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SOLID FUEL BURNING AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brad L. Dee

Senate Sponsor: _____

LONG TITLE

General Description:

This bill provides for a solid fuel burning program.

Highlighted Provisions:

This bill:

- ▶ requires that the Division of Air Quality establish a solid fuel burning program;
- ▶ provides for periods when solid fuel burning is prohibited and allowed;
- ▶ provides for exemptions; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

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

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

19-2-107.5. Solid fuel burning.

(1) The division shall create a:



28 (a) public awareness campaign, in consultation with representatives of the solid fuel
29 burning industry, on best wood burning practices and the effects of wood burning on air
30 quality, specifically targeting nonattainment areas; [and]

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

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

35 (ii) is on the list of registered sole heating source homes[-]; and

36 (c) solid fuel burning program for a nonattainment area, as described in Subsection (2).

37 (2) The solid fuel burning program created under Subsection (1)(c):

38 (a) may not impose a burning ban prohibiting burning during a specified seasonal
39 period of time;

40 (b) shall prohibit burning in nonattainment areas during periods when monitored levels
41 of air pollutants are forecast to reach or exceed 35 micrograms per cubic meter of fine
42 particulate matter PM2.5 within the next 48 hours;

43 (c) shall prohibit burning in a nonattainment area during periods when monitored
44 levels of air pollutants are forecast within the next 48 hours to be greater than 15 micrograms
45 but less than 35 micrograms per cubic meter of fine particulate matter PM2.5, unless using a
46 solid fuel burning device that is:

47 (i) (A) certified by the United States Environmental Protection Agency;

48 (B) a wood heater that can only burn wood pellets; or

49 (C) a masonry heater built to specifications of the American Society for Testing
50 Materials ASTM - 1602, "Standard Guide For Construction of Solid Fuel Burning Masonry
51 Heaters"; and

52 (ii) operated in a manner that produces no visible smoke, except during a 15 minute
53 period when:

54 (A) a fire is started in the device;

55 (B) fuel is added to the device; and

56 (C) a fire is being extinguished in the device;

57 (d) shall allow burning during periods other than the periods described in Subsection
58 (2)(b) or (c);

59 (e) notwithstanding Subsections (2)(b) and (c), shall allow burning during local
60 emergencies and utility outages; and

61 (f) notwithstanding Subsections (2)(b) and (c), shall provide for exemptions, through
62 registration with the division for:

63 (i) devices that are sole sources of heat; or

64 (ii) locations where natural gas service is limited or unavailable.

65 ~~[(2)]~~ (3) The division may seek private donations and federal sources of funding to
66 supplement any funds appropriated by the Legislature to fulfill Subsection (1)(b).

Legislative Review Note
as of 2-19-15 9:33 AM

Office of Legislative Research and General Counsel