



Recycled Water Use Rulemaking Process

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Presentation Overview

- Overview of regulating recycled water use
- Rulemaking process
 - Timeline, scope, task force, issues identified
- Accomplishments and “looking back”
- What’s next



Recycled Water Use Rules and Policies

Highlights

- DEQ Guidelines developed in January 1986
- EQC adopted rules in August 1990
- SB 820 adopted by the 2003 Legislature
 - Urban Water Reuse Task Force (May – Nov. 2004)
- Governor's Executive Order signed in March 2005
- Interagency MOU effective December 2006
- DEQ's Strategic Directions for 2006-2011



SB 820 Report Recommendations (OR DEQ and Urban Reuse Task Force)

- Develop consistent state policy to promote water reuse
 - ✓ Governor's Executive Order
- Improve interagency coordination
 - ✓ Evaluate water reuse projects and establish written procedures for permitting of reuse projects
- Develop permitting guidance
 - ✓ Address through rule implementation plan



SB 820 Report Recommendations (cont.)

- Prepare a manual of best management practices
 - ✓ Memorandum of Understanding between state agencies
 - ✓ Web site development
- Streamline regulations
 - ✓ Update regulations in Oregon Administrative Rules – 340-055
- Further investigate domestic gray water reuse



Rulemaking Process

Timeline

- March 2006 – May 2007: Internal Rulemaking Team meetings
- May 2006 – May 2007: Water Reuse Task Force meetings
- July 2007 – August 2007: Public hearings and public comment period
- September 2007 – February 2008: Review public comments and revise proposed rules as necessary
- February 2008: Present informational item on proposed recycled water use rules to EQC
- April 2008: Present proposed rules to EQC for adoption



Rulemaking Process

Scope

- Update rules to allow for innovative and improved treatment technologies
- Remove potential regulatory barriers
- Remove language that unduly stigmatizes recycled water
- Clarify the regulatory process for approving recycled water use projects
- Identify additional beneficial purposes (end uses) and clarify certain end uses
- Ensure public health and environmental protection are maintained



Water Reuse Task Force

Members and representation

- **Mark Yeager (Chair)** - Oregon Association of Clean Water Agencies (ACWA), City of Albany
- **Stephanie Eisner** - ACWA, City of Salem
- **Dan Hanthorn** - ACWA, City of Corvallis
- **Jadene Stensland** - ACWA, City of Wilsonville
- **Ken Vanderford** - ACWA, City of Eugene
- **Dave Wilkinson** - Oregon Department of Agriculture (ODA)
- **Terry Swisher** - Oregon Department of Consumer and Business Services (DCBS)
- **Ken Kauffman** - Oregon Department of Human Services (DHS)
- **Kim Grigsby** - Oregon Water Resources Department (WRD)
- **Renee Stoops** - SPROut Coordinator at The Oregon Garden
- **Kim Anderson** - Sunrise Water Authority



Issues Identified

- Defining how and when criteria should be met
- Barriers with other administrative rules
 - Aquifer storage and recovery
 - Wetlands
 - Stream augmentation
- Public perception, including sign posting
- Setback distances



Task Force Accomplishments

- Improved the overall readability of the rules
- Allowed for current and alternative treatment technology
- Identified and streamlined when other state agencies need to be consulted and for what purposes
- Clarified responsibility for compliance with the rules
- Identified what is required in a recycled water use plan
- Clarified site management requirements and alternatives
- Allowed more beneficial purposes (end uses) and clarified certain end uses



Rulemaking Process - “Looking Back”

- SB 820 Urban Water Reuse Task Force expectations and time frame for rulemaking
- Involvement of state regulatory agencies
- Number of issues identified through the process
- Public comment time during meetings
- Communication and implementation plans
- Stakeholder outreach
- Public outreach



What's Next?

- Develop an Internal Management Directive
- Continue to collaborate with state agencies under the Governor's Executive Order and the MOU
- Increase external outreach, communication, and education on the benefits of recycled water use



What's Next?

(continued)

- Coordinate internal education on treatment technologies, and public health and environmental protection requirements
- Continue tracking research on definitive data on human health risks (work with DHS)
- Further investigate the issues with domestic gray water reuse



We need to remember...

“It’s not wastewater, it’s wasted water.”

From NPR morning edition news story (Jan. 25, 2008) on Orange County Sanitation District’s Groundwater Replenishment System project

