

**REVENUE:** No revenue impact

**FISCAL:** Fiscal statement issued

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**Action:** Do Pass as Amended and Be Printed Engrossed

**Vote:** 3 - 1 - 1

**Yeas:** Hass, Prozanski, Dingfelder

**Nays:** Boquist

**Exc.:** Atkinson

**Prepared By:** Beth Herzog, Administrator

**Meeting Dates:** 1/29, 4/2

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**WHAT THE MEASURE DOES:** Extends air quality statutory provisions relating to emissions from woodstoves to solid fuel burning devices. Expands definition of “solid fuel burning device” to include any device that burns wood, coal, or other nongaseous or non-liquid fuels. Prohibits burning certain materials in solid fuel burning devices. Renames the Residential Wood Heating Air Quality Improvement Fund to the Residential Solid Fuel Heating Air Quality Improvement Fund (Fund) and modifies certain aspects of the fund. Authorizes the Environmental Quality Commission (Commission), if they have adopted more stringent standards and if the devices were manufactured at least 15 years prior to the more stringent standard being adopted, or the devices are located in a nonattainment area to: prohibit the installation and sale of used solid fuel burning devices for sale as new; set standards to require certified solid fuel burning devices to be removed and destroyed upon sale of a home; and require the curtailment of solid fuel burning devices. Authorizes the Commission to adopt rules and the Department of Environmental Quality to implement and enforce a program to curtail residential solid fuel heating during periods of air stagnation if a local government has not met their requirement under the Clean Air Act.

**ISSUES DISCUSSED:**

- On-the-ground implementation
- Some local governments have similar requirements in place; this would be a uniform statewide requirement
- Enforcement

**EFFECT OF COMMITTEE AMENDMENT:** Clarifies that the Commission will ensure compliance regarding the sale of a solid fuel burning device. Adds masonry heater and factory-built fireplaces to the list of exempt solid fuel burning devices, but only until the Commission adopts emission standards. Includes central, wood-fired furnaces and its definition to the list of exempt appliances. Allows money within the Fund to pay for enforcement and public education activities related to compliance in the sale and proper use of a solid fuel burning device. Authorizes the Commission, if they have adopted more stringent standards and if the devices were manufactured at least 15 years prior to the more stringent standard being adopted, or the devices are located in a nonattainment area to: prohibit the installation and sale of used solid fuel burning devices for sale as new; set standards to require certified solid fuel burning devices to be removed and destroyed upon sale of a home; and require the curtailment of solid fuel burning devices.

**BACKGROUND:** Since 1991, Oregon has required that new woodstoves be certified to meet air pollution standards. U.S. Environmental Protection Agency (EPA) data demonstrate that certified woodstoves are much less polluting than older, non-certified woodstoves, and can reduce fine particulates in the smoke by 70 percent. Woodstoves are also a major source of benzene and carbon dioxide in the air which can impact human health and the environment.

In September 2006, the EPA tightened the fine particulate standard based on new health studies. The Department of Environmental Quality identifies wintertime residential wood burning as a significant source of fine particulate air pollution, which at times exceeds federal air quality health standards. Under current conditions, Klamath Falls and Oak Ridge violate federal health standards.

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***This summary has not been adopted or officially endorsed by action of the committee.***