CHAPTER 249
HB 1515 - FINAL VERSION

6Mar2018... 0560h
05/03/2018 1799s
05/03/2018 1883s

2018 SESSION

18-2192
06/10

HOUSE BILL ***1515***

AN ACT **relative to an exemption from the combustion ban on construction and demolition debris.**

SPONSORS: **Rep. Vose, Rock. 9; Rep. Morrison, Rock. 9**

COMMITTEE: **Science, Technology and Energy**

ANALYSIS

This bill exempts bio-oil and bio-synthetic gas from the ban on combustion of the wood component of construction and demolition debris.

Explanation: **Matter added to current law appears in *bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eighteen

AN ACT **relative to an exemption from the combustion ban on construction and demolition debris.**

Be it Enacted by the Senate and House of Representatives in General Court convened:

249:1 Combustion Ban; Bio-oil and Bio-synthetic Gas. Amend RSA 125-C:10-c, II(b) and (c) to read as follows:

(b) The combustion of no more than 10,000 tons per year of wood residue at any municipal waste combustor from November 15 through April 15 from facilities that process construction and demolition debris in a manner no less stringent than the requirements of the Environmental Protection Agency's Non-Hazardous Secondary Materials Rule, 40 C.F.R. section 241.4(a)(5) (Non-waste Determinations for Specific Non-Hazardous Secondary Materials When Used as a Fuel) dated February 8, 2016. No such combustion shall occur until the department adopts rules regarding fuel quality standards and test methods in accordance with RSA 125-C:6, XIV-a and the department has taken final action on a permit revision for the facility utilizing such fuel; [~~or~~]

(c) The incidental combustion, under the supervision of a solid waste facility operator of untreated wood at any municipal transfer station subject to regulation under RSA 149-M[~~.~~]*; or*

(d) The combustion of bio-oil or bio-synthetic gas produced from the wood component of construction and demolition debris using non-combustion thermal or chemical processes including, but not limited to, pyrolysis or gasification. The non-combustion thermal or chemical processes proposed shall be subject to the review requirements of this chapter, RSA 125-I, and the administrative rules of the air resources division of the department of environmental services. The wood derived from construction and demolition debris shall be processed in a manner no less stringent than the requirements referenced in subparagraph (b).

249:2 Solid Waste Management; Permit Required. Amend RSA 149-M:9, XIV to read as follows:

XIV. [~~Notwithstanding any provision of law or rule to the contrary,~~] The department shall not certify as a waste-derived product the wood component of construction and demolition debris, or any mixture of or derivation therefrom, to be combusted in any manner, except [~~that~~]*:*

(a) Methane gas collected from the decomposition of waste at a facility authorized pursuant to this chapter as a landfill for the disposal of solid waste may be certified as a waste-derived product for distribution and use as a fuel, provided that it meets market fuel standards;

(b) As allowed under RSA 125-C:10-c, II(d).

249:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 12, 2018
Effective Date: August 11, 2018