

28-LS0248\G  
Nauman  
1/27/14

**CS FOR HOUSE BILL NO. 163( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-EIGHTH LEGISLATURE - SECOND SESSION**

**BY**

**Offered:**  
**Referred:**

**Sponsor(s): REPRESENTATIVE TAMMIE WILSON**

**A BILL**  
**FOR AN ACT ENTITLED**

1 **"An Act prohibiting a person from burning certain materials in a solid fuel burning**  
2 **heating device; and relating to prohibitions on the operation of solid fuel burning**  
3 **heating devices."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 **\* Section 1.** AS 46.14.400 is amended by adding a new subsection to read:

6 (k) Except in a wood smoke control area designated by name in state  
7 regulation on the effective date of this Act, the operation of a solid fuel burning heating  
8 device may not be prohibited under this section unless

9 (1) the prohibition is authorized by the governor; and

10 (2) the 24-hour average of air pollutants for the region exceeds 351  
11 micrograms for each cubic meter of air.

12 **\* Sec. 2.** AS 46.14 is amended by adding a new section to article 5 to read:

13 **Sec. 46.14.570. Solid fuel burning heating devices.** (a) A person may not  
14 burn or cause to be burned in a solid fuel burning heating device

- 1 (1) garbage;
- 2 (2) treated wood;
- 3 (3) plastics;
- 4 (4) rubber products;
- 5 (5) animals;
- 6 (6) asphaltic products;
- 7 (7) waste petroleum products;
- 8 (8) paints;
- 9 (9) railroad ties; or
- 10 (10) other materials prohibited by the department under AS 46.03.020
- 11 and AS 46.14.010.

12 \* **Sec. 3.** AS 46.14.990 is amended by adding new paragraphs to read:

13 (29) "solid fuel burning heating device" means a device designed or  
14 operated for wood or coal combustion so that usable heat is derived for the interior of  
15 a building and does not include a device that is primarily a part of an industrial process  
16 and incidentally provides usable heat for the interior of a building;

17 (30) "wood smoke control area" means a geographic location where a  
18 wood-burning activity has resulted in two or more discontinuous 24-hour periods  
19 when the ambient exposures of air pollutants solely caused by wood-burning activity  
20 has reached or exceeded 150 micrograms for each cubic meter of air.

21 \* **Sec. 4.** AS 46.14.400(k), 46.14.570, 46.14.990(29), and 46.14.990(30) are repealed  
22 January 1, 2019.