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HB 163 Sectional Analysis

Section 1: Provides limitation of burn bans for certain municipal air quality control programs.

Section 2: Adds new subsection under 46.14.400 prohibiting second or third class boroughs or a second class city from implementing solid fuel burning bans unless authorized by the governor in case of an emergency.

Section 3: (a) Prohibits the burning of certain materials. (b) A person may not sell a solid fuel burning device that exceeds the emission standard established by the Department of Environmental Conservation (DEC). (c) Establishes statewide particulate emission standards for solid fuel burning devices of 2.5 grams per hour for each 200,000 BTUs of heat output. Provides DEC with a procedure for adopting a new emission standard. (d) Establishes a procedure for approving the sale of a new solid fuel burning device that complies with the particulate emission standard. (e) A state or local authority may not adopt a particulate emission standard different than provided in (c). (f) Clarifying that the device standard is not a limitation for hazardous air pollution or an emission standard for a stationary source.