WateReuse California
Los Angeles Chapter Meeting

December 6, 2016
Legislation & Regulation Update

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2017 Legislative Dates

- Jan. 1  Statutes take effect
- Jan. 4  Legislature reconvenes
- Jan. 20 Last day to submit bill request to Legislative Counsel
- Feb. 17 Last day for bills to be introduced
- June 2  Last day for bills to pass house of origin
- Sept. 15 Last day for any bill to be passed
- Oct. 15 Last day for Governor to sign or veto bills

See: [http://assembly.ca.gov/legislativedeadlines](http://assembly.ca.gov/legislativedeadlines)
2016 Recycled Water Legislation

- SB 163 – WWTP: Recycled Water
- AB 1463 – Onsite Recycled Water
- AB 1738 – Building Standards: dark graywater
- AB 1749 – CEQA Exemption for Recycled Water Pipelines
- AB 2022 – Advanced Purified Demonstration Water
- AB 2076 – Water Recycling: beer and wine
- AB 2438 – CEQA Exemption for Recycled Water Pipelines
- AB 2601 – Building Stds: residential graywater
- AB 2890 – Drinking & Wastewater Operator Certification
2016 Chaptered Legislation

Recycled Water Legislation

- AB 2022 – Advanced Purified Demonstration Water
- AB 2890 – Drinking & Wastewater Operator Certification

Other Water Legislation

- SB 552 – Help for Failing Water Agencies
- SB 814 – Curb Excessive Water Use
- SB 1263 – Banning Small Water Agencies
- AB 1755 – Water Data
- AB 2594 – Capturing Stormwater
Authorize operator of advanced purified demonstration water to bottle and distribute samples for educational purposes.

Must meet all water bottling and drinking water standards.

APDW is water treated by MF or UF, RO, AO and meet T22.

May bottle up to 1,000 gallons a year; ≤ 8 oz. per bottle.

Specific labelling requirements.

Require bottle collection and recycling program.

Can not sell water.

Last Action: 09/21/16 – Chaptered - 408

Sponsored by OCWA, OCSD, & WRCA.
AB 2890: Drinking Water and Wastewater Operator Certification

- Overhaul and align drinking water and wastewater operator certification programs
- Establish advisory committee to assist SWRCB
- Adopt emergency regulations and schedule of fees
- Issue a operator and distribution certificate by reciprocity
- Renew certificates every 3 years instead of 2 years
- Establish civil liability & penalty provisions
- Conduct board hearing prior to suspension or revocation

Last Action: 09/12/16 – Chaptered – Chapter 305
Sponsored by SWRCB  WRCA position: Watch
Potential 2017 Legislation

- Reintroduction of SB 163 (Hertzberg)
- Reintroduction of AB 1463 (Gatto)
- Long Term Urban Water Conservation
- Spent Brine Hazardous Waste Exemption
- Potable Reuse
  - Eliminate IPR/DPR definitions and focus on potable reuse methods (e.g. through GW recharge, reservoir augmentation, raw water augmentation, and treated water augmentation)
  - Establish policy with framework and sequential approach
  - Establish better framework for moving projects forward
Federal Legislation – 114th Congress

- Three weeks after election for 114th Congress to act
- House and Senate plan to adjourn December 8, 2016
- Appropriation bills have highest priority – Need continuing resolution for spending after December 9, 2016

Legislation still under consideration:

- S 2848/HR 5303 – Water Resources Development Act of 2016
- S 2533 - California Emergency Drought Relief Act of 2016
- S 2673 - Water Technology Acceleration Act of 2016
2016 Regulatory Actions

- Non-Potable Uses General Order – Revised 06/07/2016
- DPR feasibility study to legislature by 12/31/16
  - SWRCB Board Meeting – 12/06/16
- Surface Water Augmentation regulations by 12/31/16
  - Adoption expected to be delayed until 1st quarter of 2017
- Evaluate recycled water use for animals by 12/31/16
  - Adoption expected to be delayed
- Recycled Water Policy Update by 2019
  - SWRCB Board Meeting – 12/06/16
- Mandatory RW Building Standards by ~ 06/2017
- Onsite Wastewater Treatment Systems Policy–TBD
Recycled Water General Order

- SWRCB adopted General Order (permit) on June 7, 2016
- Use for all non-potable uses except GW recharge
- Cover larger projects over multiple RWQCB’s
- Only SWRCB can increase monitoring requirements
- Maintain streamlined approach
- Requires permits to be in compliance with SNMP’s
- Adds language on CEC’s & EDC’s
- Some concerns remain:
  - Monitoring & reporting above existing permits
  - Mandatory use of GO with in 3 years instead of opt-in
  - Consistency with GO & RW Policy
  - Consultation required for adding new users
DPR Feasibility Report Comments

- DPR feasibility report to legislature by 12/31/16
- Strengthen Implementation Plan & include timelines
- Clarify how to develop criteria concurrently with research
- Clarify definition of DPR types vs. SWA
- Need SWA criteria before completing DPR comments
- Permit ongoing DPR projects on a case-by-case basis
- Question imposing standard source control and WWTP optimization requirements
- Develop DPR criteria right the first time
- Commenters included, WateReuse, ACWA, SDCWA, CASA, Coast keeper Alliance, LACSD, & Santa Clara Valley WD
Surface Water Augmentation

SWRCB to adopt uniform water recycling criteria for SWA by 12/31/16 – expected to be delayed

SWA is the planned placement of RW into surface reservoir used as source of domestic drinking water supply

SWRCB submitted proposed criteria to expert panel

Expert panel finds that criteria protects public health

Proposed dilution and retention time may limit applicability to large reservoirs

WateReuse requested alternate provisions to allow use of smaller reservoirs and permitting on case-by-case basis

Expect draft SWA regulations in December and adoption in February 2017
Recycled Water Policy Update

- SWRCB Board to adopt Resolution on 12/06/16
  - Confirm Board support & timelines
  - Direct staff to convene science panel on CECs
  - Initiate stakeholder process
  - Amend Policy by December 2019

Justification:
- Confirm support for Salt and Nutrient Management Plans
- Coordinate SNMPs with agriculture and groundwater sustainability communities
- Ensure conformance with General Order
- Update recycled water goals
Questions?

If you have any questions, please contact:

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