. 5.** The department of ecology and the department  
13 of health shall report on the progress of the implementation of chapter  
14 342, Laws of 1995, as amended by chapter . . . , Laws of 1996 (this act)  
15 to the members of the agriculture and ecology committee of the house of  
16 representatives and the members of the ecology and parks committee of  
17 the senate by December 15, 1996.

18       NEW SECTION. **Sec. 6.** If any provision of this act or its  
19 application to any person or circumstance is held invalid, the  
20 remainder of the act or the application of the provision to other  
21 persons or circumstances is not affected.

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