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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

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

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

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

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

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

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

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

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

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

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

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

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

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 AS 46.14.400(k), 46.14.570, 46.14.990(29), and 46.14.990(30) are repealed January 1, 2019.