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HOUSE BILL NO. 192

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Health, Welfare and Institutions
on February 6, 2018)

(Patron Prior to Substitute—Delegate Yancey)

A *BILL to amend and reenact § 32.1-248.2 of the Code of Virginia, relating to use of rainwater and gray water; regulations.*

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-248.2 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-248.2. Use of rainwater and reuse of gray water; regulations.

A. The Department shall ~~develop by January 1, 1999, guidelines~~ *adopt regulations* regarding the use of gray water and rainwater. The ~~guidelines~~ *regulations* shall (i) describe the conditions under which gray water and rainwater may appropriately be used and for what purposes; ~~The guidelines shall;~~ (ii) include categories of ~~used~~ *used* gray water, such as types of used household water and used water from businesses, ~~which that~~ *are* appropriate for reuse; ~~The guidelines shall;~~ and (iii) include a definition of gray water that ~~does not include~~ *excludes* used toilet water. *The regulations shall also provide 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.*

Such regulations shall not apply to nonpotable water, including graywater and rainwater, that is produced and utilized by any facility that (a) is permitted through a Virginia Pollutant Discharge Elimination System permit or General Virginia Pollution Abatement permit and (b) produces and uses such nonpotable water on site, including on property that is either contiguous with or in the immediate vicinity of the parcel of land upon which the treatment works is located, provided that such property is under common ownership or management with the treatment works.

B. The Department, in conjunction with the Department of Environmental Quality, shall promote the use of rainwater and reuse of gray water as means to reduce fresh water consumption, ease demands on public treatment works and water supply systems, and promote conservation.

C. *The Department, in conjunction with the Department of Environmental Quality, shall consider recognizing rainwater as an independent source of fresh water available for use by the residents of the Commonwealth.*