



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Ecology AO# 06-12

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 14-13-004 ; or | <input checked="" type="checkbox"/> Original Notice       |
| <input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or           | <input type="checkbox"/> Supplemental Notice to WSR _____ |
| <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).                  | <input type="checkbox"/> Continuance of WSR _____         |

Title of rule and other identifying information: (Describe Subject)

New Chapter 173-219 WAC - Reclaimed Water

- Hearing location(s): See attachment A

Submit written comments to:

Name: Dennis McDonald  
 Address: PO Box 47696  
 Olympia, WA 98504-7696  
 e-mail [ReclaimedWater@ecy.wa.gov](mailto:ReclaimedWater@ecy.wa.gov)  
 fax (360) 407-6426 by (date) Friday, August 21, 2015

Date: Time

Assistance for persons with disabilities: Contact [Water Quality Program Reception](#) by July 14, 2015

Date of intended adoption: October 28, 2015  
(Note: This is NOT the effective date)

TTY (844) 833-6341 or (360) 407-6600

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** Ecology is proposing a new rule for producing, distributing and using reclaimed water – Chapter 173-219 WAC Reclaimed Water. The rule will clarify regulatory authorities and requirements, streamlines application process, and provides clarity for permittees. The rule will codify existing practices and replace 1997 *Water Reclamation and Reuse Standards* and several statutes. Also available for review and comment is the proposed guidance document *Reclaimed Water Treatment Facilities Manual: The Purple Book*. This and the rulemaking documents can be found here <http://www.ecy.wa.gov/programs/wq/ruledev/wac173219/0612documents.html>

**Reasons supporting proposal:** The state Legislature amended chapter 90.46 RCW in 2006 directing Ecology to coordinate with Department of Health to implement a rule to encourage reclaimed water use and address all aspects of reclaimed water use.

Statutory authority for adoption: RCW 90.46.015

Statute being implemented: RCW 90.46.015

Is rule necessary because of a:

- |                         |                              |  |
|-------------------------|------------------------------|--|
| Federal Law?            | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision?   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
- If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
 STATE OF WASHINGTON  
 FILED

**DATE: June 16, 2015**  
**TIME: 3:38 PM**  
**WSR 15-13-118**

DATE 6/16/15

NAME (type or print)  
Polly Zehm

SIGNATURE

TITLE  
Deputy Director, Department of Ecology

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

NA

**Name of proponent: (person or organization)**

Washington State Department of Ecology

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting.....	Heather Bartlett, Program Mgr Bill Moore, PDS Section	Lacey	(360) 407-6600
Manager	Kathleen Emmett - WQP Dennis McDonald - WQP Jennifer Holderman – WRP		

Implementation.... Heather Bartlett Lacey (360-407-6600)

Enforcement..... Heather Bartlett Lacey (360) 407-6600

**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

No. Explain why no statement was prepared.

The proposed Reclaimed Water Rule (chapter 173-219 WAC) does not require a Small Business Economic Impact Statement (SBEIS) to be prepared, per the requirements of the Regulatory Fairness Act (RFA; chapter 19.85 RCW).

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: Dennis McDonald

Address: Ecology, PO Box 47696, Olympia, WA 98504-7696

phone (360) 407-6321

fax (360) 407-6426

e-mail [ReclaimedWater@ecy.wa.gov](mailto:ReclaimedWater@ecy.wa.gov)

No: Please explain:

**Attachment A: Public Hearings for the rule proposal for Chapter 173-219 WAC Reclaimed Water**

**Hearing 1 –Spokane July 21, 2015**

**Time: 9:30 AM** - Presentation, question and answer session followed by the formal public hearing.

**Location:**

CenterPlace Regional Event Center  
2426 N Discovery Place  
Spokane, WA 99216

**Hearing 2 – Lacey: combined with a webinar July 23, 2015**

**Time: 9:30 AM** - Presentation, question and answer session followed by the formal public hearing.

**Location:**

Ecology Headquarters  
300 Desmond Dr SE  
Lacey, WA 98504

**Webinar:** Ecology is also offering this hearing via webinar. Webinars are an online meeting forum that you can attend from any computer using internet access.

**Comments:** Ecology will accept comments at the Lacey location and through the webinar via phone at (877) 668-4490.

**To join** the webinar click on the following link for more information and instructions:

<https://wadis.webex.com/wadis/j.php?MTID=m86eb3bbfdb7b5f10530bf64bb9f05d08>