Preliminary draft review and comment period
MAY 3, 2017 – MAY 30, 2017
USE NEW E-COMMENTS FEATURE ON ADVISORY COMMITTEE WEBPAGE
Please note that this comment form is for the purpose of submitting a comment to the Washington State Department of Ecology. Commenter contact information is optional. Contact information is necessary if you want to receive future notices or responses related to this topic.

**Commenter Contact Information**

All fields are optional unless otherwise indicated.

**Submitted by:**
- Individual

**First Name (required)**

**Last Name (required)**

**Address**

**City/Town**

**Washington**

**ZIP**

**Email (required)**

**Your Comment**

This rule will implement 90.46 RCW and establish requirements for production, distribution, and use of reclaimed water.

Comments are due by 5/30/2017.

To make a comment, please enter comment(s) in the text area. To submit attachments use the "upload a file" button below. Then hit 'Continue' to review your comments(s).

**Next steps:** This is an informal comment period on a preliminary draft reclaimed water rule. Ecology will use informal comments submitted now to revise the current draft rule language

Reclaimed Water Rulemaking - Informal Review

Insert comment(s) on the Reclaimed Water Rulemaking – Informal Review

Upload a File
Significant changes – based on comments
Significant changes were made to the following:

- WAC 173-219-190 Feasibility analysis
- WAC 173-219-260 Certified operators
- WAC 173-219-300 Use agreements
- WAC 173-219-320 Cross-connection control
- WAC 173-219-350 Disinfection Process Standards
- WAC 173-219-370 Storage and distribution system requirements
- WAC 173-219-400 Specific use-based requirements
Feasibility analysis

- Clarified requirement for existing facilities.
- Clarified the planning period to be 20 years.
- Added references to other planning documents that may be use to meet all or part of the submittal requirements.
- Removed some of the excess details and will move to purple book.
- Created separate subsection for private utility capacity assessment.
Certified operators

• Created standalone section.
  • Flexibility in allowable certifications, including:
    • Possible reclaimed water certification in the future.
Use agreements

• Changed from ‘generator agreement’ to ‘use agreement’.
• Eliminated most of the details.
• Retained condition for lead agency review and approval with mention of minimum requirements.
Cross-connection control (CCC)

- Expanded considerably.
- Minimum required elements of CCC program.
- Backflow prevention.
- Record keeping and reporting.
<table>
<thead>
<tr>
<th>Disinfection process standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Clarified that a 4-log virus removal or inactivation is required for all Class A reclaimed water.</td>
</tr>
<tr>
<td>• Clarified that when chlorine is used as disinfectant it must be measured as ‘free chlorine’.</td>
</tr>
<tr>
<td>• Clean up the Validation of virus removal, including allowing for 3rd party validation studies.</td>
</tr>
<tr>
<td>Storage and distribution system requirements</td>
</tr>
<tr>
<td>---------------------------------------------</td>
</tr>
<tr>
<td>• Clearly requiring 200 feet separation distance from potable supply intakes.</td>
</tr>
<tr>
<td>• Consolidated two sections into one.</td>
</tr>
<tr>
<td>• Removed redundancies.</td>
</tr>
</tbody>
</table>
Specific use-based standards

• Changed receiving environment headings to be more precise.
• Removed the reference to potable / nonpotable for groundwater and surface water uses.
• Combined all release for surface water augmentation into one use category.
• Provided consistency between Table 2 and definitions and terms used throughout rule.
Minor or clarifying changes were made to the following:

- WAC 173-219-010 Definitions
- WAC 173-219-040 Direct enforceability
- WAC 173-219-070 Permit required
- WAC 173-219-080 Uses and discharges not subject to reclaimed water permit
- WAC 173-219-090 Applying for reclaimed water permit
- WAC 173-219-100 Water rights protection
- WAC 173-219-120 & 130 Public notice and public comment period
- WAC 173-219-270 Monitoring, recording, and reporting
Next Steps
Incorporate comments into preliminary draft by May 3rd.

Hold a Webinar RAC meeting

Prepare for economist analysis.

Repeat box 1 in early June

Route internally for review during June.

Finalize draft language for Economist by July 12.

Ready rulemaking paperwork (there’s a lot of it).

Begin public comment period in late August.

Close comment period in mid October.

Incorporate and respond to comments in October/November.

Adopt final rule and issue Response to Comments and Implementation Plan in January.

Rule effective in February.
Timeline

- **CR 102 PUBLIC COMMENT PERIOD & HEARINGS**
  - Summer/Fall 2017
- **Response to Comments**
  - Fall 2017
- **Rule Adoption**
  - Winter 2017
- **Rule Effective**
  - Winter 2018

**Preliminary Draft Rule Language to RAC**
- February - May 2017

**RAC Meetings**
- March - May 2017

**Edits to Draft per RAC Comments**
- April - May 2017
Questions and Discussion