

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

SENATE BILL 12-077

BY SENATOR(S) Jahn, Cadman, Johnston, Newell, Steadman, White, Williams S., Brophy, Giron, Grantham, King S., Lambert, Lundberg, Neville, Renfroe, Scheffel;
also REPRESENTATIVE(S) Sonnenberg, Summers, Coram, Labuda, Nikkel, Swerdfeger, Szabo, Kerr A., Kerr J., Liston, Schafer S., Young.

CONCERNING THE REPEAL OF LAWS UNDER WHICH THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT REGULATES CERTAIN ACTIVITIES ASSOCIATED WITH YELLOW GREASE.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 30-20-123, **amend** (1), (2) (d), and (2) (i); and **add** (13) as follows:

30-20-123. Trap grease - registration - fees - record-keeping - violations - rules - definitions - legislative declaration. (1) The general assembly hereby finds, determines, and declares that the safe and proper collection, transportation, and disposal of ~~yellow grease~~ and trap grease is a matter of statewide concern and that state oversight of persons and vehicles engaged in such actions is necessary to protect the public health and environment. The general assembly further declares that the state's sharing of data generated under this section with local entities that regulate

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

waste disposal will enhance protection of the public health and environment, and, to that end, the department is encouraged to share such information with such other regulating entities.

(2) As used in this section, unless the context otherwise requires:

(d) "Grease" means trap grease ~~or yellow grease~~ in a quantity in excess of an amount determined by the commission by rule.

(i) "Trap grease" means the residual yellow grease, waste water, ~~and~~ debris principally derived from food preparation or processing, or OTHER waste, that is intercepted by and contained in grease traps or grease interceptors.

(13) THE DEPARTMENT IS NOT AUTHORIZED TO REGULATE ANY YELLOW GREASE THAT IS NOT INTERCEPTED BY AND CONTAINED IN GREASE TRAPS OR GREASE INTERCEPTORS.

SECTION 2. In Colorado Revised Statutes, 30-20-113, **amend** (1) (d) as follows:

30-20-113. Inspection - enforcement - nuisances - violations - civil penalty. (1) No person shall:

(d) Collect, transport, store, process, or dispose of trap grease ~~or yellow grease~~ in any manner that violates section 30-20-123 or any rule promulgated pursuant thereto.

SECTION 3. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Frank McNulty
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO