

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 23, 2018

Date

Committee on Agriculture, Livestock, & Natural Resources.

After consideration on the merits, the Committee recommends the following:

SB18-038 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend reengrossed bill, page 4, strike lines 6 through 10 and substitute:

2 "(II) "FOOD CROP" DOES NOT INCLUDE A CROP PRODUCED FOR
3 ANIMAL CONSUMPTION ONLY; EXCEPT THAT A CROP PRODUCED WHERE
4 LACTATING DAIRY ANIMALS FORAGE IS A FOOD CROP."

5 Page 4, strike line 13 and substitute:

6 "(g) (I) "POINT OF COMPLIANCE" MEANS, EXCEPT AS PROVIDED IN
7 SUBSECTION (1)(g)(II) OF THIS SECTION, A POINT, AS IDENTIFIED BY".

8 Page 4, after line 18 insert:

9 "(II) IF RECLAIMED DOMESTIC WASTEWATER IS USED FOR INDOOR
10 NONPOTABLE USES WITHIN A BUILDING WHERE PLUMBING FIXTURES ARE
11 ACCESSIBLE BY THE GENERAL PUBLIC, "POINT OF COMPLIANCE" IS AT THE
12 LOCATION WHERE WATER IS DELIVERED TO THE OCCUPIED PREMISES."

13 Page 5, after line 20 insert:

14 "(3) ALL RECLAIMED DOMESTIC WASTEWATER SYSTEMS MUST BE
15 COMPLIANT WITH AND INSTALLED IN ACCORDANCE WITH ARTICLE 58 OF
16 TITLE 12 AND ANY RULES PROMULGATED PURSUANT TO THAT ARTICLE."

1 Renumber succeeding subsections accordingly.

2 Page 5, line 22, strike "SHALL" and substitute "MAY".

3 Page 6, strike line 10 and substitute:

4 "(d) THE COMMISSION MAY PROMULGATE RULES MORE STRINGENT
5 THAN THE STANDARDS AND CATEGORIES SET FORTH IN SUBSECTION (2) OF
6 THIS SECTION ONLY IF THE COMMISSION:

7 (I) DETERMINES THAT THE STANDARDS AND CATEGORIES SET
8 FORTH IN SUBSECTION (2) OF THIS SECTION ARE NOT PROTECTIVE OF
9 PUBLIC HEALTH; AND

10 (II) IDENTIFIES:

11 (A) A DOCUMENTED INCIDENT OF MICROBIAL DISEASE THAT THE
12 COMMISSION DETERMINES HAS A REASONABLE POTENTIAL TO AFFECT
13 PUBLIC HEALTH AND FOR WHICH THE COMMISSION HAS IDENTIFIED AS
14 LIKELY ORIGINATING FROM RECLAIMED DOMESTIC WASTEWATER; OR

15 (B) A PEER-REVIEWED PUBLISHED ARTICLE THAT IDENTIFIES A
16 POTENTIAL PUBLIC HEALTH RISK POSED BY THE USE OF RECLAIMED
17 DOMESTIC WASTEWATER UNDER THE STANDARDS ESTABLISHED IN
18 SUBSECTION (2) OF THIS SECTION.

19 (5) FOLLOWING A PUBLIC STAKEHOLDERS PROCESS, THE WATER
20 QUALITY CONTROL DIVISION MAY DEVELOP POLICY, GUIDANCE, OR BEST
21 MANAGEMENT PRACTICES THAT ARE CONSISTENT WITH THIS SECTION, AS
22 THE DIVISION DEEMS NECESSARY TO IMPLEMENT THIS SECTION.

23 (6) IN ADDITION TO THE RELIEF AVAILABLE UNDER SECTION
24 25-8-205 (6), THE DIVISION MAY GRANT A USER OF RECLAIMED
25 DOMESTIC".

26 Renumber succeeding subsection accordingly.

27 Page 6, line 13, strike "(3)" and substitute "(4)".

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