

MEMORANDUM

To: Local Environmental Protection Program Managers & Sanitarians, Kansas Small Flows Association, Kansas Association of Environmental Health, and Kansas Association of Counties

From: Jaime C. Gaggero, Section Chief, Watershed Management Section

Date: February 14, 2014

Subject: Final Graywater System Specification

During the legislative session of 2013, the House of Representatives, Agriculture and Natural Resources Committee introduced a bill that would have required the KDHE to develop rules and regulations for the reuse of graywater. The bill did not make it out of committee, however, the intent to offer guidance on what type of system may be acceptable still existed, and the KDHE was tasked with drafting a Graywater System Specification (hereby referred to as Specification) that would meet the needs of Kansas residential constituents while protecting public health and the environment.

The KDHE completed a literature review of research and other state guidelines and regulations surrounding graywater. The KDHE also formed a work group made up of Sanitarians, LEP Program Managers, and a representative from the Ks Environmental Health Association and Ks Small Flows. A draft Specification was prepared and emailed out to all LEP contacts as well as to KSFLA, KEHA and KAC. Feedback was solicited and considered through a variety of mechanisms including webinars, a questionnaire, presentations and email/phone opportunities.

Because of the feedback, the following changes were made in the Final Specification:

- Deletion: The requirements that local authorities must request KDHE approval for a variance have been removed (Section 5.01 and Section 5.03). This allows local authorities with Sanitary Codes that either:
 - 1. Address Graywater Reuse Systems and/or
 - 2. allow Alternative Treatment Units and/or
 - 3. have local Variance Proceduresto be the authority on Graywater Reuse Systems. The KDHE is available to offer technical assistance to local authorities should a request for a Graywater Reuse System be made.
- Addition: Backflow valves and drip line relief valves should be considered by the Designer (Section 6.11).

- Addition: Building inspectors should be involved if a local authority has building codes (Section 6.13).
- Addition: Diversion valve was added to the illustration (page 2).
- Addition: Citations for the literature review conducted (Article IX).

The Specification is now considered final, and Counties and Municipalities are encouraged to use it as guidance if homeowners request the opportunity to separate and redistribute Graywater. This Specification is not a rule or a regulation, and does not circumvent or trump Sanitary Codes. The local authorities responsible for enforcing County Sanitary Codes have always, and still have the ability to adopt local graywater rules and regulations as part of their approved Sanitary Code, in order to allow or prohibit graywater use and reuse. Local authorities may also approve graywater systems as a variance to existing codes. We want to make it clear, it is not mandatory that local authorities have to allow graywater reuse. However, if a local authority wishes to pursue reuse they may.

At this time, the KDHE does not plan to host any further training or produce additional documents. Should there be a need in the future for additional statewide assistance LEP contacts will be notified. The KDHE is available to answer any questions you may have to the Specification or to provide case-by-case technical assistance should a request for such a system be made in your jurisdiction. If you are contacted by an interested homeowner, the KDHE would appreciate notification simply for information purposes. If you would like technical assistance please contact your local KDHE Watershed Field Coordinator:

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You may also contact the LEP Program Manager at the KDHE Central Office in Topeka:

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