S T A T E O F N E W Y O R K

10743

I N A S S E M B L Y

June 18, 2012

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Abinanti) -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to emissions performance standards from outdoor wood boilers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Article 19 of the environmental conservation law, is amended by adding a new title 13 to read as follows:

TITLE 13
OUTDOOR WOOD BOILERS

SECTION 19-1301. EMISSIONS PERFORMANCE STANDARDS FOR OUTDOOR WOOD BOILERS.

S 19-1301. EMISSIONS PERFORMANCE STANDARDS FOR OUTDOOR WOOD BOILERS.

1. ON OR AFTER JUNE FIRST, TWO THOUSAND FIFTEEN, NO OUTDOOR WOOD BOILER SHALL BE USED IN THE STATE UNLESS SUCH DEVICE HAS BEEN TESTED TO DETERMINE ITS EMISSION PERFORMANCE AND HEATING EFFICIENCY AND CERTIFIED AND LABELED IN ACCORDANCE WITH THE CRITERIA AND PROCEDURES SPECIFIED IN SUBPART AAA OF 40 CFR 60 AND MEETS THE FOLLOWING PARTICULATE AIR CONTAMINANT EMISSION STANDARD AND THE TEST METHODOLOGY OF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY:

(A) TWO AND ONE-HALF GRAMS PER HOUR FOR CATALYTIC OUTDOOR WOOD BOILERS; AND

(B) FOUR AND ONE-HALF GRAMS PER HOUR FOR ALL OTHER OUTDOOR WOOD BOILERS.

2. FOR THE PURPOSE OF THIS SECTION "OUTDOOR WOOD BOILERS" MEANS A FUEL BURNING DEVICE THAT (A) IS DESIGNED TO BURN WOOD OR OTHER FUELS; (B) IS SPECIFIED BY THE MANUFACTURER FOR OUTDOOR INSTALLATION OR INSTALLATION IN STRUCTURES NOT NORMALLY OCCUPIED BY HUMANS; AND (C) IS USED TO HEAT BUILDING SPACE AND/OR WATER VIA THE DISTRIBUTION, TYPICALLY THROUGH PIPES, OF A GAS OR LIQUID (E.G. WATER OR WATER/ANTIFREEZE MIXTURE) HEATED IN THE DEVICE.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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S 2. The commissioner of environmental conservation shall adopt regulations consistent with this act.

S 3. This act shall take effect immediately.