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

6876

2011-2012 Regular Sessions

I N A S S E M B L Y

April 5, 2011

Introduced by M. of A. MAGEE -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the adoption of certain regulations regarding emissions from outdoor wood boilers

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

Section 1. Legislative intent. The legislature finds that wood is a sustainable and renewable resource and that burning clean wood for heat reduces our dependence on more costly foreign non-renewable sources of energy. The legislature further finds that responsible burning of clean wood in an outdoor wood boiler provides a reliable source of heat and hot water at a relatively low cost when compared to other energy sources.

The legislature further finds that the adoption of the voluntary standards for levels of emissions from outdoor wood boilers adopted by the United States Environmental Protection Agency in the Phase 2 EPA Hydronic Heater Program is a reasonable measure that will allow outdoor wood boilers to continue to be sold in this state, and will promote use of the cleaner hydronic heater models developed to meet the voluntary standards in the Phase 2 EPA Hydronic Heater Program.

S 2. The environmental conservation law is amended by adding a new section 19-0306-b to read as follows:

S 19-0306-B. OUTDOOR WOOD BOILER EMISSIONS REGULATIONS.

1. THE COMMISSIONER SHALL ADOPT REGULATIONS FOR AIR EMISSION LEVELS WHICH ARE CONSISTENT WITH THE EPA HYDRONIC HEATER PROGRAM PHASE 2 PARTNERSHIP AGREEMENT WITH MANUFACTURERS OF OUTDOOR WOOD BOILERS TO PROMOTE THE MANUFACTURE AND SALE OF CLEANER HYDRONIC HEATERS OVER OTHER HYDRONIC HEATER MODELS. SUCH REGULATIONS SHALL APPLY TO EVERY NEW OUTDOOR WOOD BOILER THAT IS MANUFACTURED FOR SALE OR OFFERED FOR SALE IN THIS STATE,

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

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AND SHALL GO INTO EFFECT ON APRIL FIFTEENTH, TWO THOUSAND TWELVE, OR AS SOON THEREAFTER AS THE COMMISSIONER SHALL ADOPT SUCH REGULATIONS.

2. FOR PURPOSES OF THIS SECTION, THE TERM "OUTDOOR WOOD BOILER" SHALL HAVE THE SAME MEANING AS THE TERM "OUTDOOR WOOD-FIRED HYDRONIC HEATER" AS DEFINED BY THE OFFICE OF AIR QUALITY PLANNING AND STANDARDS, UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, IN THE EPA HYDRONIC HEATER PROGRAM.

S 3. This act shall take effect immediately.