



4 October 2017

Jocelyn Jones
Senior Water Quality Rule Writer
Washington State Department of Ecology
PO Box 47600
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Subject: DRAFT Reclaimed Water Rule
Public Comment Period

Dear Jocelyn:

Our mission at the WaterReuse Association is to promote water reuse. We do this by educating policy makers, industry professionals and the public on the safety and benefits of recycling water. The Pacific Northwest Section of WaterReuse represents nearly 30 members in the states of Washington, Oregon and Idaho from utilities to engineering firms to reuse focused businesses.

We are excited to see Washington State and the Department of Ecology (Ecology) continuing with the development of the Reclaimed Water Rule and support the rework of the rule after the significant public comment on the previous version. We appreciate the opportunity to review the Draft Reclaimed Water Rule (Draft Rule) and would like to submit the following comments for the public comment period:

1. Ecology should consider using the modern term "Recycled Water" instead of "Reclaimed Water" as the term "Recycled Water" is used more often around the country and the world.
2. In section 173-219-070, the Draft Rule states that persons must comply with "local statutes, ordinances, or regulations." This may allow local governments to restrict or ban the use of reclaimed water. Ecology should consider providing clarification on this in order to promote the use of reclaimed water.
3. In section 173-219-080 A, the rules states that applications need to be submitted 180 days prior to the use of reclaimed water. Ecology should consider providing an exemption to this as the 180 days may make some projects infeasible.
4. The Draft Rule requires both a Feasibility Analysis and an Engineering Report. Ecology should consider combining these documents to streamline the process for obtaining a

permit. Ecology should also provide clarification that existing documents submitted to Ecology may be used as substitutes for these documents where content fulfills the requirements, such as Facility Plans or Engineering Reports on existing treatment facilities.

5. In section 173-219-180, the Feasibility Analysis requires a planning horizon of 20 years. Ecology should consider revising this requirement as some projects may plan on using reclaimed water for less than 20 years.
6. The Feasibility Analysis requires entities to demonstrate how they will maintain qualified and certified operations staff. Ecology should provide clarification on what is required to demonstrate this.
7. In section 173-219-190 2, the required signatures and titles are listed. Ecology should consider revising this as agencies, companies and other entities may use different terminology and should be able to dictate who has signature and decision-making authority.
8. In section 173-219-200 2 d, the Draft Rule requires facilities to meet all applicable standards. This is a generic statement and should be revised as it is hard to interpret. Other generic statements in the Draft Rule should also be removed or revised.
9. Section 173-219-210 (2) (u) and (v) list the engineering report requirements for groundwater/aquifer recharge and recovery of water stored in an aquifer, respectively. Each section lists different reporting requirements; however, all of the requirements listed under (v) should also be considered or required under (u), with the exception of (v)(v) recovery treatment procedures. Ecology should consider merging these sections for consistency.
10. In section 173-219-210, the Draft Rule makes note of a mitigation plan in relation to groundwater and aquifer recharge. Ecology should provide additional information as to what the mitigation plan is.
11. In section 173-219-260, the Draft Rule says that monitoring requirements may change based on significance of the pollutants. Ecology should provide clarification as to what is meant by the significance of the pollutants.
12. In section 173-219-290, the Draft Rule defines the use agreements necessary for reclaimed water use. Ecology should consider eliminating these requirements for Class A and A+ water as they can be a disincentive for using reclaimed water and may be an unnecessary burden for some entities (ex. an irrigation district).
13. In section 173-219-310 f, the Draft Rule requires that potable water purveyors must verify that the approved cross-connection control devices have been installed. Ecology

should consider adding a requirement that the potable water purveyor is to do this within 30 days notice from the reclaimed water generator or distributor.

14. Ecology should consider revising section 173-219-310 2 b to require potable water purveyors and reclaimed water generators to work together to ensure cross-control protection and not put the full responsibility on the reclaimed water generator. Language to this effect should be added to other parts of the rule as well.
15. In section 173-219-320, the Draft Rule requires technology-based treatment methods. Ecology should consider incorporating performance-based treatment methods as technologies will change and evolve over the life of the rule.
16. In Table 1, Ecology should consider using a 30 day average and 7 day average instead of monthly or weekly requirements.
17. There are numerous references in the Draft Rule to technical documents and guidance. Ecology should consider revising this language as these documents and guidance will change over the life of the rule.
18. In section 173-219-360 10 c, the Draft Rule states that trucks carrying potable water shall never carry reclaimed water. Ecology should consider removing this statement and providing restrictions based on use of the water. Water trucks used for street sweeping, sewer flushing or other nonpotable uses will want to fill from various sources including both potable water and reclaimed water and will have backflow prevention when filling. Water trucks used for the delivery of potable water for potable uses exclusively could never be used to transport reclaimed water, but the rule should provide clarity on this.
19. Section 173-219-390 Specific use-based requirements, Table 3, Use #s 22, 23, and 24 Additional Requirements Column include "Must meet applicable requirements of:" including Chapters 123-200 and 246-290-310 WAC (groundwater and drinking water standards" amongst other conditions. If the reclaimed water ***must*** meet these requirements, then the Reclaimed Water Class Requirements are not valid and Class A+ should be listed as the class requirement. Ecology should also consider adding the reference to WAC 173-200-030 (Antidegradation Policy) to these sections.

We will continue to be supportive during this process to establish a Reclaimed Water Rule that promotes the use of reclaimed water in Washington State. Please feel free to reach out to me to discuss any of these comments.

Jocelyn Jones
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4 October 2017
Page 4

Very truly yours,
PNW SECTION WATEREUSE

A handwritten signature in black ink, appearing to read "Chris Stoll". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Chris Stoll
President
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