

## Assembly Bill No. 803

### CHAPTER 635

An act to amend Section 5411.5 of, and to add Chapter 4.5 (commencing with Section 8117) to Part 1 of Division 8 of, the Health and Safety Code, and to add Section 13263.7 to the Water Code, relating to recycled water.

[Approved by Governor October 8, 2013. Filed with  
Secretary of State October 8, 2013.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 803, Gomez. Water Recycling Act of 2013.

(1) Existing law requires the State Department of Public Health to establish uniform statewide recycling criteria for each varying type of use of recycled water where the use involves the protection of public health. Existing regulations prescribe various requirements and prohibitions relating to recycled water. Existing law requires any person who, without regard to intent or negligence, causes or permits any sewage or other waste, or the effluent of treated sewage or other waste, to be discharged in or on any waters of the state, or where it probably will be discharged in or on any waters of the state, to immediately notify the local health officer of the director of environmental health of the discharge, as prescribed.

This bill, the Water Recycling Act of 2013, would provide that this notification requirement does not apply to an unauthorized discharge of effluent of treated sewage defined as recycled water, as defined.

(2) Existing law provides for the regulation of cemeteries, including, among others, private cemeteries, public cemeteries, and cemeteries operated by a religious organization. Existing law permits a governing board of a city or county to prescribe standards of maintenance for cemeteries to protect the public health or safety.

This bill would specify that hose bibs are approved for use at cemeteries supplied with disinfected tertiary treated recycled water. The bill would require a cemetery supplied with disinfected tertiary treated recycled water that installs a hose bib in a public access area to post visible signage and labeling indicating that the water is nonpotable.

(3) Existing law establishes the State Water Resources Control Board and the California regional water quality control boards as the principal state agencies with authority over matters relating to water quality.

This bill would authorize compliance with effluent limitations and any other permit or waste discharge requirements for the release or discharge of recycled water determined to be suitable for direct potable reuse or surface water augmentation into a conveyance facility to be determined at the point where the recycled water enters the conveyance facility but prior to commingling with any raw water. The bill would require, before a discharge

may be allowed, that consent be obtained from the owner or operator of the conveyance facility that directly receives the recycled water.

*The people of the State of California do enact as follows:*

SECTION 1. This act shall be known and may be cited as the Water Recycling Act of 2013.

SEC. 2. Section 5411.5 of the Health and Safety Code is amended to read:

5411.5. (a) Any person who, without regard to intent or negligence, causes or permits any sewage or other waste, or the effluent of treated sewage or other waste, to be discharged in or on any waters of the state, or discharged in or deposited where it is, or probably will be, discharged in or on any waters of the state, shall, as soon as that person has knowledge of the discharge, immediately notify the local health officer or the director of environmental health of the discharge.

(b) A person who fails to provide the notice required by this section is guilty of a misdemeanor and shall be punished by a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000), or imprisonment for less than one year, or both the fine and imprisonment.

(c) The notification required by this section shall not apply to a discharge authorized by law and in compliance with waste discharge requirements or other requirements established by the appropriate regional water quality control board or the State Water Resources Control Board.

(d) The notification required by this section shall not apply to an unauthorized discharge of effluent of treated sewage defined as recycled water pursuant to Section 13050 or 13529.2 of the Water Code.

SEC. 3. Chapter 4.5 (commencing with Section 8117) is added to Part 1 of Division 8 of the Health and Safety Code, to read:

#### CHAPTER 4.5. MAINTENANCE OF CEMETERY GROUNDS

8117. Hose bibs are approved for use at cemeteries supplied with disinfected tertiary treated recycled water.

8118. A cemetery supplied with disinfected tertiary treated recycled water that installs a hose bib in an area subject to access by the general public shall post signage and labeling visible to the general public that the water is nonpotable. The signage and labeling shall be regularly inspected by the water purveyor, as defined in Section 512 of the Water Code, to ensure that the general public has proper notice of this fact.

SEC. 4. Section 13263.7 is added to the Water Code, to read:

13263.7. (a) Compliance with effluent limitations and any other permit or waste discharge requirements, as appropriate, for the release or discharge of recycled water determined to be suitable for direct potable reuse or surface water augmentation, as defined in Section 13561, into a conveyance facility

may be determined at the point where the recycled water enters the conveyance facility but prior to commingling with any raw water.

(b) Before the discharge may be allowed, consent must be obtained from the owner or operator of the conveyance facility that directly receives the recycled water.

(c) This section does not limit or restrict the authority of the State Water Resources Control Board.

(d) For purposes of this section, “raw water” means surface water or groundwater in its naturally occurring state prior to treatment.