

Ways & Means Committee

HB 2166

Brief Description: Generating additional revenue from the sale of solid fuel burning devices.

Sponsors: Representatives Hudgins, Hunter and Ladenburg; by request of Department of Ecology.

Brief Summary of Bill

- Increases the fee on the sale of solid fuel burning devices.
- Directs increased revenue towards the wood stove education program.

Hearing Date: 1/23/12

Staff: Michael Bennion (786-7118).

Background:

The Washington Clean Air Act (Act) regulates the use of solid fuel burning devices, which are considered to be any device for burning wood, coal, or any other nongaseous and nonliquid fuel, including wood stoves and fireplaces. The Department of Ecology (Department) is required to establish statewide emissions performance standards for solid fuel burning devices (RCW 70.94.457) that follow the standards set by the United States Environmental Protection Agency (EPA) during the early 1990's. The Act prohibits the sale of new devices that fail to meet these certain defined standards—for example, a per hour limit on the emission of particulate air contaminants.

Beginning in 1992, no used solid fuel burning device that is not certified by the EPA may be installed in new or existing buildings. Also beginning in 1992, state building code rules require that all new or substantially remodeled residential and commercial construction use a heat source other than wood stoves. This requirement applies to urban growth areas and to areas designated as being in non-attainment for particulate matter.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A flat fee of \$30 is assessed on every solid fuel burning device sold in Washington. The Department has the discretionary authority to raise the fee annually to reflect inflation, but has not exercised this option since the Legislature last increased the fee in 1992. All revenue collected from the fee is deposited into the Wood Stove Education and Enforcement Account, and is used for the wood stove education program (RCW 70.94.480) and enforcement of the program.

The Department of Ecology is statutorily required, through its wood stove education program, to educate wood stove dealers and the public about:

- the effects of wood stove emissions on health and air quality;
- methods of achieving better efficiency and emission performance from wood stoves;
- wood stoves that have been approved by the Department; and
- the benefits of replacing inefficient wood stoves with more efficient devices.

In addition, retailers selling new wood stoves are required to distribute and verbally explain educational materials describing the conditions of use to customers purchasing new wood stoves.

Summary of Bill:

An additional fee of \$15 is assessed on the retail sale of each solid fuel burning device. Revenue generated from the fee is to be used solely for the wood education program.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on July 1, 2012.