

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

S

D

SENATE BILL 163
Agriculture/Environment/Natural Resources Committee Substitute Adopted 4/9/13
House Committee Substitute Favorable 6/18/14
Fourth Edition Engrossed 6/19/14
Proposed Conference Committee Substitute S163-PCCS35587-SB-3

Short Title: Reclaimed Water as a Source Water.

(Public)

Sponsors:

Referred to:

March 5, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER
3 CERTAIN CONDITIONS.

4 The General Assembly of North Carolina enacts:

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

8 **SECTION 2.** G.S. 143-350 is amended by adding a new subdivision to read:

9 "(4a) "Pretreatment mixing basin" means a basin created from lands that do not
10 include waters of the State and in which raw water is mixed with reclaimed
11 water before it is treated to the standards to make it suitable for potable
12 water supply."

13 **SECTION 3.** G.S. 143-355.5 reads as rewritten:

14 **"§ 143-355.5. Water reuse; policy; rule making.**

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

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

- 24 (1) The relocation is necessary to create an approved comprehensive wastewater
25 reuse program.
26 (2) The reuse program provides significant reuse benefits.
27 (3) The relocated discharge will comply with all applicable water quality
28 standards; will not result in degradation of water quality in the receiving
29 waters; and will not contribute to water quality impairment in the receiving
30 watershed; ~~and will result in net benefits to water quality, such as the~~



* S 1 6 3 - P C C S 3 5 5 8 7 - C S S B - 3 *

1 ~~elimination of a wastewater discharge in a nutrient sensitive river~~
2 ~~basin.watershed.~~

3 (a2) The General Assembly finds that reclaimed water systems permitted and operated
4 under G.S. 143-215.1 in an approved wastewater reuse program can provide water for the
5 beneficial purpose of supplementing the water supply source for potable water in a way that is
6 both environmentally acceptable and protective of public health. Notwithstanding any other
7 provision of law, a local water supply system may combine reclaimed water with the source
8 water treated to provide potable water supply if all of the following conditions are satisfied:

- 9 (1) The reclaimed water use is not permitted for compliance with flow
10 limitations imposed by a permit issued pursuant to G.S. 143-215.1(a4)(1).
- 11 (2) The reclaimed water and source water are combined in a pretreatment
12 mixing basin owned and controlled by the drinking water supplier from
13 which water is pumped to the water treatment plant.
- 14 (3) The pretreatment mixing basin is sized to hold a minimum volume
15 corresponding to five days storage at the authorized operating capacity of the
16 water treatment plant under normal operating conditions.
- 17 (4) The pretreatment mixing basin design and pumping infrastructure
18 incorporate features to ensure mixing of reclaimed water and source water.
- 19 (5) The reclaimed water is treated to comply with the highest reclaimed water
20 effluent standards established by the Commission.
- 21 (6) The average daily flow of reclaimed water into the pretreatment mixing
22 basin, as measured over a 24-hour period, is no more than twenty percent
23 (20%) of the sum of the average daily flow of source water and reclaimed
24 water, as measured over the same 24-hour period, into the pretreatment
25 mixing basin.
- 26 (7) The local water system has implemented conservation and efficiency
27 measures designed to achieve water use reductions.
- 28 (8) Unbilled leakage from the local water system is maintained below fifteen
29 percent (15%) of annual average potable water consumption of the local
30 water system.
- 31 (9) The local water system has a master plan that evaluates alternatives for
32 reclaimed water use.
- 33 (10) The local water system provides public notice to potable water recipients
34 with opportunity for public participation.
- 35 (11) The potable water supply provided pursuant to this subsection shall comply
36 with all State and federal laws for the provision of safe drinking water.
- 37 (12) Any discharge into the waters of the State must be pursuant to a permit
38 issued under G.S. 143-215.1.

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

- 42 (1) Identify acceptable uses of reclaimed water, including toilet flushing, fire
43 protection, decorative water features, and landscape irrigation.
- 44 (2) Facilitate the permitting of reclaimed water systems.
- 45 (3) Establish standards for reclaimed water systems that are adequate to prevent
46 the direct distribution of reclaimed water as potable water. Standards
47 adopted pursuant to this subdivision shall not prohibit the direct distribution
48 of reclaimed water as potable water pursuant to subsection (a2) of this
49 section.

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

- 1 (1) Identify acceptable uses of gray water, including toilet flushing, fire
2 protection, decorative water features, and landscape irrigation.
3 (2) Facilitate the permitting of gray water systems.
4 (3) Establish standards, in coordination with the Commission for Public Health,
5 for gray water systems that protect public health and safety and the
6 environment and reduce the use of potable water within individual
7 structures.
8 (d) The Department shall develop policies and procedures to promote the voluntary
9 adoption and installation of gray water systems."
10 **SECTION 4.** This act is effective when it becomes law.