

OPEN BURNING OF YARD WASTE AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gage Froerer

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies regulations regarding solid fuel burning.

Highlighted Provisions:

This bill:

▶ defines the term "yard waste";

▶ states that the Division of Air Quality may not prohibit certain city-run programs for the burning of yard waste; and

▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

19-2-107.5, as last amended by Laws of Utah 2015, Chapter 416

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, the healthcare industry, and members of the clean air community, on best
30 wood burning practices and the effects of wood burning on air quality, specifically targeting
31 nonattainment areas; and

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

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

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

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

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

40 (i) allow burning:

41 (A) during local emergencies and utility outages; and

42 (B) as described in Subsection (4); and

43 (ii) provide for exemptions, through registration with the division, for:

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

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

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

48 (4) (a) As used in this section, "yard waste" means branches, tree limbs, grass cuttings,
49 and other natural debris.

50 (b) The division may not prohibit a city-run program for the burning of yard waste if
51 the city:

52 (i) is located in a county of the second, third, fourth, fifth, or sixth class;

53 (ii) holds a yard waste burning program no more than two times per calendar year;

54 (iii) only burns green waste collected during the prescribed spring or fall open burn
55 periods for the county; and

56 (iv) involves the city's fire department in the program.

Legislative Review Note
Office of Legislative Research and General Counsel