

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:

HB18-1053 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 14 and substitute:

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

4 Page 4, after line 19 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 Page 5, after line 21 insert:

10 "(3) ALL RECLAIMED DOMESTIC WASTEWATER SYSTEMS MUST BE
11 COMPLIANT WITH AND INSTALLED IN ACCORDANCE WITH ARTICLE 58 OF
12 TITLE 12 AND ANY RULES PROMULGATED PURSUANT TO THAT ARTICLE."

13 Renumber succeeding subsections accordingly.

14 Page 6, line 9, strike "SHALL" and substitute "MAY".

15 Page 6, strike line 24 and substitute:

1 "(d) THE COMMISSION MAY PROMULGATE RULES MORE STRINGENT
2 THAN THE STANDARDS AND CATEGORIES SET FORTH IN SUBSECTION (2) OF
3 THIS SECTION ONLY IF THE COMMISSION:
4 (I) DETERMINES THAT THE STANDARDS AND CATEGORIES SET
5 FORTH IN SUBSECTION (2) OF THIS SECTION ARE NOT PROTECTIVE OF
6 PUBLIC HEALTH; AND
7 (II) IDENTIFIES:
8 (A) A DOCUMENTED INCIDENT OF MICROBIAL DISEASE THAT THE
9 COMMISSION DETERMINES HAS A REASONABLE POTENTIAL TO AFFECT
10 PUBLIC HEALTH AND FOR WHICH THE COMMISSION HAS IDENTIFIED AS
11 LIKELY ORIGINATING FROM RECLAIMED DOMESTIC WASTEWATER; OR
12 (B) A PEER-REVIEWED PUBLISHED ARTICLE THAT IDENTIFIES A
13 POTENTIAL PUBLIC HEALTH RISK POSED BY THE USE OF RECLAIMED
14 DOMESTIC WASTEWATER UNDER THE STANDARDS ESTABLISHED IN
15 SUBSECTION (2) OF THIS SECTION.
16 (6) FOLLOWING A PUBLIC STAKEHOLDERS PROCESS, THE WATER
17 QUALITY CONTROL DIVISION MAY DEVELOP POLICY, GUIDANCE, OR BEST
18 MANAGEMENT PRACTICES THAT ARE CONSISTENT WITH THIS SECTION, AS
19 THE DIVISION DEEMS NECESSARY TO IMPLEMENT THIS SECTION.
20 (7) IN ADDITION TO THE RELIEF AVAILABLE UNDER SECTION
21 25-8-205 (7), THE DIVISION MAY GRANT A USER OF RECLAIMED
22 DOMESTIC".

23 Page 6, line 27, strike "(4)" and substitute "(5)".

24 Page 7, after line 3 insert:

25 "(9) USE OF RECLAIMED DOMESTIC WASTEWATER IS ALLOWED
26 ONLY IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE
27 DECREES, CONTRACTS, AND WELL PERMITS APPLICABLE TO THE USE OF THE
28 SOURCE WATER RIGHTS OR SOURCE WATER AND ANY RETURN FLOWS
29 THEREFROM."

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