

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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**HOUSE BILL 643
Committee Substitute Favorable 7/23/09**

Short Title: Study Reclaimed Water.

(Public)

Sponsors:

Referred to:

March 18, 2009

A BILL TO BE ENTITLED
AN ACT TO AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY
ISSUES RELATED TO THE USE AND STORAGE OF RECLAIMED WATER.

The General Assembly of North Carolina enacts:

SECTION 1.(a) The Environmental Review Commission, in consultation with the Department of Environment and Natural Resources, may study issues related to the use and storage of reclaimed water. In its study, the Commission may examine the following issues:

- (1) The feasibility and desirability of implementation of reclaimed water programs by municipal wastewater treatment facilities for nonconsumptive indoor use and outdoor use. The Commission may consider any of the following factors:
 - a. The implementation and efficacy of reclaimed water policies, programs, ordinances, standards, rules, and regulations established in other states, municipalities, and countries.
 - b. Minimum effluent standards for reclaimed water sufficient to address any public health, safety, or environmental risks that may be caused by use of or contact with reclaimed water.
 - c. Potential uses for reclaimed water for nonconsumptive indoor use including, but not limited to: toilet flushing; fire protection; and decorative water features.
 - d. Potential uses for reclaimed water for outdoor use including, but not limited to: commercial and residential landscaping, lawn irrigation, agricultural irrigation; wetland and stream augmentation; and planned direct or indirect potable reuse.
- (2) The feasibility and desirability of storage of reclaimed water in aquifers by municipal wastewater treatment facilities. The Commission may consider any of the following factors:
 - a. Whether the current practice of land application of wastewater by municipal wastewater treatment facilities requires too much land to be practicable in the long term.
 - b. Whether the current practice of land application of wastewater by municipal wastewater treatment facilities is better suited to certain parts of the State or to areas of certain geological or topographical conditions.
 - c. Whether there are any alternative methods of disposing of wastewater by municipal wastewater treatment system facilities and



1 the costs and benefits of employing any such alternative methods
2 either on a statewide basis or in any specific area of the State.

3 (3) Whether reclaimed water can be safely stored in and recovered from
4 aquifers. The Commission may consider any of the following factors:

5 a. The benefits and costs of using reclaimed water in aquifers for use as
6 a barrier to saltwater intrusion.

7 b. Whether current federal or State laws, including the Underground
8 Injection Control Program of the federal Safe Drinking Water Act
9 and current regional or watershed-based water management
10 strategies, apply to aquifer storage and recovery in North Carolina
11 and are sufficient to address any public health, safety, or
12 environmental risks that may be caused by aquifer storage and
13 recovery.

14 c. Regulations necessary to assure the protection of public health,
15 safety, and the environment if storage of reclaimed water in aquifers
16 is determined to be in the best interest of the State.

17 d. Any other topics the Commission deems appropriate to assure that
18 aquifer storage and recovery systems will not be a detriment to
19 public health, safety, or the environment.

20 (4) Such other matters as the Commission deems appropriate in the conduct of
21 this study.

22 **SECTION 1.(b)** The Environmental Review Commission may make an interim
23 report to the 2009 General Assembly, 2010 Regular Session and may submit a final report,
24 including findings and recommendations, to the 2011 General Assembly on or before its
25 convening.

26 **SECTION 2.(a)** The Department of Environment and Natural Resources and the
27 Department of Administration may jointly study the benefits and costs of State government
28 facilities using reclaimed water in lieu of other water resources.

29 **SECTION 2.(b)** The Department of Environment and Natural Resources and the
30 Department of Administration may submit an interim report to the Environmental Review
31 Commission on or before the convening of the 2010 Regular Session of the 2009 General
32 Assembly and may submit the final report and any recommendations to the Commission on or
33 before the convening of the 2011 General Assembly.

34 **SECTION 3.** This act is effective when it becomes law.