

Information and Instructions for Completing Municipal Reclaimed Water Registration Form (DEQ now refers to Reclaimed Water as Recycled Water)

The Oregon Water Resources Department (WRD), Department of Environmental Quality (DEQ) and municipal effluent dischargers joined together to support passage of Senate Bill 204 in the 1991 legislative session. Passage of SB204 allows treated municipal effluent to be put to other beneficial uses without acquiring a water right. The effluent is to be treated and discharged under either a national pollutant discharge elimination system (NPDES) or water pollution control facilities (WPCF) permit. The legislation, codified in ORS 537.131, 537.132 and 540.610(h), directs any person using or intending to use treated municipal effluent to file a registration form with the WRD. ORS 537.132 also provides a process to resolve claims of injury made by other water right holders. Recycled water uses do not include water that is discharged into a stream. Therefore uses re-diverted from a discharge can not be covered by a registration of reclaimed water.

The enclosed form is to be used to register the use of reclaimed municipal water. The registration only applies for instances where the reclaimed water is used for a different beneficial use. There is no fee associated with registering use of reclaimed municipal water. The information is required by the statute. Once completed, the registration form is to be submitted to the WRD Region where the use is to occur. A map of WRD regions is available on the web.

Background

The practice of disposing of treated municipal effluent has occurred as long as municipal effluent collection systems have existed. WRD records contain water right permits and certificates dating to the early 60s authorizing the land application of treated municipal and industrial effluent. Beginning in the mid-70s, municipalities were faced with increased pressure to either stop discharging effluent into streams or to treat their effluent to produce a much higher quality of water which could be discharged into the receiving stream. Land application of treated effluent has increased over time to reduce discharges and improve water quality while providing a source of water and nutrients for various crops.

In many locations, municipal effluent being discharged into streams accounts for a large portion of the total flow in the receiving stream during the low flow period. Reduction of municipal discharge into streams resulted in water users claiming injury due to reduced streamflows. This put the water users, effluent dischargers, DEQ and WRD in a difficult regulatory situation. Available options included: stopping the discharge to improve the water quality in the streams and allow the land application of the effluent; require the construction of very expensive treatment facilities capable of treating municipal effluent to near drinking water standards; or, require dischargers to obtain water use permits which would result in the discharge of effluent or compensation of water right holders during low flow periods. The result was passage of SB 204 by the 1991 legislature.

Following is a further explanation of the information being requested on the form:

The registration form is to be submitted in the name of the user of the reclaimed water. The form requests both the users name and address. This will provide information to the WRD watermaster should questions arise regarding the use of the reclaimed water.

1. Municipal Discharge Permit

The use of reclaimed municipal water can only occur under either an NPDES or WPCF permit. Unlike a water right, NPDES and WPCF permits are issued for set periods of time. Please identify the discharge permit which authorizes the use of the reclaimed water and the expiration date. Full approval of the discharge permit and recycled water use plan including land application site(s) is required.

2. Supplier of the Municipal Water which produces the Reclaimed Water

Registration of reclaimed water only applies to water that has been used for municipal purposes and has subsequently been treated in a sewage treatment system. Please list the name of the municipal water supplier which serves the area generating the sewerage. The original source of municipal water such as the name of the stream, reservoir or groundwater is to be listed. For purposes of a registration of reclaimed water, any public or private water treatment facility, with a discharge permit from DEQ may submit a registration of reclaimed water as long as the origin of this water is from a municipal, quasi-municipal or group domestic water system as defined in ORS 540.510.

3. Supplier of Reclaimed Water

Provide information about the sewage treatment facility that is supplying the treated reclaimed water. Include the name of the organization responsible for the treatment and the specific facility which is supplying the reclaimed water.

4. User of Reclaimed Water

The name of the reclaimed water user may be the same as that listed for the registrant. If so, state "same as registrant." If the reclaimed water user is different than the registrant, provide name and requested information.

5. Agreement/Contract

Note any agreements which may exist between the reclaimed water supplier and registrant or user. The agreement may be attached or the information may be placed on the registration form. This question is looking for any limitation which may impact the use of reclaimed water.

6. Total Amount of Reclaimed Water Enter the rate of flow at which the reclaimed water is to be delivered to the place of use.

This information can be entered as cubic feet per second (cfs), gallons per minute (gpm) or acre feet per day (acfd). If more than one treatment facility is supplying the reclaimed water, then the rate from each treatment facility is to be listed. Additional pages may be attached as needed.

7. Intended Use(s) of Reclaimed Water

Provide the intended use of the reclaimed water. This should be the same as listed in the NPDES or WPCF permit. If the use is land application such as irrigation or temperature control, then the total number of acres served is to be listed.

8. Description of Delivery System

Describe the delivery system from the treatment facility to the place of use. This includes any pipes, canals or other facilities used to transport the reclaimed water. A registration will not be accepted if the reclaimed municipal water is discharged into a stream to be re-diverted for beneficial use.

9. Existing Water Rights

Oregon Revised Statute 540.610 provides a presumption to rebut forfeiture of water rights which authorize the same use in the same location as served by the reclaimed water. A listing of all valid water rights appurtenant to the lands receiving reclaimed water is to be included here. Either the application, permit, certificate or decree volume and page number need be listed. Additional pages or copies of the water right(s) may be attached to the registration form.

10. Property Ownership

This question is asking for ownership or easement information for the lands crossed by the delivery system and for the place of use. The appropriate box is to be checked or copies of the appropriate document(s) is to be attached. Note whether the reclaimed water is delivered by a district or company who owns or manages the distribution system and relevant easements. In this case, list the name, address and contact person for the company or district.

11. Historic Disposal Method

List information regarding the historic discharge into a water course. The information provided will be used when responding to claims of injury made by other water users in the stream system. The registrant is to supply information as to whether the reclaimed water being registered has ever been discharged into a watercourse. If the reclaimed water has been discharged into a watercourse, WRD will determine if the discharge represented 50% of the streamflow.

12. Signature

The form is to be signed by the reclaimed water registrants, suppliers and the regional DEQ staff contact for the discharge permit.

Remarks

Add any additional information that you feel is related to the review of the registration. This space may be used to complete answers if more space is required. Additional pages may also be added.

For more information or assistance in completing the registration please contact the WRD Region office in your area. A map and listing of region offices is available on our web site.