

HOUSE BILL NO. 259
INTRODUCED BY M. REINHART

A BILL FOR AN ACT ENTITLED: "AN ACT DEFINING TERMS; RESTRICTING THE USE AND LOCATION OF GRAY WATER REUSE SYSTEMS; AND DIRECTING THE BOARD OF ENVIRONMENTAL REVIEW TO CREATE RULES REGULATING RESIDENTIAL GRAY WATER REUSE SYSTEMS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Definitions.** As used in [sections 1 through 4], unless the context indicates otherwise, the following definitions apply:

- (1) "Board" means the board of environmental review provided for in 2-15-3502.
- (2) "Department" means the department of environmental quality provided for in 2-15-3501.
- (3) "Gray water" means wastewater collected separately from a sewage flow that does not contain industrial chemicals, hazardous wastes, or wastewater from toilets.
- (4) "Gray water reuse system" means a plumbing system for a private residence that collects gray water.

NEW SECTION. **Section 2. Residential gray water reuse -- restrictions.** (1) Gray water may not be used to irrigate plants to be consumed by humans.

- (2) Gray water reuse systems may not be located within a floodway, as defined in 76-5-103.

NEW SECTION. **Section 3. Rulemaking authority.** (1) The board, in consultation with the department, shall adopt rules for permitting gray water reuse systems in private residential units.

- (2) The rules must:
 - (a) limit gray water flow allowed by a permit, depending on lot size and other considerations, to a maximum of 400 gallons each day;
 - (b) address uses of gray water, including how and when gray water may be applied to the land; and
 - (c) include any other provisions that the board considers necessary to ensure that gray water reuse systems comply with laws and regulations and protect public health and the environment.

NEW SECTION. **Section 4. Local gray water regulations.** The requirements of [sections 2 and 3] are

minimum requirements and do not restrict a local governing body from adopting stricter or additional regulations for gray water reuse systems.

NEW SECTION. **Section 5. Codification instruction.** [Sections 1 through 4] are intended to be codified as an integral part of Title 75, and the provisions of Title 75 apply to [sections 1 through 4].

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