

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1236
Committee Substitute Favorable 5/6/09
Third Edition Engrossed 5/13/09

Short Title: Promote Water Use Efficiency.

(Public)

Sponsors:

Referred to:

April 9, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO PROMOTE VOLUNTARY, YEAR-ROUND WATER CONSERVATION AND
3 WATER USE EFFICIENCY MEASURES BY COMMERCIAL AND INDUSTRIAL
4 WATER USERS.

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

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

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

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

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

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

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

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

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

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

33 (2) A unit of local government that provides public water service or a large
34 community water system shall recognize and credit a commercial or
35 industrial water user that has met the standards of a certification program for



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

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

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