

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>



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



AB 2022: Advanced Purified Demonstration Water (Gordon)

- Authorize operator of advance 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; \leq 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
- WaterReuse 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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