

EXHIBIT 94
NEW HAMPSHIRE STATE BUILDING CODE
PROPOSED AMENDMENT

Proposed amendment submitted by:

Name: HB 1688 Sub-committee
Laura Black
Jonathan Osgood
Tim Dupont

Company/Jurisdiction: NH Building Code Review Board

Address: 33 Hazen Drive
Concord NH 03305

Telephone:

E-mail:

Applicable Code language (including section numbers): **2009 IMC Chapter 9**
SPECIFIC APPLIANCES, FIREPLACES AND
SOLID FUEL-BURNING EQUIPMENT

Current Code language: **None**

Proposed Code language: Add new definition to Section 202 General Definitions

BIOMASS FUEL. For use in this section, biomass fuels are defined as solid organic matter, not including woods derived from construction or demolition debris; wood that has been chemically treated; or agricultural crops or aquatic plants or byproducts from such crops or plants which have been used to rehabilitate a contaminated or brownfields site through a process known as “phytoremediation”. (Note: New language in italics.)

Or

BIOMASS FUEL. For use in this section, biomass fuels are defined in RSA 125-C:2 III-a.

~~*Any organic matter that is available on a renewable or recurring basis. It includes all plants and plant derived materials, including agricultural crops and trees, wood and wood residues, grasses, aquatic plants, animal manure, municipal residues, and other residue materials.*~~

Add new Section:

SECTION 928
SOLID FUEL-BURNING BOILERS

928.1 Solid Fuel-Burning Boilers. Solid Fuel-Burning Boilers listed and conforming to European Committee for Standardization 1999 EN 303-5, “Heating Boilers – Part 5: Heating Boilers for Solid-fuels, Hand and Automatically Stoked, Nominal Heat Output of

Up to 300 kW – Terminology, Requirements, Testing and Marking ”shall be permitted for biomass fuels when all data plates; warning labels; limits on temperature and pressure of relief valves; installation, operations, and maintenance manuals; all operating and safety gauges and controls; and construction and emissions specification documents are provided in English using U.S. customary system units of measurement. All pipe connections shall meet the North American ASTM standards for pipe and fittings. (Note: New language in italics.)

Add new Section:

SECTION 1004.1
SOLID FUEL-BURNING BOILERS

1004.1.1 Solid Fuel-Burning Boilers. *Solid Fuel-Burning Boilers listed and conforming to European Committee for Standardization 1999 EN 303-5 “Heating Boilers – Part 5: Heating Boilers for Solid-fuels, Hand and Automatically Stoked, Nominal Heat Output of Up to 300 kW – Terminology, Requirements, Testing and Marking” shall be permitted for biomass fuels when all data plates; warning labels; limits on temperature and pressure of relief valves; installation, operations, and maintenance manuals; all operating and safety gauges and controls; and construction and emissions specification documents are provided in English using U.S. customary system units of measurement. All pipe connections shall meet the North American ASTM standards for pipe and fittings. (Note: New language in italics.)*

Amend Section to add bracketed language:

SECTION 1003
PRESSURE VESSELS

1003.1 General. All pressure vessels shall be in accordance with the ASME Boiler and Pressure Vessel Code, **or with the European Committee for Standardization 1999 EN 303-5** shall bear the label of an *approved* agency and shall be installed in accordance with the manufacturer’s installation instructions. (Note: New language in bold italics.)

Amend Section to add:

IMC
CHAPTER 15
REFERENCED STANDARDS

CEN *European Committee for Standardization (Comité Européen de Normalisation)*

CEN-CENELEC Management Centre

Avenue Marnix 17

B-1000 Brussels

Tel: + 32 2 550 08 11

Fax: + 32 2 550 08 19

EN *European Standard*
(Note: New language in italics.)

Reason/Justification: The change is necessary to place into the New Hampshire State Building Code the actions of the New Hampshire General Court in Chapter Law 0326 adopted as HB1688 in session year 2010. That chapter law requires ‘...the state building code review board to adopt certain code requirements concerning biomass burning boilers which are inspected and subject to enforcement by the department of labor.’”

Fiscal Impact: This amendment will open the market to new choices of biomass boilers potentially reducing costs to consumers.

Code Board Action:

Date:

Approved: _____ Approved with modifications: _____ Not approved: _____

Modifications: