

2019 SESSION

ENROLLED

HOUSE JOINT RESOLUTION NO. 641

Requesting the Department of Health to evaluate additional issues related to use of rainwater as part of the rulemaking process. Report.

Agreed to by the House of Delegates, February 4, 2019

Agreed to by the Senate, February 20, 2019

WHEREAS, during the 2018 Session, the General Assembly approved Chapter 817 of the Acts of Assembly, directing the Board of Health to adopt regulations governing the use of gray water and rainwater; and

WHEREAS, Chapter 817 directed the Board of Health to include in its regulations standards for the use of rainwater harvesting systems, including systems that collect rainwater for use by commercial enterprises but do not provide water for human consumption; and

WHEREAS, during the 2018 interim, the Department of Health has worked with stakeholders to address concerns related to the promulgation of regulations pursuant to Chapter 817, and additional issues remain, including questions about (i) the conditions under which rainwater may appropriately be used and for what purposes; (ii) standards for the use of rainwater for human consumption; (iii) standards for rainwater harvesting systems, including systems that collect rainwater for human consumption and systems that collect rainwater for use by commercial enterprises but not human consumption, as those systems are defined in § 32.1-167 of the Code of Virginia; (iv) a requirement that buildings that draw water from both rainwater harvesting systems and public water supplies maintain appropriate cross-connection safeguards; and (v) training and certification requirements for installers of rainwater harvesting systems, including installers of rainwater harvesting systems installed in buildings that draw water from both rainwater harvesting systems and public water supplies; and

WHEREAS, participants in the current rulemaking process can provide extensive expertise and insight into regulatory solutions and the current rulemaking process provides an opportunity to address those remaining issues; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Department of Health be requested to evaluate additional issues related to use of rainwater as part of the rulemaking process. Specifically, the Department of Health is requested to include consideration of and allow for stakeholder input on (i) the conditions under which rainwater may appropriately be used and for what purposes; (ii) standards for the use of rainwater for human consumption; (iii) standards for rainwater harvesting systems, including systems that collect rainwater for human consumption and systems that collect rainwater for use by commercial enterprises but not human consumption, as those systems are defined in § 32.1-167; (iv) a requirement that buildings that draw water from both rainwater harvesting systems and public water supplies maintain appropriate cross-connection safeguards; and (v) training and certification requirements for installers of rainwater harvesting systems, including installers of rainwater harvesting systems installed in buildings that draw water from both rainwater harvesting systems and public water supplies. The Department is also requested to provide an update on the status of the rulemaking process to the General Assembly by November 1, 2019.

The Department of Health shall submit to the Division of Legislative Automated Systems an executive summary and report of its progress in meeting the request of this resolution no later than the first day of the 2020 Regular Session of the General Assembly. The executive summary and report shall be submitted for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

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