

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 163

Agriculture/Environment/Natural Resources Committee Substitute Adopted 4/9/13
PROPOSED HOUSE COMMITTEE SUBSTITUTE S163-PCS35563-SB-43

Short Title: Reclaimed Water as a Source Water.

(Public)

Sponsors:

Referred to:

March 5, 2013

A BILL TO BE ENTITLED

AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER
CERTAIN CONDITIONS.

The General Assembly of North Carolina enacts:

SECTION 1. The General Assembly finds that the use of reclaimed water to supplement source waters for potable water treatment is an appropriate and prudent measure in regions of the State with limited water resources under limited conditions.

SECTION 2. G.S. 143-355.5 reads as rewritten:

"§ 143-355.5. Water reuse; policy; rule making.

(a) Water Reuse Policy. – It is the public policy of the State that the reuse of treated wastewater or reclaimed water and the use of gray water or captured rain water is critical to meeting the existing and future water supply needs of the State

(a1) ~~The General Assembly finds that reclaimed water systems permitted and operated under G.S. 143-215.1(d2) in an approved wastewater-reuse program can provide water for many beneficial purposes in a way that is both environmentally acceptable and protective of public health. This finding includes and applies to conjunctive facilities that require the relocation of a discharge from one receiving stream to another under all of the following conditions:~~

- (1) ~~The relocation is necessary to create an approved comprehensive wastewater reuse program.~~
- (2) ~~The reuse program provides significant reuse benefits.~~
- (3) ~~The relocated discharge will comply with all applicable water quality standards; will not result in degradation of water quality in the receiving waters; and will not contribute to water quality impairment in the receiving watershed; and will result in net benefits to water quality, such as the elimination of a wastewater discharge in a nutrient sensitive river basin-watershed.~~

(a2) The General Assembly finds that reclaimed water systems permitted and operated under G.S. 143-215(d2) in an approved wastewater reuse program can provide water for the beneficial purpose of supplementing the water supply source for potable water in a way that is both environmentally acceptable and protective of public health. Notwithstanding any other provision of law, a local water supply system may combine reclaimed water with the source water treated to provide potable water supply if all of the following conditions are satisfied:

- (1) The reclaimed water use is not permitted for compliance with flow limitations imposed by a permit issued pursuant to G.S. 143-215.1(a4)(1).



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- 1 (2) The reclaimed water and source water are combined in an impoundment
2 owned and controlled by the drinking water supplier from which water is
3 pumped to the water treatment plant.
- 4 (3) The impoundment is sized to hold a minimum volume corresponding to five
5 days storage at the authorized operating capacity of the water treatment plant
6 under normal operating conditions.
- 7 (4) The impoundment design and pumping infrastructure incorporate features to
8 ensure mixing of reclaimed water and source water.
- 9 (5) The reclaimed water is treated to comply with the highest reclaimed water
10 effluent standards established by the Commission.
- 11 (6) The average daily flow of reclaimed water into the impoundment, as
12 measured over a 24-hour period, is no more than twenty percent (20%) of
13 the sum of the average daily flow of source water and reclaimed water, as
14 measured over the same 24-hour period, into the impoundment.
- 15 (7) The local water system has implemented conservation and efficiency
16 measures designed to achieve water use reductions.
- 17 (8) Unbilled leakage from the local water system is maintained below fifteen
18 percent (15%) of annual average potable water consumption of the local
19 water system.
- 20 (9) The local water system has a master plan that evaluates alternatives for
21 reclaimed water use.
- 22 (10) The local water system provides public notice to potable water recipients
23 with opportunity for public participation.
- 24 (11) The potable water supply provided pursuant to this subsection shall comply
25 with all State and federal laws for the provision of safe drinking water.

26 (b) Water Reuse Rule Making. – The Commission shall encourage and promote safe
27 and beneficial reuse of treated wastewater as an alternative to surface water discharge. The
28 Commission shall adopt rules to:

- 29 (1) Identify acceptable uses of reclaimed water, including toilet flushing, fire
30 protection, decorative water features, and landscape irrigation.
- 31 (2) Facilitate the permitting of reclaimed water systems.
- 32 (3) Establish standards for reclaimed water systems that are adequate to prevent
33 the direct distribution of reclaimed water as potable water. Standards
34 adopted pursuant to this subdivision shall not prohibit the direct distribution
35 of reclaimed water as potable water pursuant to subsection (a2) of this
36 section.

37 (c) Gray Water Rule Making. – The Commission shall encourage and promote the safe
38 and beneficial use of gray water. The Commission shall adopt rules to:

- 39 (1) Identify acceptable uses of gray water, including toilet flushing, fire
40 protection, decorative water features, and landscape irrigation.
- 41 (2) Facilitate the permitting of gray water systems.
- 42 (3) Establish standards, in coordination with the Commission for Public Health,
43 for gray water systems that protect public health and safety and the
44 environment and reduce the use of potable water within individual
45 structures.

46 (d) The Department shall develop policies and procedures to promote the voluntary
47 adoption and installation of gray water systems."

48 **SECTION 3.** The Department of Environment and Natural Resources, in
49 consultation with the Environmental Management Commission, shall study the effects of
50 chemicals of emerging concern, such as pharmaceuticals and personal care products, flame
51 retardants, and perfluorinated compounds (PFCs) in wastewater effluent from municipal and

1 privately operated wastewater treatment plants and in source water supplies. Recognizing that
2 the effects of chemicals of emerging concern on human health and aquatic life is a rapidly
3 evolving field, the report shall provide guidance on future State actions related to monitoring
4 and mitigating the impacts of chemicals of emerging concern on source waters and surface
5 waters in order to protect human health and aquatic life.

6 **SECTION 4.** This act is effective when it becomes law.