

---

---

## A BILL FOR AN ACT

RELATING TO GRAY WATER RECYCLING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that current law permits  
2 the department of health to authorize any county to implement a  
3 gray water recycling program in its jurisdiction. However, the  
4 law puts the burden on the counties to present a detailed plan  
5 for the program, including rules and procedures. Although the  
6 department of health has adopted rules authorizing use of gray  
7 water recycling systems, no county appears to have sought  
8 approval to implement a gray water recycling program in its  
9 jurisdiction.

10           The legislature also finds that legislation was considered  
11 in 2008 that would place responsibility for developing gray  
12 water recycling programs with the department of health. The  
13 director of health testified that while the department has rules  
14 authorizing the use of gray water for subsurface irrigation for  
15 residences with individual wastewater systems, it lacks the  
16 resources to oversee implementation of a gray water program for  
17 residences served by county sewer systems.



1 The purpose of this Act is to conserve valuable potable  
2 water by:

- 3 (1) Requiring the department of health to establish a gray
- 4 water recycling program for residential premises not
- 5 served by a county wastewater system; and
- 6 (2) Permitting the counties to establish similar gray
- 7 water recycling programs in areas served by a county
- 8 wastewater system.

9 SECTION 2. Section 342D-70, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 "~~[†]~~§342D-70~~[‡]~~ **Use of gray water from residential units**  
 12 **for irrigation purposes.** (a) The department ~~[may authorize any~~  
 13 ~~county to implement]~~ shall establish a gray water recycling  
 14 program ~~[within its jurisdiction.]~~ for premises not served by a  
 15 county wastewater system. The gray water recycling program  
 16 shall be limited to the use of gray water from residential units  
 17 for the purpose of irrigating lawns ~~[and]~~, gardens, and  
 18 composts.

19 ~~[The county seeking authorization shall submit to the~~  
 20 ~~department for its approval prior to implementation a detailed~~  
 21 ~~residential gray water recycling plan, including rules and~~  
 22 ~~procedures for the proposed program. The plan shall address the~~



1 ~~appropriateness of the program for the geographic area, the~~  
 2 ~~environmental impact of the program on the geographic area, the~~  
 3 ~~cost of the program, and any other factors deemed relevant by~~  
 4 ~~the department. The department may revoke the authorization at~~  
 5 ~~any time.]~~

6 (b) Any county may establish, pursuant to rules that are  
 7 no more restrictive than those adopted by the department for the  
 8 program established pursuant to subsection (a), a gray water  
 9 recycling program for premises served by the county wastewater  
 10 system.

11 (c) For the purposes of this section, "gray water" means  
 12 any water from the domestic plumbing system of a residence  
 13 except toilets; provided that the discharged gray water is not  
 14 contaminated with any household hazardous waste as defined in  
 15 section 342G-1 or any other contaminant the department deems  
 16 inappropriate."

17 SECTION 3. Statutory material to be repealed is bracketed  
 18 and stricken. New statutory material is underscored.

19 SECTION 4. This Act shall take effect upon its approval.

20

INTRODUCED BY:

*Jessica Woolley*  
 JAN 23 2009



**Report Title:**

Wastewater; Gray Water Recycling

**Description:**

Requires the department of health to establish a gray water recycling program for premises not served by a county wastewater system. Permits counties to establish gray water recycling programs in areas served by a county wastewater system.

