



Senate

General Assembly

File No. 365

February Session, 2004

Substitute Senate Bill No. 552

Senate, March 31, 2004

The Committee on Environment reported through SEN. WILLIAMS of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING OUTDOOR WOOD BURNING FURNACES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) For the purposes of this
2 section, "outdoor wood burning furnace" means an accessory structure
3 or appliance designed to be located outside living space ordinarily
4 used for human habitation and designed to transfer or provide heat,
5 via liquid or other means, through the burning of wood or solid waste,
6 for heating spaces other than where such structure or appliance is
7 located, or for heating domestic, swimming pool, hot-tub or jacuzzi
8 water. "Outdoor wood burning furnace" does not include a fire pit,
9 wood-fired barbecue or chimney.

10 (b) On and after October 1, 2006, no person shall advertise,
11 distribute, solicit, sell, offer for sale, trade or barter an outdoor wood
12 burning furnace in violation of this section or regulations adopted
13 pursuant to subsection (d) of this section.

14 (c) On and after October 1, 2006, no person shall construct, install,
 15 establish, modify or operate an outdoor wood burning furnace unless
 16 such person demonstrates to the satisfaction of the Commissioner of
 17 Environmental Protection that such furnace is in compliance with this
 18 section and regulations adopted pursuant to subsection (d) of this
 19 section.

20 (d) Not later than January 1, 2006, the Commissioner of
 21 Environmental Protection shall adopt regulations, in accordance with
 22 the provisions of chapter 54 of the general statutes, regarding the
 23 construction, sale, installment, modification and operation of outdoor
 24 wood burning furnaces, in order to reduce air pollutants, fine
 25 particulates and visible emissions from such furnaces.

26 (e) The provisions of this section may be enforced by the
 27 Commissioner of Environmental Protection pursuant to section 22a-7
 28 of the general statutes, or the Commissioner of Consumer Protection,
 29 pursuant to section 22-6 of the general statutes.

This act shall take effect as follows:	
Section 1	<i>from passage</i>

Statement of Legislative Commissioners:

In subsection (e) "21a-11" was changed to "22-6" for accuracy.

ENV Joint Favorable Subst.

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Department of Environmental Protection	Environmental Quality/GF - Cost	See Below	See Below
Consumer Protection, Dept.	GF - Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

Requiring the Department of Environmental Protection (DEP) to adopt regulations by January 1, 2006 regarding the construction, sale, installment, modification and operation of outdoor wood burning furnaces to reduce air pollutants, fine particulates and visible emissions, is anticipated to result in the need for outside resources, an additional employee or the diversion of staff away from their current duties at a cost of \$75,000.

It is anticipated that enforcement of the regulations will result in the inspection of 5-10 furnaces a year and could be handled within the resources and current activities of the DEP.

The bill provides that both DEP and the Department of Consumer Protection can enforce the regulations, which could result in a duplication of effort and resources. The exact impact is unknown at this time but anticipated to be minimal.

OLR Bill Analysis

sSB 552

AN ACT CONCERNING OUTDOOR WOOD BURNING FURNACES**SUMMARY:**

This bill requires the Department of Environmental Protection (DEP) commissioner to adopt regulations, by January 1, 2006, to reduce air pollutants, fine particulates, and visible emissions from wood burning furnaces. DEP and the Department of Consumer Protection commissioners may enforce the regulations, which must address the construction, sale, installment, modification, and operation of the furnaces.

The bill prohibits anyone on and after October 1, 2006 (nine months after the deadline for the DEP regulations) from (1) advertising, distributing, soliciting, selling, offering for sale, trading, or bartering an outdoor wood burning furnace in violation of the regulations or (2) constructing, installing, establishing, modifying, or operating an outdoor wood burning furnace not in compliance with the regulations.

EFFECTIVE DATE: Upon passage

OUTDOOR WOOD BURNING FURNACE

The bill defines an "outdoor wood burning furnace" as an accessory structure or appliance designed (1) for a location ordinarily outside the home and (2) to transfer or provide heat, via liquid or other means, by burning wood or solid waste, for heating locations such as the home or other domestic, swimming pool, hot-tub, or Jacuzzi water. The bill excludes fire pits, wood-fired barbecues, or chimneys from the definition.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 27 Nay 0

