

D R A F T

SUMMARY

Modifies sources of moneys deposited in Residential Solid Fuel Heating Air Quality Improvement Fund.

Requires Department of Environmental Quality to prioritize allocation of grants, loans or other subsidies under solid fuel burning device replacement or removal program to be used in nonattainment areas for particulate matter or areas at substantial risk of being designated nonattainment areas for particulate matter.

A BILL FOR AN ACT

1
2 Relating to the Residential Solid Fuel Heating Air Quality Improvement
3 Fund; amending ORS 468A.490.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 468A.490 is amended to read:

6 468A.490. (1) There is established within the State Treasury a fund known
7 as the Residential Solid Fuel Heating Air Quality Improvement Fund, sepa-
8 rate and distinct from the General Fund.

9 (2) All moneys appropriated or received [*as gifts or grants for the purposes*
10 *of this section*] **from any source, public or private, for the purpose of**
11 **reducing the emission of air contaminants from solid fuel burning**
12 **devices** shall be credited to the Residential Solid Fuel Heating Air Quality
13 Improvement Fund.

14 (3) The State Treasurer may invest and reinvest the moneys in the fund
15 as provided in ORS 293.701 to 293.857. Interest from the moneys deposited in
16 the fund and earnings from investment of the moneys in the fund shall ac-
17 crue to the fund.

18 (4) All moneys in the fund are continuously appropriated to the Depart-

1 ment of Environmental Quality to:

2 (a) Pay all costs incurred by the department for evaluating projects and
3 programs, including projects and programs proposed by local communities
4 or qualifying organizations, for project management and oversight of funds
5 awarded for projects and programs selected in accordance with this section
6 and for documenting the benefit to air quality from such projects;

7 (b) Fund the program established under subsection (5) of this section;

8 (c) Fund activities to enhance enforcement of ORS 468A.460 to 468A.515;

9 (d) Fund public education programs related to compliance with ORS
10 468A.460 to 468A.515; and

11 (e) Fund public education programs related to the benefits of the use of
12 solid fuel burning devices certified pursuant to ORS 468A.460 to 468A.515.

13 (5)(a) The department shall use moneys available under subsection (4) of
14 this section to establish a program designed to reduce the emission of air
15 contaminants by providing grants, loans or other subsidies for the replace-
16 ment or removal of solid fuel burning devices that were not certified by the
17 department pursuant to ORS 468A.465. In addition to any other requirements
18 established by rules adopted by the Environmental Quality Commission, the
19 program shall provide that:

20 [(a)] (A) All forms of new high-efficiency, low air contaminant-emitting
21 heating systems are allowed, except vent-free heating appliances;

22 [(b)] (B) Any solid fuel burning device removed under the program must
23 be destroyed;

24 [(c)] (C) Any replacement device selected under the program must be in-
25 stalled in conformance with building code requirements and the
26 manufacturer's specifications including but not limited to venting specifica-
27 tions; and

28 [(d)] (D) To be eligible, program participants shall participate in any
29 home energy audit program provided at no charge to the homeowner and
30 shall obtain all information available regarding subsidies for cost-effective
31 weatherization. The department shall make the information required in this

1 subsection readily available to program participants.

2 **(b) In establishing the program pursuant to this subsection, the**
3 **department shall prioritize the allocation of grants, loans or other**
4 **subsidies for the replacement or removal of solid fuel burning devices**
5 **in:**

6 **(A) Nonattainment areas in this state that do not attain compliance**
7 **with the standards for particulate matter established by the commis-**
8 **sion pursuant to ORS 468A.025; and**

9 **(B) Attainment areas in this state that the department determines**
10 **are at substantial risk of being designated nonattainment areas due**
11 **to particulate matter emissions.**

12 (6) The department may enter into an agreement with a local government
13 or a regional authority in order to implement the program established under
14 subsection (5) of this section.

15
