



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

**2015 Wisconsin Act 303**  
[2015 Assembly Bill 25]

**Emissions From Residential and  
Commercial Wood Heaters**

2015 Wisconsin Act 303 (“the Act”) relates to state regulation of emissions from residential and commercial wood heaters.

### **BACKGROUND**

Wisconsin has been delegated authority to implement certain aspects of the federal Clean Air Act, while the U.S. Environmental Protection Agency (EPA) implements and enforces other aspects of the Clean Air Act. Under prior law, generally retained by the Act, if the EPA promulgates a performance standard for new stationary sources of air pollution, then the Wisconsin Department of Natural Resources (DNR) must promulgate a rule that contains a similar emission standard at the state level. [s. 285.27 (1), Stats.] The EPA issued a new performance standard for residential wood heaters on February 3, 2015.

### **2015 WISCONSIN ACT 303**

Notwithstanding the general requirement described above, the Act prohibits the DNR from taking certain actions relating to residential and commercial wood heaters. Under the Act, the DNR may not promulgate a rule, or enforce a federal regulation, that specifies a new source performance standard or other emission standard for residential or commercial wood heaters that is more stringent than any new source performance standard in effect on December 31, 2014.

*Effective date:* April 1, 2016

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.wisconsin.gov>.