

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2833

52nd Legislature
1992 Regular Session

Passed by the House March 7, 1992
Yeas 96 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate March 4, 1992
Yeas 48 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is SUBSTITUTE HOUSE BILL 2833 as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2833

AS AMENDED BY THE SENATE

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1992 Regular Session

By House Committee on Natural Resources & Parks (originally sponsored by Representatives Fraser, McLean, Rayburn, Edmondson, Valle, Miller, Belcher, Brekke and Haugen)

Read first time 02/07/92.

1 AN ACT Relating to water conservation and reclamation; adding a new
2 chapter to Title 90 RCW; creating a new section; and declaring an
3 emergency.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that by
6 encouraging the use of reclaimed water while assuring the health and
7 safety of all Washington citizens and the protection of its
8 environment, the state of Washington will continue to use water in the
9 best interests of present and future generations.

10 To facilitate the opportunity to use reclaimed water as soon as is
11 practicable, the legislature encourages the cooperative efforts of the
12 public and private sectors and the use of pilot projects to effectuate
13 the goals of this chapter. The legislature further directs the
14 department of health and the department of ecology to coordinate

1 efforts towards developing an efficient and streamlined process for
2 creating and implementing processes for the use of reclaimed water.

3 NEW SECTION. **Sec. 2.** Unless the context clearly requires
4 otherwise, the definitions in this section apply throughout this
5 chapter.

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

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

13 (3) "Person" means any state, individual, public or private
14 corporation, political subdivision, governmental subdivision,
15 governmental agency, municipality, copartnership, association, firm,
16 trust estate, or any other legal entity whatever.

17 (4) "Reclaimed water" means effluent derived in any part from
18 sewage from a wastewater treatment system that has been adequately and
19 reliably treated, so that as a result of that treatment, it is suitable
20 for a direct beneficial use or a controlled use that would not
21 otherwise occur.

22 (5) "Sewage" means water-carried human wastes, including kitchen,
23 bath, and laundry waste from residences, buildings, industrial and
24 commercial establishments, or other places, together with such ground
25 water infiltration, surface waters, or industrial wastewater as may be
26 present.

27 (6) "User" means any person who uses reclaimed water.

28 (7) "Wastewater" means water and wastes discharged from homes,
29 businesses, and industry to the sewer system.

1 NEW SECTION. **Sec. 3.** (1) The department of ecology shall, in
2 coordination with the department of health, develop interim standards
3 for pilot projects under subsection (3) of this section on or before
4 July 1, 1992, for the use of reclaimed water in land applications.

5 (2) The department of health shall, in coordination with the
6 department of ecology, develop interim standards for pilot projects
7 under subsection (3) of this section on or before November 15, 1992,
8 for the use of reclaimed water in commercial and industrial activities.

9 (3) The department of ecology and the department of health shall
10 assist interested parties in the development of pilot projects to aid
11 in achieving the purposes of this chapter.

12 NEW SECTION. **Sec. 4.** (1) The department of health shall, in
13 coordination with the department of ecology, adopt a single set of
14 standards, procedures, and guidelines on or before August 1, 1993, for
15 the industrial and commercial use of reclaimed water.

16 (2) The department of health may issue a reclaimed water permit for
17 industrial and commercial uses of reclaimed water to the generator of
18 reclaimed water who may then distribute the water, subject to
19 provisions in the permit governing the location, rate, water quality,
20 and purposes of use.

21 (3) The department of health in consultation with the advisory
22 committee established in section 6 of this act, shall develop
23 recommendations for a fee structure for permits issued under subsection
24 (2) of this section. Fees shall be established in amounts to fully
25 recover, and not exceed, expenses incurred by the department of health
26 in processing permit applications and modifications, monitoring and
27 evaluating compliance with permits, and conducting inspections and
28 supporting the reasonable overhead expenses that are directly related
29 to these activities. Permit fees may not be used for research or

1 enforcement activities. The department of health shall not issue
2 permits under this section until a fee structure has been established.

3 (4) A permit under this section for use of reclaimed water may be
4 issued only to a municipal, quasi-municipal, or other governmental
5 entity or to the holder of a waste discharge permit issued under
6 chapter 90.48 RCW.

7 (5) The authority and duties created in this section are in
8 addition to any authority and duties already provided in law with
9 regard to sewage and wastewater collection, treatment, and disposal for
10 the protection of health and safety of the state's waters. Nothing in
11 this section limits the powers of the state or any political
12 subdivision to exercise such authority.

13 NEW SECTION. **Sec. 5.** (1) The department of ecology shall, in
14 coordination with the department of health, adopt a single set of
15 standards, procedures, and guidelines, on or before August 1, 1993, for
16 land applications of reclaimed water.

17 (2) A permit is required for any land application of reclaimed
18 water. The department of ecology may issue a reclaimed water permit
19 under chapter 90.48 RCW to the generator of reclaimed water who may
20 then distribute the water, subject to provisions in the permit
21 governing the location, rate, water quality, and purpose of use. The
22 department of ecology shall not issue more than one permit for any
23 individual land application of reclaimed water to a single generator.

24 (3) In cases where the department of ecology determines, in land
25 applications of reclaimed water, that a significant risk to the public
26 health exists, the department shall refer the application to the
27 department of health for review and consultation and the department of
28 health may require fees appropriate for review and consultation from
29 the applicant pursuant to RCW 43.70.250.

1 (4) A permit under this section for use of reclaimed water may be
2 issued only to a municipal, quasi-municipal, or other governmental
3 entity or to the holder of a waste discharge permit issued under
4 chapter 90.48 RCW.

5 (5) The authority and duties created in this section are in
6 addition to any authority and duties already provided in law. Nothing
7 in this section limits the powers of the state or any political
8 subdivision to exercise such authority.

9 NEW SECTION. **Sec. 6.** (1) The department of health shall,
10 before May 1, 1992, form an advisory committee, in coordination with
11 the department of ecology and the department of agriculture, which will
12 provide technical assistance in the development of standards,
13 procedures, and guidelines required by this chapter. Such committee
14 shall be composed of individuals from the public wastewater utilities,
15 landscaping enhancement industry, commercial and industrial application
16 community, and any other persons deemed technically helpful by the
17 department of health.

18 (2) The department of health shall report to the joint select
19 committee on water resource policy by December 1, 1992, on the fee
20 structure which has been recommended under section 4(3) of this act and
21 review fees authorized under section 5(3) of this act.

22 NEW SECTION. **Sec. 7.** The secretary of health has all of the
23 enforcement powers granted to the secretary of health under chapter
24 43.70 RCW to enforce this chapter.

25 NEW SECTION. **Sec. 8.** Any person lawfully using reclaimed
26 water before the effective date of this act may continue to do so and
27 is not required to comply with the standards, procedures, and

1 guidelines under chapter 90.-- RCW (sections 1 through 8 of this act)
2 before July 1, 1995.

3 NEW SECTION. **Sec. 9.** Sections 1 through 8 of this act shall
4 constitute a new chapter in Title 90 RCW.

5 NEW SECTION. **Sec. 10.** The department of health shall report to
6 the legislature on progress, compliance, and overall participation in
7 the use of reclaimed water in the state of Washington and, to the
8 extent possible, on the resulting savings of water. The report shall
9 also review and evaluate all uses of reclaimed water as of the
10 effective date of this act, with recommendations as to the application
11 of standards, procedures, and guidelines by the department of health to
12 such existing uses, including guidelines and government agency
13 approvals necessary to assure an adequate supply of safe, high quality
14 food products for both domestic and export markets. The report shall
15 further consider potential uses of greywater, including potential
16 health impacts, and provide recommendations for such uses. The
17 department of health shall prepare the report in coordination with the
18 department of ecology, state building code council, and state board of
19 health. The report under this subsection is due August 1, 1994.

20 NEW SECTION. **Sec. 11.** This act is necessary for the immediate
21 preservation of the public peace, health, or safety, or support of the
22 state government and its existing public institutions, and shall take
23 effect immediately.