

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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Legislative intent. The legislature finds that wood is a
2 sustainable and renewable resource and that burning clean wood for heat
3 reduces our dependence on more costly foreign non-renewable sources of
4 energy. The legislature further finds that responsible burning of clean
5 wood in an outdoor wood boiler provides a reliable source of heat and
6 hot water at a relatively low cost when compared to other energy sourc-
7 es.
8 The legislature further finds that the adoption of the voluntary stan-
9 dards for levels of emissions from outdoor wood boilers adopted by the
10 United States Environmental Protection Agency in the Phase 2 EPA Hydron-
11 ic Heater Program is a reasonable measure that will allow outdoor wood
12 boilers to continue to be sold in this state, and will promote use of
13 the cleaner hydronic heater models developed to meet the voluntary stan-
14 dards in the Phase 2 EPA Hydronic Heater Program.
15 S 2. The environmental conservation law is amended by adding a new
16 section 19-0306-b to read as follows:
17 S 19-0306-B. OUTDOOR WOOD BOILER EMISSIONS REGULATIONS.
18 1. THE COMMISSIONER SHALL ADOPT REGULATIONS FOR AIR EMISSION LEVELS
19 WHICH ARE CONSISTENT WITH THE EPA HYDRONIC HEATER PROGRAM PHASE 2 PART-
20 NERSHIP AGREEMENT WITH MANUFACTURERS OF OUTDOOR WOOD BOILERS TO PROMOTE
21 THE MANUFACTURE AND SALE OF CLEANER HYDRONIC HEATERS OVER OTHER HYDRONIC
22 HEATER MODELS. SUCH REGULATIONS SHALL APPLY TO EVERY NEW OUTDOOR WOOD
23 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.

LBD10615-01-1

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

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

8 S 3. This act shall take effect immediately.