

WOOD BURNING AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Patrice M. Arent

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill deals with wood burning and air quality.

Highlighted Provisions:

This bill:

~~H→ [→ authorizes the director of the Division of Air Quality to hire contractors or part-time temporary employees to investigate reports of wood burning on days when wood burning is prohibited] ←H ;~~

▶ requires the Division of Air Quality to create a:

- public awareness campaign about the effects of wood burning on air quality; and
- program to convert a dwelling in which the sole source of heat is a wood

burning stove to a natural gas or other clean fuel heating source, as funding

allows;

▶ authorizes the Division of Air Quality to pursue private and federal sources of funding, in addition to any funds appropriated by the Legislature, to implement the wood burning conversion program; and

▶ makes technical changes.

Money Appropriated in this Bill:

This bill appropriates:

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

H.B. 154



28 • from the General Fund, one-time, ~~\$→ [\$1,800,00]~~ \$750,000 ~~←\$ 0 H→~~ [~~and~~
 29 ~~→ to the Department of Environmental Quality – Division of Air Quality as an~~
 30 ~~ongoing appropriation:~~
 31 ~~→ • from the General Fund, ongoing, \$250,000] ←H .~~

32 **Other Special Clauses:**

33 None

34 **Utah Code Sections Affected:**

35 **AMENDS:**

36 **19-2-104**, as last amended by Laws of Utah 2012, Chapters 43 and 360

37 **19-2-107**, as last amended by Laws of Utah 2012, Chapter 360

38 **ENACTS:**

39 **19-2-107.5**, Utah Code Annotated 1953

40

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

42 Section 1. Section **19-2-104** is amended to read:

43 **19-2-104. Powers of board.**

44 (1) The board may make rules in accordance with Title 63G, Chapter 3, Utah
45 Administrative Rulemaking Act:

46 (a) regarding the control, abatement, and prevention of air pollution from all sources
47 and the establishment of the maximum quantity of air contaminants that may be emitted by any
48 air contaminant source;

49 (b) establishing air quality standards;

50 (c) requiring persons engaged in operations which result in air pollution to:

51 (i) install, maintain, and use emission monitoring devices, as the board finds necessary;

52 (ii) file periodic reports containing information relating to the rate, period of emission,
53 and composition of the air contaminant; and

54 (iii) provide access to records relating to emissions which cause or contribute to air
55 pollution;

56 (d) (i) implementing:

57 (A) Toxic Substances Control Act, Subchapter II, Asbestos Hazard Emergency
58 Response, 15 U.S.C. 2601 et seq.;

245 acquisition of any facility, land, building, machinery, or equipment or any part of them, in
246 conformity with this chapter.

247 (3) A consultation described in Subsection (2)(b)(vi) does not relieve a person from the
248 requirements of this chapter, the rules adopted under this chapter, or any other provision of
249 law.

250 Section 3. Section **19-2-107.5** is enacted to read:

251 **19-2-107.5. Wood burning.**

252 (1) The division shall create a:

253 (a) public awareness campaign on the effects of wood burning on air quality,
254 specifically targeting nonattainment areas; and

255 (b) program to assist an individual to convert a dwelling to a natural gas or other clean
256 fuel heating source, as funding allows, if the individual:

257 (i) lives in a dwelling where a wood burning stove is the sole source of heat; and

258 (ii) is on the list of registered sole heating source homes.

259 (2) The division may seek private donations and federal sources of funding to
260 supplement any funds appropriated by the Legislature to fulfill Subsection (1)(b).

261 ~~H→ [(3) The director shall, as funding allows, hire part-time temporary or contract~~
262 ~~employees to investigate reports of wood burning on days when wood burning is prohibited.] ←H~~

263 Section 4. **Appropriation.**

264 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for
265 the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following sums of money
266 are appropriated from resources not otherwise appropriated, or reduced from amounts
267 previously appropriated, out of the funds or accounts indicated. These sums of money are in
268 addition to amounts previously appropriated for fiscal year 2015.

269 To Department of Environmental Quality - Division of Air Quality

270 From General Fund, one-time \$→ [_____ \$1,500,000] \$500,000 ←\$

271 Schedule of programs:

272 Converting sole-source homes _____ \$→ [\$1,500,000]

272a \$500,000 ←\$

273 To Department of Environmental Quality - Division of Air Quality

274 From General Fund, one-time _____ \$250,000

275 Schedule of programs:

276	<u>Education campaign on wood burning</u>	<u>\$250,000</u>
277	Ŝ→ <u>[To Department of Environmental Quality - Division of Air Quality</u>	
278	<u>From General Fund, one-time</u>	<u>\$50,000</u>
279	<u>Schedule of programs:</u>	
280	<u>Equipment</u>	<u>\$50,000] ←Ŝ</u>
281	Ĥ→ <u>[To Department of Environmental Quality - Division of Air Quality</u>	
282	<u>From General Fund, ongoing</u>	<u>\$250,000</u>
283	<u>Schedule of programs:</u>	
284	<u>Contract employees</u>	<u>\$250,000] ←Ĥ</u>
285	<u>Under Section 63J-1-603, the Legislature intends that appropriations provided under</u>	
286	<u>this section not lapse at the close of fiscal year 2015. The use of any nonlapsing funds is</u>	
287	<u>limited to the purposes of converting sole-source homes to a natural gas heating source, as</u>	
288	<u>described in Section 19-2-107.5, Ĥ→ and ←Ĥ promoting public awareness of the effects</u>	
288a	<u>of wood burning on</u>	
289	<u>air quality Ĥ→ [; and hiring and equipping temporary contract employees to investigate reports of</u>	
290	<u>wood burning] ←Ĥ .</u>	

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Office of Legislative Research and General Counsel