

Senator David L. Thomas proposes the following substitute bill:

**WASTE WATER AMENDMENTS**

2004 GENERAL SESSION

STATE OF UTAH

**Sponsor: David L. Thomas**

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to the treatment and use of sewage effluent.

**Highlighted Provisions:**

This bill:

- ▶ provides for a hearing if a protest is filed regarding a sewage effluent use or change in the point of discharge; and

- ▶ makes certain technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**73-3c-8**, as enacted by Chapter 39, Laws of Utah 1995

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **73-3c-8** is amended to read:

**73-3c-8. Application for a sewage effluent use or change in point of discharge -- State engineer to make rules -- Hearing by state engineer.**



26 (1) ~~[Any]~~ A person intending to apply sewage effluent to  
26a a beneficial use pursuant to  
27 Subsection 73-3c-2(1) or 73-3c-3(1) or change the point of discharge of sewage effluent  
28 pursuant to Subsection 73-3c-7(1) shall ~~[notify]~~ make application to the state engineer ~~[of the~~  
29 ~~use]~~ describing the proposed use of sewage effluent or change in point of discharge as provided  
30 by rules of the state engineer.

31 (2) The applicant shall pay a filing fee to the state engineer in an amount set by rule.

32 ~~[(2)]~~ (3) (a) The state engineer shall publish notice of the ~~[notification]~~ application in a  
33 newspaper of general circulation in the county where downstream water users may be affected  
34 by the use or change in point of discharge.

35 (b) ~~[The notification]~~ Notice of the application:

36 (i) shall be published once a week for two successive weeks; and

37 (ii) may be published in more than one newspaper.

38 (c) (i) An interested person may file a protest within 20 days after the notice is  
39 published.

40 (ii) The state engineer may hold a hearing.

41 (d) After reviewing and investigating the application, the state engineer shall issue a  
42 decision that states whether the application is approved or rejected, and, if approved, the  
43 conditions of approval.

44 (e) A person may seek judicial review of the state engineer's decision as provided for in  
45 Section 73-3-14.