

Chapter 475

(House Bill 1140)

AN ACT concerning

**Natural Resources – Voluntary Firewood Treatment Certification Program
– Establishment**

FOR the purpose of establishing the Voluntary Firewood Treatment Certification Program in the Department of Natural Resources to certify forest product operators who export firewood to other states and use certain treatments to prevent the presence of certain pests and pathogens in the firewood products; and generally relating to firewood products.

BY adding to

Article – Natural Resources
Section 5–608.1
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Natural Resources

5–608.1.

(A) IN THIS SECTION, “FOREST PRODUCT OPERATOR” MEANS A PERSON ENGAGED IN A FOREST PRODUCTS BUSINESS WHO IS LICENSED UNDER § 5–608 OF THIS SUBTITLE.

(B) THERE IS A VOLUNTARY FIREWOOD TREATMENT CERTIFICATION PROGRAM IN THE DEPARTMENT.

(C) THE PURPOSE OF THE PROGRAM IS TO CERTIFY FOREST PRODUCT OPERATORS WHO EXPORT FIREWOOD TO OTHER STATES AND USE HEAT TREATMENT AND OTHER PROCEDURES TO PREVENT THE PRESENCE OF WOOD BORING PEST INFESTATIONS, WOOD INHABITING PESTS, AND PLANT DISEASE PATHOGENS IN THE FIREWOOD PRODUCTS.

(D) THE DEPARTMENT MAY ISSUE A CERTIFICATION TO A FOREST PRODUCT OPERATOR IF:

(1) THE FOREST PRODUCT OPERATOR SUBMITS A COMPLETE APPLICATION FOR THE CERTIFICATION ON A FORM PROVIDED BY THE DEPARTMENT; AND

(2) THE DEPARTMENT DETERMINES, ON INSPECTION, THAT THE FACILITY, EQUIPMENT, AND TREATMENT METHODS USED BY THE FOREST PRODUCT OPERATOR MEET THE CRITERIA FOR CERTIFICATION ESTABLISHED BY THE DEPARTMENT BY REGULATION.

(E) A CERTIFICATION ISSUED UNDER THIS SECTION:

(1) SHALL HAVE A TERM OF 1 YEAR;

(2) MAY INCLUDE ANY CONDITIONS THE DEPARTMENT CONSIDERS NECESSARY;

(3) MAY BE RENEWED IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE DEPARTMENT;

(4) MAY NOT BE TRANSFERRED; AND

(5) MAY BE SUSPENDED OR REVOKED BY THE DEPARTMENT FOR FAILURE TO COMPLY WITH:

(I) THE PROVISIONS OF THIS SECTION;

(II) A REGULATION ADOPTED BY THE DEPARTMENT UNDER THIS SECTION; OR

(III) A CONDITION OR REQUIREMENT OF THE CERTIFICATION.

(F) (1) AT LEAST ONCE ANNUALLY AND AT ANY OTHER TIME THAT THE DEPARTMENT CONSIDERS NECESSARY, THE DEPARTMENT MAY INSPECT THE FACILITY AND EQUIPMENT USED BY A FOREST PRODUCT OPERATOR CERTIFIED UNDER THIS SECTION.

(2) THE DEPARTMENT SHALL KEEP A REPORT OF EACH INSPECTION CONDUCTED UNDER THIS SUBSECTION.

(G) THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT OF AGRICULTURE, SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION, INCLUDING REGULATIONS THAT ESTABLISH:

(1) THE CRITERIA FOR CERTIFICATION UNDER THIS SECTION; AND

(2) THE PROCEDURES FOR SUSPENSION AND REVOCATION OF A CERTIFICATION ISSUED UNDER THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.

Approved by the Governor, May 16, 2022.