

Representative Brad L. Dee proposes the following substitute bill:

SOLID FUEL BURNING AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brad L. Dee

Senate Sponsor: Ralph Okerlund

6	Cosponsors:	Justin L. Fawson	Mike Schultz
7	Scott H. Chew	Lee B. Perry	Norman K Thurston
8	Brad M. Daw	Marc K. Roberts	
	Jack R. Draxler		

LONG TITLE

General Description:

This bill provides for a solid fuel burning program.

Highlighted Provisions:

This bill:

- ▶ prohibits the Division of Air Quality from implementing a seasonal ban on burning;
- ▶ provides for exemptions; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

This bill appropriates for fiscal year 2016:

▶ to the Department of Environmental Quality - Division of Air Quality, as a one-time appropriation:

- from the General Fund, ~~§~~ **one-time**, ~~←§~~ \$70,000 to fund modeling.

Other Special Clauses:

2nd Sub. H.B. 396



24 This bill provides a special effective date.

25 **Utah Code Sections Affected:**

26 AMENDS:

27 **19-2-107.5**, as enacted by Laws of Utah 2014, Chapter 230



29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **19-2-107.5** is amended to read:

31 **19-2-107.5. Solid fuel burning.**

32 (1) The division shall create a:

33 (a) public awareness campaign, in consultation with representatives of the solid fuel
34 burning industry, the healthcare industry, and members of the clean air community, on best
35 wood burning practices and the effects of wood burning on air quality, specifically targeting
36 nonattainment areas; and

37 (b) program to assist an individual to convert a dwelling to a natural gas [~~or other clean~~
38 ~~fuel~~], propane, or wood pellet heating source or a wood burning stove certified by the United
39 States Environmental Protection Agency, as funding allows, if the individual:

- 40 (i) lives in a dwelling where a wood burning stove is the sole source of heat; and
- 41 (ii) is on the list of registered sole heating source homes.

42 (2) (a) The division may not impose a burning ban prohibiting burning during a
43 specified seasonal period of time.

44 (b) Notwithstanding Subsection (2)(a), the division shall:

- 45 (i) allow burning during local emergencies and utility outages; and
- 46 (ii) provide for exemptions, through registration with the division ~~§~~ → , ← ~~§~~ for:

47 (A) devices that are sole sources of heat; or

48 (B) locations where natural gas service is limited or unavailable.

49 [(2)] (3) The division may seek private donations and federal sources of funding to
50 supplement any funds appropriated by the Legislature to fulfill Subsection (1)(b).

51 **Section 2. Appropriation.**

52 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for
53 the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following sums of money
54 are appropriated from resources not otherwise appropriated, or reduced from amounts

55 previously appropriated, out of the funds or accounts indicated. These sums of money are in
 56 addition to any amounts previously appropriated for fiscal year 2016.

57 To the Department of Environmental Quality - Division of Air Quality

58 From General Fund, One-time \$70,000

59 Schedule of Programs:

60 Director's Office \$70,000

61 The Legislature intends that, under Section 63J-1-603, appropriations under this section
 62 not lapse at the close of fiscal year 2016. The use of any nonlapsing funds is limited to
 63 modeling to consider the impact of emissions from solid fuel burning devices.

64 The Legislature intends that the appropriation under this section is to be used for
 65 modeling to determine:

66 (1) a two-stage program that will best reduce emissions from wood-burning stoves
 67 while allowing the maximum amount of days when EPA-certified devices and other
 68 low-emission devices may be used for solid fuel burning; and

69 (2) the impact of a program to encourage citizens to replace unapproved solid fuel
 70 burning devices in their homes ~~§~~ [for] with ~~←~~ EPA-certified devices and other low-emission
 70a devices for
 71 solid fuel burning.

72 The Legislature intends that, as the division performs the modeling described above, the
 73 division may engage in standard procurement processes, as described in Title ~~§~~ [63G, Chapter 6a,]
 73a 63G, Chapter 6a, ~~←~~§
 74 Utah Procurement Code, and consult with both the Executive Appropriations Committee and
 75 the solid fuel burning industry.

76 **Section 3. Effective date.**

77 This bill takes effect on July 1, 2015.