A BILL FOR AN ACT

CONCERNING THE POINT OF COMPLIANCE RELATED TO THE TREATMENT PROCESS INVOLVED IN TREATING RECLAIMED DOMESTIC WASTEWATER FOR INDOOR NONPOTABLE USES WITHIN A BUILDING WHERE THE GENERAL PUBLIC CAN ACCESS PLUMBING FIXTURES THAT ARE USED TO DELIVER THE RECLAIMED DOMESTIC WASTEWATER.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://leg.colorado.gov.)

In 2018, the general assembly authorized the use of reclaimed
domestic wastewater for irrigation of food crops and industrial hemp and for toilet flushing if, at the point of compliance in the water treatment process, the reclaimed domestic wastewater met certain water quality standards.

The bill authorizes the water quality control commission (commission) to adopt rules requiring a point of compliance for disinfection residual related to the treatment process for reclaimed domestic wastewater used for toilet flushing within a building where the general public can access the plumbing fixtures used to deliver the reclaimed domestic wastewater. If the commission adopts the rules, the rules must establish a point of compliance for disinfection residual at a single location where reclaimed domestic wastewater is delivered to the occupied premises and before the water is distributed for use in the occupied premises.

Be it enacted by the General Assembly of the State of Colorado:

1. SECTION 1. In Colorado Revised Statutes, 25-8-205.7, amend (1)(f) as follows:

25-8-205.7. Control regulations for reuse of reclaimed domestic wastewater - food crops - definitions - rules. (1) As used in this section, unless the context otherwise requires:

(f) (I) "Point of compliance" means except as provided in subsection (1)(f)(II) of this section, a point, as identified by the person that treats the water, in the reclaimed domestic wastewater treatment process or the reclaimed domestic wastewater transportation process, that occurs after all treatment has been completed but before dilution and blending of the water has occurred.

(II) If reclaimed domestic wastewater is used for indoor nonpotable uses within a building where plumbing fixtures are accessible by the general public, "point of compliance" is at the location where water is delivered to the occupied premises.

2. SECTION 2. In Colorado Revised Statutes, 25-8-205.8, amend
(1)(f); and add (1.5) as follows:

25-8-205.8. Control regulations for reuse of reclaimed domestic wastewater - toilet flushing - definitions - rules. (1) As used in this section, unless the context otherwise requires:

(f) (I) "Point of compliance" means, except as provided in subsection (f)(II) (1.5) of this section, a point, as identified by the person that treats the water, in the reclaimed domestic wastewater treatment process or the reclaimed domestic wastewater transportation process, that occurs after all treatment has been completed but before dilution and blending of the water has occurred.

(II) If reclaimed domestic wastewater is used for indoor nonpotable uses within a building where plumbing fixtures are accessible by the general public, "point of compliance" is at the location where water is delivered to the occupied premises.

(1.5) WITH REGARD TO RECLAIMED DOMESTIC WASTEWATER USED FOR INDOOR NONPOTABLE USES WITHIN A BUILDING WHERE THE GENERAL PUBLIC CAN ACCESS THE PLUMBING FIXTURES THAT ARE USED TO DELIVER THE RECLAIMED DOMESTIC WASTEWATER, THE COMMISSION MAY PROMULGATE RULES TO REQUIRE A POINT OF COMPLIANCE FOR DISINFECTION RESIDUAL, WHICH RULES MUST:

(a) BE BASED ON A DETERMINATION THAT THE ADDITIONAL POINT OF COMPLIANCE WOULD PROTECT PUBLIC HEALTH; AND

(b) ESTABLISH A POINT OF COMPLIANCE FOR DISINFECTION RESIDUAL AT A SINGLE LOCATION BETWEEN WHERE RECLAIMED DOMESTIC WASTEWATER IS DELIVERED TO THE OCCUPIED PREMISES AND BEFORE THE WATER IS DISTRIBUTED FOR USE IN THE OCCUPIED PREMISES.

SECTION 3. In Colorado Revised Statutes, 25-8-205.9, amend
(1)(g) as follows:

25-8-205.9. Control regulations for reuse of reclaimed domestic wastewater - industrial hemp - definitions - rules. (1) As used in this section, unless the context otherwise requires:

(g) (I) "Point of compliance" means except as provided in subsection (1)(g)(II) of this section, a point, as identified by the person that treats the water, in the reclaimed domestic wastewater treatment process or the reclaimed domestic wastewater transportation process, that occurs after all treatment has been completed but before dilution and blending of the water has occurred.

(II) If reclaimed domestic wastewater is used for indoor nonpotable uses within a building where plumbing fixtures are accessible by the general public, "point of compliance" is at the location where water is delivered to the occupied premises.

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.