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October 9, 2009

Dave Walls, Executive Director
State of California
State and Consumer Services Agency
California Building Standards Commission
2525 Natomas Park Dr., Suite 130
Sacramento, CA 95833

Re: Emergency Chapter 16A and proposed changes to the 2007 California Plumbing Code (CPC), California Code of Regulations, Title 24, Part 5, Chapter 16A, Part I.

Mr. Dave Walls,

Solano County Department of Resource Management, Environmental Health Services Division is supportive of the establishment of minimum requirements for the installation of outdoor graywater systems in occupancies regulated by the Department of Housing and Community Development. The goal of such requirements must be to allow the reuse of graywater for irrigation purposes in a manner that protects the environment and public health. Potable water is one of the most valuable resources in California and provisions to address short term water quantity issues should not be enacted at the potential detriment to long term water quality goals, especially as water quality relates to public health.

Chapter 16A of the Uniform Plumbing Code attempts to address potential public health issues associated with use of graywater by requiring it to be below ground surface and not allowed to pond. Risks associated with the use of graywater will need to be evaluated on a routine and ongoing basis to ensure the best management practices are utilized and any potential health risks associated with its use are diminished to the greatest extent possible. The lack of a requirement to obtain a permit, or at least registration, for all graywater systems, will make it difficult for local agencies to monitor the use and maintenance of such systems, or to track their efficacy.

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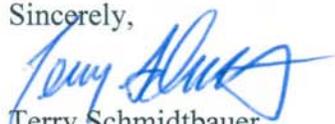
The long term use of graywater from such sources as clothes washing machines will also contribute to the accumulation of salts in the soil structure. The use of soaps, which commonly contain phosphates, could contribute to storm water pollution, with the discharge of phosphates ultimately leading to the drainage basin. This concern may be compounded in municipal settings where parcels sizes allow for high density development, and there is a deficiency of land available to serve as soil treatment for the discharge of graywater to the ground. It is recommended the proposed regulations include language to encourage the use of phosphate free, biodegradable soaps, for systems utilizing graywater for landscape irrigation.

The proposed regulations do not define a person who is qualified to design graywater systems. The proposed regulation 1603A.1.3 states a complex system shall be designed by a person who can demonstrate competence to the satisfaction of the Enforcing Agency. It is recommended that the state provide minimum qualifications for graywater system designers in the text of the proposed regulation, or provide examples of acceptable "standard" designs for graywater systems, as an addendum to the proposed regulations.

Finally, the proposed regulations do not provide a state wide standard for treatment systems designed for graywater. It is suggested to include treatment systems as a viable option and potential component of graywater systems, by including reference to the treatment components and minimum industry standards as part of the proposed regulations. The state should show leadership in this process and work closely with internationally recognized third party listing agencies to develop standards for graywater treatment devices.

Thank you for this opportunity to comment on the proposed changes.

Sincerely,



Terry Schmidtbauer
Environmental Health Manager