

HB0396S02 compared with HB0396

~~{deleted text}~~ shows text that was in HB0396 but was deleted in HB0396S02.

inserted text shows text that was not in HB0396 but was inserted into HB0396S02.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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: _____

Cosponsors:

Justin L. Fawson

Mike Schultz

Scott H. Chew

Lee B. Perry

Norman K. Thurston

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:

- ▶ ~~{requires that}~~ prohibits the Division of Air Quality ~~{establish a solid fuel burning program;~~

~~→ provides for periods when solid fuel burning is prohibited and allowed}~~ from

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implementing a seasonal ban on burning;

- ▶ provides for exemptions; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

~~{None}~~ 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, \$70,000 to fund modeling.

Other Special Clauses:

~~{None}~~ This bill provides a special effective date.

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:

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

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

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

(ii) is on the list of registered sole heating source homes ~~{}~~ and

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

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

~~_____ (a) ;~~

(2) (a) The division may not impose a burning ban prohibiting burning during a

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~~specified seasonal period of time~~;

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

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

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

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

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

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

~~— (A) a fire is started in the device;~~

~~— (B) fuel is added to the device; and~~

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

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

~~— (e) notwithstanding Subsections~~;

(b) Notwithstanding Subsection (2)(~~b~~) and (~~c~~)~~a~~, the division shall:

(i) allow burning during local emergencies and utility outages; and

(~~ii~~) ~~{ notwithstanding Subsections (2)(b) and (c), shall} provide for exemptions,~~

through registration with the division for:

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

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

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

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Legislative Review Note

~~as of 2-19-15 9:33 AM~~

~~Office of Legislative Research and General Counsel~~ Section 2. **Appropriation.**

Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following sums of money are appropriated from resources not otherwise appropriated, or reduced from amounts previously appropriated, out of the funds or accounts indicated. These sums of money are in addition to any amounts previously appropriated for fiscal year 2016.

To the Department of Environmental Quality - Division of Air Quality

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

Schedule of Programs:

Director's Office \$70,000

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

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

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

(2) the impact of a program to encourage citizens to replace unapproved solid fuel burning devices in their homes for EPA-certified devices and other low-emission devices for solid fuel burning.

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

Section 3. Effective date.

This bill takes effect on July 1, 2015.

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