

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

January 29, 2018
Date

Committee on Agriculture, Livestock, & Natural Resources.

After consideration on the merits, the Committee recommends the following:

HB18-1069 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 4, strike line 10 and substitute:

2 "(f)(I) "POINT OF COMPLIANCE" MEANS, EXCEPT AS PROVIDED IN
3 SUBSECTION (1)(f)(II) OF THIS SECTION, A POINT, AS IDENTIFIED BY THE".

4 Page 4, after line 15 insert:

5 "(II) IF RECLAIMED DOMESTIC WASTEWATER IS USED FOR INDOOR
6 NONPOTABLE USES WITHIN A BUILDING WHERE PLUMBING FIXTURES ARE
7 ACCESSIBLE BY THE GENERAL PUBLIC, "POINT OF COMPLIANCE" IS AT THE
8 LOCATION WHERE WATER IS DELIVERED TO THE OCCUPIED PREMISES.".

9 Printed bill, page 5, strike line 18 and substitute:

10 "(A) MULTIFAMILY RESIDENTIAL STRUCTURES, ONLY IF THE TOILET
11 AND URINAL INSTALLATIONS ARE CONDUCTED IN ACCORDANCE WITH
12 ARTICLE 58 OF TITLE 12 AND RULES PROMULGATED PURSUANT TO THAT
13 ARTICLE. ANY TOILET OR URINAL INSTALLATION MUST CONFORM TO
14 ARTICLE 58 OF TITLE 12 AND RULES PROMULGATED PURSUANT TO THAT
15 ARTICLE.".

16 Page 5, line 19, strike "STRUCTURES." and substitute "STRUCTURES, ONLY
17 IF THE TOILET AND URINAL INSTALLATIONS ARE CONDUCTED IN
18 ACCORDANCE WITH ARTICLE 58 OF TITLE 12 AND RULES PROMULGATED

1 PURSUANT TO THAT ARTICLE. ANY TOILET OR URINAL INSTALLATION MUST
2 CONFORM TO ARTICLE 58 OF TITLE 12 AND RULES PROMULGATED
3 PURSUANT TO THAT ARTICLE."

4 Page 5, strike line 20 and substitute:

5 "(3) (a) (I) ON OR BEFORE DECEMBER 31, 2019, AND EXCEPT AS
6 PROVIDED IN SUBSECTION (3)(a)(II) OF THIS SECTION, THE COMMISSION".

7 Page 5, line 21, strike "SHALL" and substitute "MAY".

8 Page 5, after line 21 insert:

9 "(II) NOTWITHSTANDING SUBSECTION (3)(a)(I) OF THIS SECTION,
10 THE STATE PLUMBING BOARD SHALL PROMULGATE RULES GOVERNING THE
11 INSTALLATION AND INSPECTION OF TOILET AND URINAL SYSTEMS AND
12 STRUCTURES FOR WHICH RECLAIMED DOMESTIC WASTEWATER IS USED
13 PURSUANT TO SUBSECTION (2)(c)(IV) OF THIS SECTION."

14 Page 6, strike line 9 and substitute:

15 "(d) THE COMMISSION MAY PROMULGATE RULES MORE STRINGENT
16 THAN THE STANDARDS AND CATEGORIES SET FORTH IN SUBSECTION (2) OF
17 THIS SECTION ONLY IF THE COMMISSION:

18 (I) DETERMINES THAT THE STANDARDS AND CATEGORIES SET
19 FORTH IN SUBSECTION (2) OF THIS SECTION ARE NOT PROTECTIVE OF
20 PUBLIC HEALTH; AND

21 (II) IDENTIFIES:

22 (A) A DOCUMENTED INCIDENT OF MICROBIAL DISEASE THAT THE
23 COMMISSION DETERMINES HAS A REASONABLE POTENTIAL TO AFFECT
24 PUBLIC HEALTH AND FOR WHICH THE COMMISSION HAS IDENTIFIED AS
25 LIKELY ORIGINATING FROM RECLAIMED DOMESTIC WASTEWATER; OR

26 (B) A PEER-REVIEWED PUBLISHED ARTICLE THAT IDENTIFIES A
27 POTENTIAL PUBLIC HEALTH RISK POSED BY THE USE OF RECLAIMED
28 DOMESTIC WASTEWATER UNDER THE STANDARDS ESTABLISHED IN
29 SUBSECTION (2) OF THIS SECTION.

30 (4) FOLLOWING A PUBLIC STAKEHOLDERS PROCESS, THE WATER
31 QUALITY CONTROL DIVISION MAY DEVELOP POLICY, GUIDANCE, OR BEST
32 MANAGEMENT PRACTICES THAT ARE CONSISTENT WITH THIS SECTION, AS
33 THE DIVISION DEEMS NECESSARY TO IMPLEMENT THIS SECTION.

34 (5) IN ADDITION TO THE RELIEF AVAILABLE UNDER SECTION
35 25-8-205 (6), THE DIVISION MAY GRANT A USER OF RECLAIMED

1 DOMESTIC".

2 Page 6, after line 15 insert:

3 "(6) USE OF RECLAIMED DOMESTIC WASTEWATER IS ALLOWED
4 ONLY IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE
5 DECREES, CONTRACTS, AND WELL PERMITS APPLICABLE TO THE USE OF THE
6 SOURCE WATER RIGHTS OR SOURCE WATER AND ANY RETURN FLOWS
7 THEREFROM."

8 Page 6, after line 23 insert:

9 "SECTION 5. In Colorado Revised Statutes, 12-58-104, **amend**
10 (1) introductory portion; and **add** (1)(e.5) as follows:

11 **12-58-104. Powers of board - fees - rules.** (1) In addition to all
12 other powers and duties conferred or imposed upon the board by this
13 ~~article~~ ARTICLE 58, the board is authorized and empowered to:

14 (e.5) PROMULGATE RULES GOVERNING THE INSTALLATION AND
15 INSPECTION OF TOILET AND URINAL SYSTEMS AND STRUCTURES FOR WHICH
16 RECLAIMED DOMESTIC WASTEWATER IS USED PURSUANT TO SECTION
17 25-8-205.7 (2)(c)(IV)."

18 Renumber succeeding section accordingly.

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