
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 411 Session of
2015

INTRODUCED BY BRIGGS, THOMAS, COHEN, FRANKEL AND McCARTER,
FEBRUARY 9, 2015

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
FEBRUARY 9, 2015

AN ACT

1 Amending the act of January 8, 1960 (1959 P.L.2119, No.787),
2 entitled, as amended, "An act to provide for the better
3 protection of the health, general welfare and property of the
4 people of the Commonwealth by the control, abatement,
5 reduction and prevention of the pollution of the air by
6 smokes, dusts, fumes, gases, odors, mists, vapors, pollens
7 and similar matter, or any combination thereof; imposing
8 certain powers and duties on the Department of Environmental
9 Resources, the Environmental Quality Board and the
10 Environmental Hearing Board; establishing procedures for the
11 protection of health and public safety during emergency
12 conditions; creating a stationary air contamination source
13 permit system; providing additional remedies for abating air
14 pollution; reserving powers to local political subdivisions,
15 and defining the relationship between this act and the
16 ordinances, resolutions and regulations of counties, cities,
17 boroughs, towns and townships; imposing penalties for
18 violation of this act; and providing for the power to enjoin
19 violations of this act; and conferring upon persons aggrieved
20 certain rights and remedies," further providing for
21 definitions; providing for urban outdoor wood-fired boilers;
22 and abrogating a regulation.

23 The General Assembly of the Commonwealth of Pennsylvania
24 hereby enacts as follows:

25 Section 1. Section 3 of the act of January 8, 1960 (1959
26 P.L.2119, No.787), known as the Air Pollution Control Act, is
27 amended by adding definitions to read:

1 Section 3. Definitions.--The following words and phrases,
2 when used in this act, unless the context clearly indicates
3 otherwise, shall have the meaning ascribed to them in this
4 section:

5 * * *

6 "Outdoor wood-fired boiler." As follows:

7 (1) A fuel-burning device that:

8 (i) Is designed to burn, or is capable of burning, any of
9 the following:

10 (A) Clean wood.

11 (B) Wood pellets made from clean wood.

12 (C) Home heating oil, natural gas or propane that:

13 (I) Complies with all applicable sulfur limits.

14 (II) Is used as a starter or supplemental fuel for dual-
15 fired outdoor wood-fired boilers.

16 (ii) Has a rated thermal output of less than 350,000 BTUs
17 per hour.

18 (iii) The manufacturer designs or specifies for outdoor
19 installation or installation in structures not normally intended
20 for habitation by humans or domestic animals, including
21 structures like garages and sheds.

22 (iv) Heats building space or fluid, or both, through the
23 distribution, typically through pipes, of a fluid heated in the
24 device, typically water or a mixture of water and antifreeze.

25 (2) The fuel-burning device may also be known as an:

26 (i) Outdoor wood-fired furnace.

27 (ii) Outdoor wood-burning appliance.

28 (iii) Outdoor hydronic heater.

29 * * *

30 "Urban outdoor wood-fired boiler." An outdoor wood-fired

1 boiler located in a city, borough, town or township, with a
2 population density of at least one thousand five hundred (1,500)
3 persons per square mile, based on the most recent Federal
4 decennial census.

5 Section 2. The act is amended by adding a section to read:

6 Section 6.8. Urban Outdoor Wood-fired Boiler.--An individual
7 may not use or operate an urban outdoor wood-fired boiler.

8 Section 3. The regulation of the Department of Environmental
9 Protection at 25 Pa. Code § 123.14 (relating to outdoor wood-
10 fired boilers) is abrogated insofar as it is inconsistent with
11 the amendment or addition of sections 3 and 6.8 of the act.

12 Section 4. This act shall take effect in 60 days.