



General Assembly

**Amendment**

January Session, 2011

LCO No. 6813

**\*SB0083006813SD0\***

Offered by:

SEN. WILLIAMS, 29<sup>th</sup> Dist.  
SEN. LOONEY, 11<sup>th</sup> Dist.  
SEN. COLEMAN, 2<sup>nd</sup> Dist.  
SEN. DOYLE, 9<sup>th</sup> Dist.  
SEN. LEBEAU, 3<sup>rd</sup> Dist.

SEN. DUFF, 25<sup>th</sup> Dist.  
SEN. SLOSSBERG, 14<sup>th</sup> Dist.  
SEN. STILLMAN, 20<sup>th</sup> Dist.  
SEN. MEYER, 12<sup>th</sup> Dist.

To: Subst. Senate Bill No. 830

File No. 691

Cal. No. 249

**"AN ACT PROHIBITING THE USE OF CERTAIN OUTDOOR WOOD-BURNING FURNACES."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 22a-174k of the general statutes is repealed and  
4 the following is substituted in lieu thereof (*Effective October 1, 2011*):

5 (a) For purposes of this section, "outdoor wood-burning furnace"  
6 means an accessory structure or appliance designed to be located  
7 outside living space ordinarily used for human habitation and  
8 designed to transfer or provide heat, via liquid, or other means,  
9 through the burning of wood or solid waste, for heating spaces other  
10 than where such structure or appliance is located, any other structure  
11 or appliance on the premises, or for heating domestic, swimming pool,  
12 hot tub or jacuzzi water. "Outdoor wood-burning furnace" does not  
13 include a fire pit, wood-fired barbecue or chiminea.

14 (b) No person shall, from July 8, 2005, to the effective date of  
15 regulations promulgated by the United States Environmental  
16 Protection Agency to regulate outdoor wood-burning furnaces,  
17 construct, install, establish, modify, operate or use an outdoor wood-  
18 burning furnace, unless (1) the outdoor wood-burning furnace was  
19 constructed, installed, established, modified, operated or in use prior  
20 to July 8, 2005, or (2) the outdoor wood-burning furnace complies with  
21 the following:

22 (A) Installation of the outdoor wood-burning furnace is not less  
23 than two hundred feet from the nearest residence not serviced by the  
24 outdoor wood-burning furnace;

25 (B) Installation of the chimney of the outdoor wood-burning furnace  
26 is at a height that is more than the height of the roof peaks of the  
27 residences that are located within five hundred feet of the outdoor  
28 wood-burning furnace, which residences are not serviced by the  
29 outdoor wood-burning furnace, provided the chimney height is not  
30 more than fifty-five feet;

31 (C) No other materials are burned in the outdoor wood-burning  
32 furnace other than wood that has not been chemically treated; and

33 (D) Installation and operation of the outdoor wood-burning furnace  
34 is in accordance with the manufacturer's written instructions, provided  
35 such instructions do not conflict with the provisions of this section.

36 (c) On and after October 1, 2011, no person shall construct, install or  
37 establish an outdoor wood-burning furnace, unless such outdoor  
38 wood-burning furnace is qualified as a Phase II emission level model,  
39 as acknowledged in writing by the United States Environmental  
40 Protection Agency, at the time that such outdoor wood-burning  
41 furnace is constructed, installed or established.

42 [(c)] (d) The provisions of this section shall be enforced by the  
43 Commissioner of Environmental Protection and may be enforced by  
44 the municipality affected by the operation or potential operation of an

45 outdoor wood-burning furnace. Any municipal building official or  
46 municipal zoning officer may enforce the provisions of this section.

47 [(d)] (e) Any person who operates an outdoor wood-burning  
48 furnace in violation of this section shall be deemed to have committed  
49 an infraction and shall be fined not more than ninety dollars. Each day  
50 of operation of such outdoor wood-burning furnace in violation of this  
51 section shall be a separate violation.

52 (f) Nothing in this section shall be construed to prohibit the  
53 replacement or modification of any outdoor wood-burning furnace to  
54 meet a Phase II emission level model, as acknowledged in writing by  
55 the United States Environmental Protection Agency."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2011	22a-174k