

A Summary of California State Water Resources Control Board's New Recycled Water General Order

On June 7, 2016, the State Water Resources Control Board (State Water Board) adopted Water Reclamation Requirements (WRRs) for Recycled Water Use (General Order), which establishes conditions for the permitting and use of recycled water for non-potable uses. The General Order replaces the general order issued in 2014, Waste Discharge Requirements (WDRs) for Recycled Water Use.

The General Order was developed in response to the Governor's Drought State of Emergency proclamation in 2014, which directed the State Water Board to adopt statewide criteria to facilitate the use of treated wastewater to reduce potable water supply demands. The new regulations recognize recycled water as a resource by utilizing WRRs as the recycled water permitting vehicle instead of WDRs.

General Order Highlights

- The intent of the General Order is to streamline the permitting of recycled water uses by delegating the authority of managing water recycling programs to an Administrator (may be a public agency or private entity, as discussed in the sidebar) and to create a uniform statewide permit system to eliminate variations between Regional Boards.
- Under the General Order, the Administrator is given the authority to manage the program and issue Recycled Water Use Permits directly to individual Users, which relieves end Users from needing to apply for permits directly from the Regional Board (Users are still subject to the conditions of the General Order).
- Regional Boards are required to transition all recycled water programs to the new General Order within three years of adoption, and enrollment is now mandatory (unlike the prior general order in which enrollment was optional).

Exception: Agencies covered by an existing Master Reclamation Permit or through individual waste discharge permits issued by a Regional Board may remain under these permits.

- The General Order covers only treated municipal wastewater for non-potable uses (for example, landscape and agricultural irrigation, toilet and urinal flushing, commercial carwashes, concrete manufacturing, dust control, and industrial cooling water).
- Potable reuse projects will be addressed by separate regulations currently being developed. These include regulations for Surface Water Augmentation, Indirect Potable Reuse and Direct Potable Reuse projects.
- Groundwater replenishment projects are covered under separate regulations adopted June 18, 2014.
- For projects that overlap multiple Regional Board boundaries, a single permit will be issued by the State Water Board, eliminating the need for multiple permits.



The new regulations recognize recycled water as a resource by utilizing Water Reclamation Requirements as the recycled water permitting vehicle instead of the Waste Discharge Requirements.

Common Questions

Who may apply?

The following entities may apply for coverage under the General Order and become an Administrator of the recycled water program:

- **Producers of Recycled Water:** Typically the entity that produces recycled water meeting the Uniform Statewide Recycling Criteria.
- **Distributors of Recycled Water:** A Distributor is not required to take physical possession of the recycled water and may act simply as an Administrator.
- **Users of Recycled Water:** A User may also act as an Administrator and distribute recycled water to other Users.
- **Legal Entity:** A legal entity, such as formed by a joint powers agreement between public agencies. ▶

How do we get permitted for a new recycled water program?

- Submit a Notice of Intent (NOI) to your Regional Board that includes a water recycling technical report containing the following information:
 - A description of existing and/or proposed treatment, storage, and transmission facilities for water recycling.
 - A description of how recycled water will be used including types of uses and use areas.
 - A proposed operations and management plan (program manual) describing how the program will be managed and administered to comply with regulatory requirements.
- Prepare and submit a Title 22 Engineering Report to the Division of Drinking Water for approval.
- Receive a Notice of Applicability (NOA) from your Regional Board authorizing the proposed recycled water program (following approval of the submitted documents). Applicants will also need to pay an application fee with the NOI submittal. For programs overlapping multiple Regional Board boundaries, applications should be submitted to the State Water Board for processing.

What actions should we take now if we have an existing recycled water program?

- Review your existing permit coverage and start discussions with your Regional Board about making the transition, if necessary.
- Review your existing Title 22 engineering report, program manual, and other supplemental documents to evaluate compliance with the new General Order.

If we are already covered under one of the prior general permits, will we need to reapply for permit coverage under the new General Order?

Agencies that are enrolled under the prior general order need to sign and submit an enrollment transition form with their Regional Board in order to be transitioned to the new General Order. Agencies that are covered under the 2009 General Permit for Landscape Irrigation need not reapply unless they want to enroll in the new order, and they will not be rolled over into the new order.

Will priority pollutant monitoring now be required for landscape irrigation projects?

If recycled water is used for landscape irrigation, the General Order requires priority pollutant monitoring annually for facilities producing more than one million gallons per day of recycled water and every five years for facilities producing less than one million gallons per day. However, Regional Boards may have the option of waiving these requirements depending on the outcome of potential revisions being considered to the State Recycled Water Policy. The State Water Board plans to initiate discussions with stakeholder groups in early 2017 to provide input on these and other potential changes to the State Recycled Water Policy.

Are Salt and Nutrient Management Plans (SNMPs) still required?

In adopting the General Order, the State Water Board reaffirmed its intent to have SNMPs prepared for each region (groundwater basin or watershed), which is consistent with the State Recycled Water Policy. However, it is anticipated that a streamlined process will be developed for low priority basins that are not considered a significant source of groundwater supply, and there may be other alternatives available for meeting the intent of the SNMP. Applicants should work with their Regional Board on how to efficiently address the SNMP requirements.

West Yost Can Help

West Yost can help you evaluate whether the new General Order could impact your treatment (production) and recycling program and determine what additional requirements may be necessary to transition to the new permit system. West Yost can also assist you in developing the best approach to complying with the SNMP requirements. For those initiating new recycled water projects, West Yost can assist you in preparing your application and submittals to the Regional Board to obtain permit coverage for your new program. For additional information, contact:

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Download a copy of the General Order at:
www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2016/wqo2016_0068_ddw.pdf