

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013**

**SESSION LAW 2014-113  
SENATE BILL 163**

**AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER  
CERTAIN CONDITIONS.**

The General Assembly of North Carolina enacts:

**SECTION 1.** The General Assembly finds that the use of reclaimed water to supplement source waters for potable water treatment is an appropriate and prudent measure in regions of the State with limited water resources under limited conditions.

**SECTION 2.** G.S. 143-350 is amended by adding a new subdivision to read:

"(4a) "Pretreatment mixing basin" means a basin created from lands that do not include waters of the State and in which raw water is mixed with reclaimed water before it is treated to the standards to make it suitable for potable water supply."

**SECTION 3.** G.S. 143-355.5 reads as rewritten:

**"§ 143-355.5. Water reuse; policy; rule making.**

(a) Water Reuse Policy. – It is the public policy of the State that the reuse of treated wastewater or reclaimed water and the use of gray water or captured rain water is critical to meeting the existing and future water supply needs of the State.

(a1) The General Assembly finds that reclaimed water systems permitted and operated under ~~G.S. 143-215.1(d2)~~G.S. 143-215.1 in an approved wastewater-reuse program can provide water for many beneficial purposes in a way that is both environmentally acceptable and protective of public health. This finding includes and applies to conjunctive facilities that require the relocation of a discharge from one receiving stream to another under all of the following conditions:

- (1) The relocation is necessary to create an approved comprehensive wastewater reuse program.
- (2) The reuse program provides significant reuse benefits.
- (3) The relocated discharge will comply with all applicable water quality standards; will not result in degradation of water quality in the receiving waters; and will not contribute to water quality impairment in the receiving watershed; and will result in net benefits to water quality, such as the elimination of a wastewater discharge in a nutrient sensitive river basin-watershed.

(a2) The General Assembly finds that reclaimed water systems permitted and operated under G.S. 143-215.1 in an approved wastewater reuse program can provide water for the beneficial purpose of supplementing the water supply source for potable water in a way that is both environmentally acceptable and protective of public health. Notwithstanding any other provision of law, a local water supply system may combine reclaimed water with other raw water sources before treatment if all of the following conditions are satisfied:

- (1) The reclaimed water use is not permitted for compliance with flow limitations imposed by a permit issued pursuant to G.S. 143-215.1(a4)(1).
- (2) The reclaimed water and source water are combined in a pretreatment mixing basin owned and controlled by the drinking water supplier from which water is pumped to the water treatment plant.
- (3) The pretreatment mixing basin is sized to hold a minimum volume corresponding to five days' storage at the authorized operating capacity of the water treatment plant under normal operating conditions.



- (4) The pretreatment mixing basin design and pumping infrastructure incorporate features to ensure mixing of reclaimed water and source water.
- (5) The reclaimed water is treated to comply with the highest reclaimed water effluent standards established by the Commission.
- (6) The average daily flow of reclaimed water into the pretreatment mixing basin, as measured over a 24-hour period, is no more than twenty percent (20%) of the sum of the average daily flow of source water and reclaimed water, as measured over the same 24-hour period, into the pretreatment mixing basin.
- (7) The local water system has implemented conservation and efficiency measures designed to achieve water use reductions.
- (8) Unbilled leakage from the local water system is maintained below fifteen percent (15%) of annual average potable water consumption of the local water system.
- (9) The local water system has a master plan that evaluates alternatives for reclaimed water use.
- (10) The local water system provides public notice to potable water recipients with opportunity for public participation.
- (11) The potable water supply provided pursuant to this subsection shall comply with all State and federal laws for the provision of safe drinking water.
- (12) Any discharge into the waters of the State must be pursuant to a permit issued under G.S. 143-215.1.

(b) Water Reuse Rule Making. – The Commission shall encourage and promote safe and beneficial reuse of treated wastewater as an alternative to surface water discharge. The Commission shall adopt rules to:

- (1) Identify acceptable uses of reclaimed water, including toilet flushing, fire protection, decorative water features, and landscape irrigation.
- (2) Facilitate the permitting of reclaimed water systems.
- (3) Establish standards for reclaimed water systems that are adequate to prevent the direct distribution of reclaimed water as potable water. Standards adopted pursuant to this subdivision shall not prohibit the combining of reclaimed water with other raw water sources before treatment pursuant to subsection (a2) of this section.

(c) Gray Water Rule Making. – The Commission shall encourage and promote the safe and beneficial use of gray water. The Commission shall adopt rules to:

- (1) Identify acceptable uses of gray water, including toilet flushing, fire protection, decorative water features, and landscape irrigation.
- (2) Facilitate the permitting of gray water systems.
- (3) Establish standards, in coordination with the Commission for Public Health, for gray water systems that protect public health and safety and the environment and reduce the use of potable water within individual structures.

(d) The Department shall develop policies and procedures to promote the voluntary adoption and installation of gray water systems."

**SECTION 4.** This act is effective when it becomes law.  
In the General Assembly read three times and ratified this the 1<sup>st</sup> day of August,  
2014.

s/ Neal Hunt  
Presiding Officer of the Senate

s/ Thom Tillis  
Presiding Officer of the House of Representatives

s/ Pat McCrory  
Governor

Approved 5:11 p.m. this 6<sup>th</sup> day of August, 2014