1. **ROLL CALL**

2. **MEMORANDA/ REPORTS/ PRESENTATIONS**
   a. Presentation by the Administration and AmeriCorps VISTA regarding the Library Community Assessment Survey results and Services Analysis, with a question and answer period.

3. **ADVANCED ORDINANCES AND RESOLUTIONS**
   a. ORDINANCE NO. 2019-02. An Ordinance To Amend FNSBC 21.28.040 Enhanced Voluntary Removal, Replacement And Repair (Wood Stove Change-Out) Program To Be Consistent With Federal Grant Requirements. (Sponsor: Mayor Ward) (Page 2)

4. **BRIE芬I NGS FROM THE BOROUGH MAYOR**

5. **ASSEMBLY BUSINESS/ COMMENTS**

6. **ADJOURNMENT**
MEMORANDUM

TO: Fairbanks North Star Borough Assembly
THROUGH: Bryce Ward, Borough Mayor
FROM: Glenn Miller, Transportation Director
DATE: January 10, 2019
SUBJECT: Ordinance No. 2019-02
Amending Section 21.28.040 of the FNSB Code of Ordinances Regarding the PM2.5 Air Quality Control Program

Attached for your approval is an ordinance amending section 21.28.040 of the FNSB code of ordinances regarding the PM2.5 Air Quality Control Program. This ordinance addresses changes required to be consistent with the 2017 EPA TAS Grant work plan.

I request your consideration and urge your approval of this ordinance.

Attachment
FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2019 - 02

AN ORDINANCE TO AMEND FNSBC 21.28.040 ENHANCED VOLUNTARY REMOVAL, REPLACEMENT AND REAPIR (WOOD STOVE CHANGE-OUT) PROGRAM TO BE CONSISTENT WITH FEDERAL GRANT REQUIREMENTS

WHEREAS, The Borough operates the Enhanced Voluntary Removal, Replacement and Repair Program (known as the wood stove change-out program); and

WHEREAS, The Borough has been awarded Environmental Protection Agency (EPA) Targeted Air Shed (TAS) grant funding for the wood stove change out program; and

WHEREAS, Modifications to the local change out program are needed to be consistent with the TAS grant work plan in order to accept funding.

NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks North Star Borough:

Section 1. This ordinance is of a general and permanent nature and shall be codified.

Section 2. FNSBC 21.28.040, Enhanced voluntary removal, replacement and repair program, is hereby amended as follows:

The Fairbanks North Star Borough shall, to the extent funds are available and appropriated by the assembly, offer an enhanced removal, replacement and repair program to help offset the costs of removing, replacing or repairing a solid fuel burning

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appliance (SFBA) or fireplace. This program shall be subject to the following eligibility requirements, conditions, and criteria:

A. General Requirements.

1. Application. An application approved by the division and signed by all property owner(s) must be submitted along with any documentation required by the division. Applications for either the removal of a solid fuel burning appliance (SFBA), or replacement of a SFBA with an emergency power system, or an appliance designed to use natural gas, propane, or home heating oil, electricity, or hot water district heat shall include a signed recordable document restricting future installations of SFBA's and requiring appropriate notice to purchasers in the seller's disclosure statement if required by the terms and conditions of the funding source. Applicants must fully comply with the division's inspection process which shall verify the existence of a qualifying SFBA.

2. Priority Ranking. Applications may be prioritized and may be limited by the division in its discretion based on geographical location, the overall air quality benefit and the type of SFBA or fireplace being removed, replaced or repaired.

3. Eligibility. The program is limited to properties within the air quality control zone boundary in which a qualifying SFBA or fireplace is installed. If an application is approved for the program, the applicant will be given up to 90 days to meet all of the requirements. Applicants must have no delinquent property tax or penalty or interest owing at the time of application and at completion of the program requirements.

4. Additional Requirements. In addition to the general requirements set forth in this section, applicants must also meet the following requirements:

   a. Fully comply with the inspection process required by the division that shall ensure that the existence of the qualifying appliance to be removed, replaced or repaired is properly documented.

   b. Removal of appliance.

   c. Delivery of appliance to an authorized decommission station.

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d. Certificate of destruction delivered to the division, if applicable.

e. Final installation of a qualified appliance visually verified.

f. The qualified appliance must be properly installed by a borough listed [VENDOR/]installer attesting to proper installation of the device based on manufacturer's installation manual, compliance with any building code requirements, and that the device is properly sized for the building in question.

g. The applicant will be required to demonstrate proper wood storage, if applicable.

h. The applicant will be required to complete training with the vendor, ensuring that they understand how their particular device operates, including education on proper wood burning techniques, if applicable.

i. All aspects of this section may be performed by borough-approved personnel or a borough-approved vendor.

5. Payments. Applicants will be eligible for reimbursements or, at the option of the applicant, payment may be made directly to a borough-approved vendor. Reimbursements and payments shall be available as follows:

a. Replacement of a hydronic heater:

i. With either an EPA certified wood or pellet stove with an emission rate less than or equal to two grams of PM2.5 per hour, or an EPA [PHASE II] certified pellet burning hydronic heater with an emission rate equal to or less than 0.1 pounds per million BTU, or an emergency power system, up to $10,000 for purchase and installation of the new appliance.

ii. With an appliance designed to use home heating oil (excluding waste or used oil) or a masonry heater (including parts, labor and any costs associated with upgrading the chimney to the extent required by the manufacturer of the appliance for proper installation), up to $12,000 per eligible hydronic heater replaced for purchase and installation of the new appliance.

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iii. With an appliance designed to use natural gas, propane, hot water district heat, or electricity, up to $14,000 per eligible hydronic heater replaced for purchase and installation of the new appliance.

b. Replacement of a non-borough-listed SFBA:

i. With either an EPA certified wood stove, or fireplace insert that has an emission rate less than or equal to two grams of PM$_{2.5}$ per hour, or in the case of an EPA certified wood stove, PM$_{2.5}$ emissions must be reduced by 50 percent and emit two grams of PM$_{2.5}$ per hour or less, up to $4,000 for purchase and installation of the new appliance.

ii. With an EPA certified pellet stove that has an emission rate less than or equal to two grams of PM2.5 per hour, up to $5,000 for purchase and installation of the new appliance.

iii. With an appliance designed to use home heating oil (excluding waste oil), hot water district heat, electricity, or a masonry heater (including parts, labor and any costs associated with upgrading the chimney to the extent required by the manufacturer of the appliance for proper installation), or an emergency power system, up to $6,000 per eligible non-borough-listed SFBA replaced for the purchase and installation of the new appliance.

iv. With an appliance designed to use natural gas or propane, up to $10,000 [PER] per eligible non-borough-listed SFBA replaced for the purchase and installation of the new appliance. [MULTIPLE NON-BOROUGH-LISTED SOLID FUEL BURNING APPLIANCES OR FIREPLACES, OR COMBINATIONS THEREOF, MAY BE REPLACED WITH A SINGLE HEATING DEVICE THAT MEETS THE REQUIREMENTS ABOVE, EXCEPT FOR THOSE THAT ARE FIRED BY SOLID FUELS. PAYMENT WILL BE BASED ON THE NUMBER OF DEVICES REMOVED, UP TO A MAXIMUM OF THREE, AND MAY NOT EXCEED THE REPLACEMENT COST.]

c. Replacement of a borough-listed SFBA:
i. With an appliance designed to use home heating oil (excluding waste oil), hot water district heat, electricity or an emergency power system, up to $6000 per eligible borough-listed SFBA replaced for the purchase and installation of the new appliance.

ii. With an appliance designed to use natural gas or propane, up to $10,000 per eligible borough-listed SFBA replaced for the purchase and installation of the new appliance.

d. Up to a maximum of three solid fuel burning appliances or fireplaces, or combinations thereof, may be replaced with a single non-solid fuel heating device or emergency power system that meets the requirements above. The reimbursement schedule for each individual device being replaced will be combined to determine the maximum possible final reimbursement amount, with final reimbursement not to exceed the actual purchase and installation cost of the new appliance.

[c]e. Removal of a SFBA (limited to a one-time participation in this program per property).

i. Removal of a hydronic heater through a one-time payment of $5,000.

ii. Removal of other SFBAs through a one-time payment of $2,000.

[d]f. Repair Program.

i. The repair program will pay for the:

(A) Replacement of a wood stove's catalytic converter that has exceeded its life span through the one-time payment of up to $750.00.

(B) Replacement of any emissions-reducing component of an EPA certified wood stove up to the maximum amount of $750.00.
ii. In addition to the general requirements set forth in this section, applicants must fully comply with any inspection process required by the division, which may be performed by a borough-approved vendor.

Section 3. **Effective Date.** This ordinance is effective at 5:00 p.m. on the first Borough business day following its adoption.

PASSED AND APPROVED THIS _____ DAY OF __________, 2019.

__________________________
Matt Cooper
Presiding Officer

ATTEST:

APPROVED:

__________________________
April Trickey, CMC
Borough Clerk

__________________________
Jill S. Dolan
Borough Attorney

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