SUBJECT: Use of a rainwater harvesting system for potable indoor purposes

COMMITTEE: Natural Resources — favorable, without amendment

VOTE: 11 ayes — Ritter, T. King, Beck, Creighton, Hopson, Keffer, Larson, Lucio, Martinez Fischer, D. Miller, Price

0 nays

WITNESSES: For — Stanley Briers, Texas Plumbing, Air Conditioning and Mechanical Contractors; John Kight; (*Registered, but did not testify:* C.E. Williams, Panhandle Groundwater Conservation District; Carole Baker)

Against — Danny Lytle

On — (*Registered, but did not testify:* Elston Johnson, Texas Commission on Environmental Quality)

BACKGROUND: The Health and Safety Code standards for harvested rainwater require that if a structure is connected to a public water supply system and has a rainwater harvesting system for indoor use, the structure must have appropriate cross-connection safeguards and the rainwater must be used only for nonpotable indoor purposes.

DIGEST: HB 3372 would remove the requirement that a rainwater harvesting system, on a structure also connected to a public water supply, be used only for nonpotable indoor purposes.

The bill would take effect September 1, 2011.

SUPPORTERS SAY: Development, management, and preservation of water resources throughout Texas has become a major priority as the state faces significant population growth and increased demand on the water supply. Recently, legislation was enacted to further water conservation efforts that are critical to meeting future water demands, including legislation that would provide citizens who harvest rainwater responsibly a wider range of indoor use and applications. HB 3372 would enable rainwater that has been

harvested using appropriate cross-connection safeguards to be used for potable indoor purposes.

The use of rainwater for drinking water would not pose a risk to public health. The sophisticated filtering systems available today make the rainwater clean and safe for drinking. Also, the cross-connection safeguard protects the public water supply from potential contamination due to backflow.

The average homeowner has the expertise to install or adequately maintain a rainwater harvesting system for safe use of drinking water. Those who are seizing the opportunity to use these systems are neither unsophisticated nor without the necessary funds to set up a system properly. These systems typically are expensive and would likely be taken very seriously by their operators. Modern rainwater harvesting systems are sufficiently sophisticated to require very little maintenance.

OPPONENTS SAY:

Although there is a need to use every water resource available to conserve the public water supply, the use of rainwater harvesting systems for drinking water could pose a risk to public health. There is no reason to risk public health using anything other than a public water supply if a public water supply is available. While the cross-connection safeguard protects the public water supply from backflow from rainwater harvesting systems, it does not protect the individual on site. A service contract should be required to ensure that a rainwater harvesting system for drinking water was installed and maintained according to certain standards and specification, as is required with septic tanks.

OTHER OPPONENTS SAY:

The use of rainwater as drinking water by private citizens is a serious potential public health problem. Many residential users obtain a rainwater harvesting system as a novelty and do not fully understand how to care for it properly. A restriction on rainwater use for drinking water on residential properties may be necessary to protect public health.

NOTES:

The companion bill, SB 1073 by Jackson, was considered in a public hearing and left pending by the Senate Natural Resources Committee on April 5.