



Sent via email: Commentletters@waterboards.ca.gov

May 9, 2025

Ms. Courtney Tyler, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

RE: Comments — Proposed Onsite Treatment and Reuse of Nonpotable Water (OTNWS) Regulation

Dear Ms. Tyler:

On behalf of WaterReuse California (WRCA), California Association of Sanitation Agencies and the Association of California Water Agencies, we are pleased to submit comments on the draft Onsite Treatment and Reuse of Nonpotable Water Regulation (onsite regulation). WRCA represents over 200 public agencies, consulting firms, and companies dedicated to expanding water reuse in California. CASA represents more than 130 public agencies and municipalities that engage in wastewater collection, treatment, recycling, and resource recovery. ACWA represents approximately 470 public agency members who are collectively responsible for 90% of the water delivered to cities, farms and businesses in California. We are committed to advancing laws, policy, funding, and public acceptance of recycled water and other types of water reuse.

Support of Onsite Water Reuse

We appreciate the State Water Resources Control Board's (State Board) ongoing support of recycled municipal water and potable reuse as a critical water supply for California, especially as identified in the Governor's *Water Supply Strategy*. Additionally, we are committed to effective standards that promote onsite reuse where appropriate and in coordination with municipal wastewater and recycled water operations.

WRCA is a section of the national organization, the WaterReuse Association, who is a partner and financial supporter of the National Blue Ribbon Commission for Onsite Water Systems (Commission), which is advancing the best management practices to support the use of onsite non-potable water systems at the local level. This Commission has also recognized the importance of community choice and consultation with municipal water and sewer providers as onsite reuse is implemented and expands.

Definition

California Water Code defines recycled water as: “water which, as a result of treatment of waste, is suitable for a direct beneficial use or a controlled use that would not otherwise occur and is therefore (sic) considered a valuable resource” (Water Code Section 13050[n]). California Code of Regulations (CCR) specifies additional water recycling criteria for recycled municipal wastewater. CCR Title 22, Division 4. California Code of Regulations Title 22, § 60301.690 defines “Recycled Municipal Wastewater” as *recycled water that is the effluent from the treatment of wastewater of municipal origin*. Because these definitions in a broad sense could incorporate onsite reuse, we appreciate the clear definition in the regulation of “onsite treated nonpotable water” as *nonpotable water that has been collected, treated, and intended to be used on-site and is suitable for specified uses*, as included on page 4. That distinction is helpful given that the treatment will differ between municipal recycled water and onsite reuse.

We request that inconsistencies with Title 22 be addressed. It would be more consistent for the onsite regulations to require treatment standards similar to those for Title 22 disinfected tertiary recycled water, especially given that the onsite regulations will include comparable levels of oversight through monitoring and reporting.

SB 966 (Wiener, 2018), consultation with provider(s)

As signed into law, SB 966 requires that local agencies that wish to establish an onsite reuse program first adopt a local program through a local ordinance. The bill further requires local jurisdictions that do not provide water or sewer services to consult with the agencies that do provide those services within their jurisdiction to ensure there are no adverse impacts to the sewer collection system, planned recycled water projects, existing community scale recycled water systems or receiving waters.

We have identified a few areas of the draft regulation that we believe need clarification to ensure the proposed regulation aligns with the intent of the consultation requirement.

We suggest that the following language be added:

On page 29, Section 60684(f):

A commissioning report documenting the OTNWS commissioning must be submitted to the local jurisdiction for review and approval within 30 days of completion of the commissioning period.

The commissioning report must also be submitted to the appropriate public water system, wastewater treatment agency, and when applicable the recycled water agency within 30 days of completion of the commissioning period.

On page 38, Section 60696:

(a)The responsible entity must provide notification to the local jurisdiction, *municipal potable water supplier, recycled water purveyor or supplier and wastewater treatment agency* at least 30 days prior to the start of decommissioning activities.

We recommend this be revised to make it consistent with the 12-hour requirement:

On page 44, Section 60710:

Section 60710(a)(1) reads to notify local jurisdiction, potable water supplier, and building tenants no later than 24 hours after discovery of cross-connection; however, Section 60710(b) reads, “the responsible entity must notify the local jurisdiction of the cross-connection immediately upon discovery and no later than 12 hours after discovery.”

We recommend consistency in the number of hours and request that the public water supplier also be notified as soon as possible.

Additional Comments:

Additionally, we have some further comments to address other key areas of the regulation. We ask that the following be corrected or clarified:

Operations/Certification

We would like clarification added to the regulation about whether there will be any requirements for operator training and certification and ongoing operations. Given that several planned systems include treating wastewater or black water, and in accordance with current operator certifications required for operating all other treatment systems, there should be clarification on certification required to operate and maintain these onsite systems.

Treatment Requirements, Log Reduction Targets and Disinfection

Oversight and enforcement of these requirements is very important to ensure that public health is protected. By their nature, onsite systems are hyper-local and there may be more of them than through centralized wastewater treatment. Therefore, it is critical that sufficient resources be available for oversight and enforcement. The regulation should clarify who enforces the water quality standards. Is it the local jurisdiction or the Regional Board?

We request clarification as to whether the source with onsite wastewater (comingled graywater and blackwater; Train A) actually requires a lower CT than a source with no onsite wastewater (Train B).

We are committed to public health and want to ensure that the proposed log removal targets provide an appropriate level of caution and protection for building occupants.

Signage

On page 36, in Section 60692. Signage, the signage section requires that notification signs be purple and state that this is “nonpotable water”. We suggest striking ~~“CAUTION: NONPOTABLE WATER—DO NOT DRINK.”~~ and instead adding language from the California Plumbing Code 601.3.3 (3) “CAUTION: ON-SITE TREATED NONPOTABLE WATER, DO NOT DRINK”.

Additionally, the California Plumbing Code allows (See Sections 1501.9.1, 1501.9.2, 1505.9 and 1505.12) for recycled water signs to not be purple. Signs need to contain highly visible letters on

a contrasting background. We suggest that this regulation align with the current requirements in the Plumbing Code.

WaterReuse California developed [WaterReuse California Signage Guidelines](#) (February 2021) to provide guidance for creating a more uniform message to the public at properties where municipally recycled water is in use. The guidelines include suggestions for sign composition, color, font, size, and message. The guidelines also offer translations of frequently used messages on recycled water signs. We ask that you consider these guidelines when addressing the signage language in the proposed regulation.

We also noted that Section 60692 (c) and (e) are duplicates. We suggest section (e) be deleted.

Additionally, clarity is requested on signage on and near toilets.

Allowable uses

On page 9, under Article 3. Uses of Onsite Treated Nonpotable Water, we would offer the following new uses also be considered as allowable indoor or outdoor uses:

- Fire suppression
- Irrigation for edible food crops
- Indoor landscaping irrigation such as that found in living wall gardens
- Sewer line flushing
- Hardscape cleaning
- Landscape impoundments

Additionally, we recommend the following be added:

(c) Alternative uses may be allowed if the local jurisdiction consults with the State Board and receives written approval prior to allowing the alternative use.

SB 966 does list toilet and urinal flushing, clothes washing, irrigation, and dust suppression as allowable uses. However, the regulation limits the irrigation to ornamental plants and landscape. We suggest using the same broader phrase irrigation in the regulation to line up with existing law.

Power Supply

On page 21, we recommend adding *primary* to the last sentence of Section 60672(c):

“The diversion equipment must be able to function independently of the *primary* power supply used for the OTNWS”

Notification

On page 37, Section 60694, we recommend updating the language to allow the notification as quickly as possible:

The responsible entity must provide written notification to building tenants and/or residents *as soon as possible but within no later than* 24 hours of discovery of the delivery of inadequately-treated onsite treated nonpotable water for indoor uses.

Making Conservation a Way of Life

We fully expect that the consultation with providers will allow for consideration of the impact of water conservation since those regulations were recently adopted.

Closing Comments

We share your commitment to diverse climate-resilient water sources and look forward to contributing positively to the State Board's consideration of this draft onsite regulation.

We appreciate the opportunity to provide these comments. For questions or additional information, please contact Rosario Cortés (RCortes@watereuse.org), Jared Voskuhl (jvoskuhl@casaweb.org) and Stephen Pang (StephenP@acwa.com).

Sincerely,



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