

STAND. COM. REP. NO.

1497

Honolulu, Hawaii

APR 27 2009

RE: H.C.R. No. 266  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Madam:

Your Committee on Energy and Environment, to which was referred H.C.R. No. 266 entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A PLAN TO AUTHORIZE GRAY WATER RECYCLING SYSTEMS FOR RESIDENTIAL PREMISES UNDER APPROPRIATE CIRCUMSTANCES,"

begs leave to report as follows:

The purpose of this measure is to request the Department of Health, in consultation with the State Building Code Council and the counties, to develop a plan by which:

- (1) Section 342D-70, Hawaii Revised Statutes, and title 11, chapter 62, Hawaii Administrative Rules, may be given effect for residential premises not served by county wastewater systems, including review and approval by the Department of Health of plans for proposed gray water recycling systems;
- (2) The gray water provisions of the Uniform Plumbing Code may be made applicable to residential premises served by county wastewater systems; and
- (3) Designs proposing inclusion of gray water recycling systems in residential premises not served by county wastewater systems shall be routed by the appropriate county to the Department of Health for review as part of



the process by which building permits are reviewed and approved.

Testimony in support of this measure was submitted by one private individual. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that, in certain areas of the State, there is a water shortage that could be alleviated by allowing gray water, such as water from sinks and showers, to be used for irrigation of gardens and lawns. Additionally, for areas not served by county wastewater systems, gray water use can greatly extend the useful life and capacity of septic systems. By reusing this resource, there are not only large energy and water savings, but also a reduction in the amount of wastewater that flows into our wastewater systems.

Your Committee notes, however, that the State Building Code Council has not yet adopted the State Building Code or the Uniform Plumbing Code, which incorporates gray water provisions. As such, the counties will not be required to adopt these provisions for at least two years, making it difficult for homeowners who wish to install gray water recycling systems for their homes.

Accordingly, your Committee has amended this measure by:

- (1) Reflecting the current status of the State Building Code adoption and resulting deadline for county implementation;
- (2) Clarifying the description of the process by which the State Building Code is adopted by the State Building Code Council and the counties;
- (3) Deleting the references to preemption and the request that the Department of Health develop a plan to institute the Uniform Plumbing Code, as such provisions may be premature at this time;
- (4) Urging the counties to consider adopting the Uniform Plumbing Code in the interim period until the counties are required to adopt the State Building Code;
- (5) Restructuring the measure to reflect an emphasis on developing a gray water recycling plan and on the county

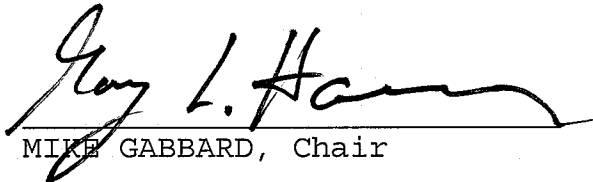


adoption of the gray water provisions of the Uniform Plumbing Code during the interim period; and

- (6) Making technical, nonsubstantive amendments for consistency, style, and accuracy purposes.

As affirmed by the record of votes of the members of your Committee on Energy and Environment that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 266, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 266, S.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Energy and  
Environment,

  
MIKE GABBARD, Chair



