ENGROSSED SENATE AMENDMENT
TO
ENGROSSED HOUSE
BILL NO. 1575 By: Martin (Scott) of the House

and

Paddack of the Senate

An Act relating to environment and natural resources; amending 27A O.S. 2001, Section 2-6-101, as last amended by Section 1, Chapter 138, O.S.L. 2005 (27A O.S. Supp. 2010, Section 2-6-101), which relates to water quality definitions; adding certain definition; allowing the use of a certain amount of gray water for certain purposes without a permit; listing certain conditions; providing for codification; and providing an effective date.

AUTHOR: Add the following Senate Coauthor: Fields

AMENDMENT NO. 1. Page 1, strike the title, enacting clause and entire bill and insert

"An Act relating to municipal wastewater; defining term; stating application of certain definition of gray water; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-6-107 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. "Gray water" means untreated household wastewater that has not come in contact with toilet waste and includes wastewater from bathtubs, showers, washbasins, clothes washing machines and laundry

tubs and untreated municipal wastewater limited to wastewater captured from municipal splash pads and water used by Fire Departments for cleaning equipment and vehicles. Gray water shall not include wastewater from kitchen sinks, kitchen dishwashers or laundry water from the washing of material soiled with human excreta, such as diapers.

B. The definition of gray water in subsection A of this section shall apply only in municipalities enacting ordinances regulating the use of gray water within the limits of their municipal boundaries.

SECTION 2. This act shall become effective November 1, 2011."

Passed the Senate the 20th day of April, 2011.

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Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2011.

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Presiding Officer of the House of Representatives

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An Act relating to environment and natural resources; amending 27A O.S. 2001, Section 2-6-101, as last amended by Section 1, Chapter 138, O.S.L. 2005 (27A O.S. Supp. 2010, Section 2-6-101), which relates to water quality definitions; adding certain definition; allowing the use of a certain amount of gray water for certain purposes without a permit; listing certain conditions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 3. AMENDATORY 27A O.S. 2001, Section 2-6-101, as last amended by Section 1, Chapter 138, O.S.L. 2005 (27A O.S. Supp. 2010, Section 2-6-101), is amended to read as follows:

Section 2-6-101. For purposes of this article:

1. "Disposal system" means pipelines or conduits, pumping stations and force mains and all other devices, construction, appurtenances and facilities used for collecting, conducting or disposing of wastewater, including treatment systems;

2. "Drainage basin" means all of the water collection area adjacent to the highest water line of a reservoir which may be

considered by the Department to be necessary to protect adequately the waters of the reservoir. The area may extend upstream on any watercourse to any point within six hundred (600) feet of the highest water line of the reservoir;

3. "Gray water" means untreated household wastewater that has not come in contact with toilet waste and includes wastewater from bathtubs, showers, washbasins, clothes washing machines and laundry tubs, but does not include wastewater from kitchen sinks, kitchen dishwashers or laundry water from the washing of material soiled with human excreta, such as diapers;

4. "Indirect discharge" means the introduction of pollutants to a publicly owned treatment works from a nondomestic source;

~~4.~~ 5. "Pollutant" means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agribusiness waste discharged into waters of the state;

~~5.~~ 6. "Public water supply" means water supplied to the public for domestic or drinking purposes;

~~6.~~ 7. "Reservoir" means any reservoir, whether completed or in the process of construction, whether or not used as a water supply, and whether or not constructed by any recipient of water therefrom;

~~7.~~ 8. "Sludge" means nonhazardous solid, semi-solid, or liquid residue generated by the treatment of domestic sewage or wastewater by a treatment works, or water by a water supply system, or manure, or such residue, treated or untreated, which results from industrial, nonindustrial, commercial, or agribusiness activities or industrial or manufacturing processes and which is within the jurisdiction of the Department;

~~8.~~ 9. "Small public sewage system" means a nonindustrial wastewater treatment system which has an average flow of five thousand (5,000) gallons per day or less;

~~9.~~ 10. "Treatment works" means any facility used for the purpose of treating or stabilizing wastes or wastewater. "Treatment works" shall be synonymous with "wastewater works"; and

~~10.~~ 11. "Water supply system" means a water treatment plant, water wells, and all related pipelines or conduits, pumping stations and mains and all other appurtenances and devices used for distributing drinking water to the public and, as such, shall be synonymous with waterworks.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-6-107 of Title 27A, unless there is created a duplication in numbering, reads as follows:

The Department of Environmental Quality shall not require a permit for applying less than two hundred fifty (250) gallons per day of private residential gray water originating from a residence

for the household gardening, composting or landscape irrigation of the resident if:

1. A constructed gray water distribution system provides for overflow into the sewer system or on-site wastewater treatment and disposal system;

2. A gray water storage tank is covered to restrict access and to eliminate habitat for mosquitoes or other vectors;

3. A gray water system is sited outside of a floodway;

4. Gray water is vertically separated at least five (5) feet above the groundwater table;

5. Gray water pressure piping is clearly identified as a nonpotable water conduit;

6. Gray water is used on the site where it is generated and does not run off the property lines;

7. Gray water is applied in a manner that minimizes the potential for contact with people or domestic pets;

8. Ponding is prohibited, application of gray water is managed to minimize standing water on the surface and to ensure that the hydraulic capacity of the soil is not exceeded;

9. Gray water is not sprayed;

10. Gray water is not discharged to a waterway;

11. Gray water use within municipalities or counties complies with all applicable municipal or county ordinances enacted pursuant to law; and

12. A gray water storage system which complies with the provisions of this section may allow for rainwater to be introduced into the system.

SECTION 5. This act shall become effective November 1, 2011.

Passed the House of Representatives the 8th day of March, 2011.

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Presiding Officer of the House of Representatives

Passed the Senate the ____ day of _____, 2011.

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Presiding Officer of the Senate