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SB-563 Residential wood smoke. (2017-2018)

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Date Published: 10/12/2017 02:00 PM

Senate Bill No. 563

CHAPTER 671

An act to add Section 39733 to the Health and Safety Code, relating to nonvehicular air pollution.

[Approved by Governor October 11, 2017. Filed with Secretary of State October 11, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

SB 563, Lara. Residential wood smoke.

(1) Existing law requires the State Air Resources Board to approve and begin implementing a comprehensive strategy to reduce emissions of short-lived climate pollutants to achieve a reduction in methane by 40%, hydrofluorocarbon gases by 40%, and anthropogenic black carbon by 50% below 2013 levels by 2030, as specified.

The California Global Warming Solutions Act of 2006 establishes the state board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature.

This bill would establish the Woodsmoke Reduction Program to be administered by the state board, in coordination with air districts, to promote the voluntary replacement of old wood-burning stoves with cleaner and more efficient alternatives in order to achieve short- and long-term climate benefits and localized public health benefits, as specified. The bill would authorize moneys from the Greenhouse Gas Reduction Fund to be allocated for incentives offered as part of the program. By adding to the duties of air districts, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) Residential wood combustion is forecast to be the largest individual source of anthropogenic black carbon in 2030 if no new programs are implemented.

(b) Residential wood combustion produces greenhouse gases, fine particulate matter, black carbon, carbon monoxide, volatile organic compounds, and hazardous air pollutants, such as benzene and formaldehyde.

(c) These emissions have serious health and quality of life impacts. These include increased risk of asthma attacks, respiratory diseases, heart attacks, premature death, and lung cancer as well as slowed lung growth and development in children. At the greatest risk of exposure from particulate matter 2.5 microns and smaller in size are people with existing heart or lung conditions, such as older adults, children, pregnant women, people of color, and people living in lower socioeconomic conditions.

(d) The federal Environmental Protection Agency estimates that, if all of the old woodstoves in the United States were replaced with cleaner-burning hearth appliances, an estimated \$56 to \$126 billion in health benefits per year would be realized.

(e) Reductions from woodstoves and fireplaces are necessary to meet the state's target of reducing black carbon emissions by 50 percent and methane by 40 percent below 2013 levels, pursuant to Section 39730.5 of the Health and Safety Code, as well as to meet federal ambient air quality standards for fine particulate matter.

(f) While a number of air pollution control and air quality management districts have residential wood combustion rules and strategies to reduce exposure to wood smoke pollution, it is important for the state to both ensure the strongest possible performance and efficiency standards for new residential wood-burning devices and to continue to advance the cleanest home heating options, such as electric heat pumps.

(g) It is crucial for the state to make adequate monetary incentives available that allow residents in all regions of the state to replace old devices with cleaner burning, more energy-efficient heating alternatives to achieve substantial emissions reductions with a priority on funding the cleanest available home heating devices, including electric heat pumps.

SEC. 2. Section 39733 is added to the Health and Safety Code, to read:

39733. (a) The Woodsmoke Reduction Program is hereby established to be developed and administered by the state board, in coordination with districts, to promote the voluntary replacement of old, uncertified wood-burning stoves with cleaner burning and more energy-efficient alternatives in order to achieve short- and long-term climate benefits and localized public health benefits. The program shall include all of the following:

(1) Replacement of older, less efficient, uncertified wood-burning devices, including, but not limited to, woodstoves and wood inserts, with cleaner burning, more efficient home heating alternatives.

(2) Prioritizing using incentive moneys on the most efficient, nonwood-burning devices, including, but not limited to, heat pumps and solar, electric, and natural gas heaters.

(3) Prioritizing the cleanest and best available technologies if nonwood alternatives are infeasible or cost prohibitive, including education on proper burn practices to reduce emissions when wood is used.

(4) Opportunities for demonstrating and providing information about the cleanest residential heating technologies as part of outreach efforts.

(5) Requirements for the professional installation of new devices being changed out in order to maximize energy efficiency and minimize emissions.

(b) Moneys for the program shall be available to the state board, upon appropriation by the Legislature, including, but not limited to, moneys from the Greenhouse Gas Reduction Fund, created pursuant to Section 16428.8 of the Government Code.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.