

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1999**

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**SENATE BILL 1161**

Agriculture/Environment/Natural Resources Committee Substitute Adopted 4/27/99

Short Title: Water Pretreatment Consultation.

(Public)

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Sponsors:

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Referred to:

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April 15, 1999

**A BILL TO BE ENTITLED**

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2 **AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL**  
3 **RESOURCES AND REPRESENTATIVES OF THE FOOD SERVICE INDUSTRY**  
4 **TO REVIEW THE RULES AND GUIDELINES GOVERNING LOCAL OIL AND**  
5 **GREASE WATER PRETREATMENT PROGRAMS TO DETERMINE WHETHER**  
6 **THOSE PROGRAMS ARE EQUITABLE, EFFECTIVE, AND ECONOMICALLY**  
7 **MANAGEABLE.**

8 The General Assembly of North Carolina enacts:

9       Whereas, local governments across the State are authorized to implement  
10 pretreatment programs in connection with water and sewage treatment; and

11       Whereas, certain local governments have proposed to assess significant fees or  
12 charges on food service establishments in connection with those programs regardless of  
13 the measures that a particular establishment may have taken to address the issue; and

14       Whereas, the State has an interest in both assuring that the fees and charges are  
15 reasonable, necessary, and related to the goal of the pretreatment program and in assuring  
16 the quality of the water discharged into the water of the State; Now, therefore,

17 The General Assembly of North Carolina enacts:

18       Section 1. The Department of Environment and Natural Resources, in  
19 consultation with the North Carolina Restaurant Association and other food retailers,

1 shall review all State and local rules and ordinances that govern or impact oil and grease  
2 pretreatment programs across North Carolina to determine whether such programs are  
3 fair, equitable, effective, and economically manageable. As part of that review the  
4 parties shall examine fees and charges associated with such programs and whether they  
5 are fair and reasonable. The Department shall report on the findings, conclusions, and  
6 recommendations arising from this review to the Environmental Management  
7 Commission by December 31, 1999, with any recommendations for rule modification.

8           Section 2. This act is effective when it becomes law.