

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1236
PROPOSED COMMITTEE SUBSTITUTE H1236-PCS50650-SB-24

Short Title: Promote Water Use Efficiency.

(Public)

Sponsors:

Referred to:

April 9, 2009

A BILL TO BE ENTITLED

AN ACT TO PROMOTE VOLUNTARY, YEAR-ROUND WATER CONSERVATION AND
WATER USE EFFICIENCY MEASURES BY COMMERCIAL AND INDUSTRIAL
WATER USERS.

Whereas, North Carolina recognizes that water is our most basic and precious
natural resource; and

Whereas, North Carolina has experienced extreme drought in the past several years
and expects to experience extreme drought in the future; and

Whereas, the efficient use of water is of utmost importance; and

Whereas, the best and least expensive source of "new" water is improved efficiency
in water use; and

Whereas, North Carolina should reward and promote best management practices
and leadership efforts in water efficiency; and

Whereas, there are voluntary efforts underway that encourage and promote water
use efficiency; and

Whereas, there are commercial and industrial water users that are currently utilizing
water conservation measures to the maximum extent possible; Now, therefore,
The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-355.2 is amended by adding a new subsection to read:

"(h1) An industry-specific trade or professional organization representing users of water
for commercial or industrial purposes may establish a voluntary water conservation and water
use efficiency certification program to encourage and promote the use of year-round water
conservation and water use efficiency measures as follows:

(1) A water conservation and water use efficiency certification may only be
issued to a person that demonstrates that water use from its water consuming
processes is reduced by and maintained at twenty percent (20%) or more
below the yearly average water use for the calendar year preceding
application for certification. In order to receive and maintain certification, a
person must have its facility inspected on an annual basis by a licensed
plumbing contractor who will measure water flow and inspect equipment for
leaks to determine if the applicant is in compliance with the standards of the
certification program.

(2) A unit of local government that provides public water service or a large
community water system shall recognize and credit a commercial or



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1 industrial water user that has met the standards of a certification program for
2 at least six months prior to the most recent extreme drought designation for
3 water conservation achieved under the program. To the extent that a tiered
4 response stage in the water shortage response plan requires commercial or
5 industrial users to implement a percentage reduction in use, a user certified
6 under a certification program shall be credited with the percentage reduction
7 achieved by measures implemented under the certification program. Users
8 certified under a program shall not be required to reduce consumption more
9 than any other class of commercial or industrial water users during a water
10 shortage emergency.

11 (3) If a unit of local government that provides public water service or a large
12 community water system believes that a certification program or a person
13 certified under a certification program is not complying with the terms and
14 standards of the certification program, it may ask the Division of Water
15 Resources in the Department of Environment and Natural Resources to
16 investigate. If the Division determines that the program or person certified
17 under the program is not complying with the terms and standards of the
18 certification program, the local government may refuse to recognize and
19 credit conservation measures as provided in subdivision (2) of this
20 subsection."

21 **SECTION 2.** This act becomes effective January 1, 2010.