

AMENDED IN ASSEMBLY MARCH 28, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1738

Introduced by Assembly Member McCarty

February 1, 2016

An act to amend Section 17922.12 of the Health and Safety Code, relating to building standards.

LEGISLATIVE COUNSEL'S DIGEST

AB 1738, as amended, McCarty. ~~Building Standards: Dark Graywater. standards: dark graywater.~~

The California Building Standards Law provides for the adoption of building standards by state agencies by requiring all state agencies that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval and adoption.

Existing law requires the Department of Housing and Community Development to propose the adoption, amendment, or repeal of building standards to the commission relating to hotels, motels, lodging houses, apartment houses, and dwellings, and the buildings and structures accessory thereto, except as specified.

Existing law requires the department, at the next triennial building standards ~~rulemaking~~, *rulemaking cycle*, to adopt and submit to the commission for approval building standards for the construction, installation, and alteration of graywater systems for indoor and outdoor uses. Existing law excludes wastewater from kitchen sinks and dishwashers from the definition of “graywater.”

This bill would define “dark graywater” as a specified wastewater that comes from kitchen sinks and dishwashers. This bill would require

the department, at the next triennial building standards rulemaking cycle, to ~~adopt~~ *develop* and submit for approval building standards for the construction, installation, and alteration of dark graywater systems for indoor and outdoor uses.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. Section 17922.12 of the Health and Safety Code
2 is amended to read:

3 17922.12. (a) For the purposes of this section, “graywater”
4 means untreated wastewater that has not been contaminated by
5 any toilet discharge, has not been affected by infectious,
6 contaminated, or unhealthy bodily wastes, and does not present a
7 threat from contamination by unhealthful processing,
8 manufacturing, or operating wastes. “Graywater” includes
9 wastewater from bathtubs, showers, bathroom washbasins, clothes
10 washing machines, and laundry tubs, but does not include
11 wastewater from kitchen sinks or dishwashers. For purposes of
12 this section, “dark graywater” includes untreated wastewater from
13 kitchen sinks or dishwashers that has not been contaminated by
14 any toilet discharge, has not been affected by infectious,
15 contaminated, or unhealthy bodily wastes, and does not present a
16 threat from contamination by unhealthful processing,
17 manufacturing, or operating wastes.

18 (b) Notwithstanding Chapter 22 (commencing with Section
19 14875) of Division 7 of the Water Code, at the next triennial
20 building standards rulemaking cycle that commences on or after
21 January 1, 2009, the department shall ~~adopt~~ *develop* and submit
22 for approval pursuant to Chapter 4 (commencing with Section
23 18935) of Part 2.5 building standards for the construction,
24 installation, and alteration of graywater systems and dark graywater
25 systems for indoor and outdoor uses.

26 (c) In ~~adopting~~ *developing* building standards under this section,
27 the department shall do all of the following:

28 (1) Convene and consult a stakeholder’s group that includes
29 members with expertise in public health, water quality, geology
30 or soils, residential plumbing, home building, and environmental
31 stewardship.

1 (2) Ensure protection of water quality in accordance with
2 applicable provisions of state and federal water quality ~~law~~ *law*,
3 *including consulting with the State Water Resources Control Board*
4 *when developing building standards for dark graywater.*

5 (3) Consider existing research available on the environmental
6 consequences to soil and groundwater of short-term and long-term
7 graywater and dark graywater use for irrigation purposes, including,
8 but not limited to, research sponsored by the Water Environment
9 Research Foundation.

10 (4) Consider graywater and dark graywater use impacts on
11 human health.

12 (5) Consider the circumstances under which the use of in-home
13 graywater and dark graywater treatment systems ~~are~~ *is*
14 recommended.

15 (6) Consider the use and regulation of graywater and dark
16 graywater in other jurisdictions within the United States and in
17 other nations.

18 (d) The department may revise and update the standards adopted
19 under this section at any time, and the department shall reconsider
20 these standards at the next triennial rulemaking that commences
21 after their adoption.

22 (e) The approval by the California Building Standards
23 Commission of the standards for graywater systems adopted under
24 this section shall terminate the authority of the Department of
25 Water Resources to adopt and update standards for the installation,
26 construction, and alteration of graywater systems in residential
27 buildings pursuant to Chapter 22 (commencing with Section 14875)
28 of Division 7 of the Water Code.