

**FINAL
FISCAL NOTE**

Drafting Number: LLS 12-0360**Date:** July 24, 2012**Prime Sponsor(s):** Sen. Jahn
Rep. Sonnenberg**Bill Status:** Signed into Law**Fiscal Analyst:** Kirk Mlinek (303-866-4782)

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

Summary of Legislation

The bill amends statutory provisions pertaining to Department of Public Health and Environment's (DPHE) regulation of yellow grease to provide for the regulation of yellow grease only if it is intercepted by a grease trap or interceptor. Under the bill, yellow grease will be regulated in circumstances where it is also trap grease. Current law defines yellow grease as used cooking oil, spent shortenings, or any other inedible kitchen grease or waste vegetable oil produced by restaurant and food facilities.

The bill was signed into law by the Governor and took effect April 6, 2012.

Background

Section 30-20-123, C.R.S., enacted by HB10-1125, requires the Solid and Hazardous Waste Commission (commission) in the DPHE to promulgate rules to regulate grease collection, transportation, storage, and disposal. Current law limits this regulation to trap grease, which is derived from food preparation, and yellow grease, defined above. As adopted by the commission on December 16, 2011, the new regulations require:

- registration of individuals, facilities, and vehicles that collect, transport, store, process, or dispose of grease;
- decals to be displayed by properly registered entities;
- surety bonds or another financial instrument to remediate any environmental hazard;
- uniform manifests to track grease transportation; and
- annual registration fees paid to the DPHE to cover the costs of regulation.

Assessment

The bill is assessed as having no fiscal impact. Amending the recently-adopted rules to eliminate or appropriately amend references to yellow grease will occur as part of the commission's normal course of business. The bill does not affect the DPHE's regulatory authority over trap grease transporters, facilities that receive trap grease, and personal users of trap grease.

Departments Contacted

Public Health and Environment

Law