

HB1140_DNR_SUP_ENT_3-1-22.pdf

Uploaded by: Bunky Luffman

Position: FAV



Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary
Allan Fisher, Deputy Secretary

Bill Number: House Bill 1140

Short Title: Natural Resources -Voluntary Firewood Treatment Certification Program-Establishment

Department's Position: Support

Explanation of Department's Position

House Bill 1140 establishes a Voluntary Firewood Treatment Certification Program within the Maryland Department of Natural Resources (DNR or Department) to certify kiln treatment procedures for forest product operators who export firewood to other states.

The movement of firewood can be a significant pathway for the introduction and spread of invasive forest pests and pathogens. As such, many states have specific regulations pertaining to the treatment and movement of firewood. These regulations are based on heat-treatment standards that the U.S. Department of Agriculture (USDA) and the National Plant Board have developed prescribing the time and temperature that firewood must be exposed to disinfest all life stages of specific insects and pathogens.

Inspection and certification of kiln treatment procedures ensures that these standards are being met. The USDA Animal Plant Health Inspection Service provided inspection and certification services when the United States had a quarantine for emerald ash borer; however, their authorization to provide these services ended with the removal of the quarantine on January 14, 2021. Without certification, Maryland firewood producers have no path to comply with other states' regulations and therefore, cannot access regional and national markets for sales of products such as firewood bundles.

HB 1140 authorizes DNR to develop a kiln certification process in consultation with the Maryland Department of Agriculture and federal partners. The process would include, at a minimum, annual inspections of kilns and the kiln-operator procedures. Additionally, DNR would develop an approval label that could be affixed to the product to demonstrate that the products have been adequately treated in a certified kiln.

HB 1140 will have a positive impact on Maryland small businesses that sell firewood products and the broader forestry industry while also preventing the spread of invasive pests and pathogens.

For any additional information, please feel free to contact our Legislative and Constituent Services Director, Bunky Luffman.

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HB1140 - Natural Resources - Voluntary Firewood Tr

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Charlotte Davis, Executive Director

John Hartline, Chair

Testimony in Support of
House Bill 1140 Natural Resources - Voluntary Firewood Treatment Certification Program – Establishment
Environment and Transportation Committee
March 01, 2022

The Rural Maryland Council supports House Bill 1140 - Natural Resources - Voluntary Firewood Treatment Certification Program – Establishment. This bill will increase the market for Maryland’s foresters and prevent the spread of pests and disease by establishing the Voluntary Firewood Treatment Certification Program in the Department of Natural Resources which will certify forest product operators who export firewood to other states and use certain treatments to prevent the pests and pathogens in the firewood products

Through the Rural Maryland Prosperity Investment Fund, the RMC funded a project by the Upper Shore Regional Council for "heat treatment" designed to replace the hazardous fumigant methyl-bromide (Mbr), phosphene and sulfuryl fluoride in the treatment of high-value logs and other commodities for export. In 2016, the Port of Baltimore banned the use of Mbr, which continues to have a negative economic impact on foresters. The certification in HB-1140 would allow for those selling firewood to use a method like heat treatment to treat their products and still be able to sell outside of the State.

Certifying that a producer properly treats their products will allow them to sell outside of the State and creates more economic production. The goal is to enable the highest value raw forest products to re-enter the supply chain. This has direct favorable consequences across the industry, most recently measured to directly employ 8,000 workers and supports another 7,000. These workers made products and provided services resulting in \$3.4 billion of wealth creation. For the public’s benefit, these goods and services generated \$132.5 million in state and local taxes. (BEACON 2017). HB-1140 will assist in continuing to provide the economic impacts that forest products have in Maryland

The Rural Maryland Council respectfully requests your favorable support of House Bill 1140.

The Rural Maryland Council (RMC) is an independent state agency governed by a nonpartisan, 40-member board that consists of inclusive representation from the federal, state, regional, county and municipal governments, as well as the for-profit and nonprofit sectors. We bring together federal, state, county and municipal government officials as well as representatives of the for-profit and nonprofit sectors to identify challenges unique to rural communities and to craft public policy, programmatic or regulatory solutions.

“A Collective Voice for Rural Maryland”

HB1140-FAV-ENT-DEL ADAMS-VOLUNTARY FIREWOOD CERTIF

Uploaded by: Delegate Chris Adams

Position: FAV

CHRISTOPHER T. ADAMS
Legislative District 37B
Caroline, Dorchester, Talbot,
and Wicomico Counties

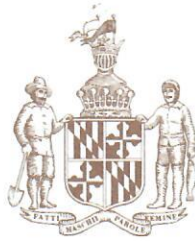
Economic Matters Committee

Subcommittees

Banking, Consumer Protection,
and Commercial Law

Business Regulation

Unemployment Insurance



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

HB 1140

Voluntary Firewood Certification Program-Establishment

- ***Why is the Bill being introduced?***

To replace a dry kiln certification program for the destruction of Emerald Ash Borer (EAB), which is being discontinued by the USDA.

- ***What does the Bill do?***

The bill establishes a voluntary dry kiln certification program that enables State-licensed forest operators a.k.a those who produce firewood for sale; to secure bona fide DNR certification by the State and not USDA, to sell firewood in those markets who want proof that EAB have been destroyed through the heat drying process.

- ***Why is it important to pass now?***

With USDA no longer certifying any dry kiln in America for its destruction of EAB, the states are left to themselves to do so in order to safely ship firewood to other states that want guaranteed protection that firewood being received is free of EAB.

JH Firewood Testimony.pdf

Uploaded by: Joe Hinson

Position: FAV

Statement of

Joseph M. Hinson, Maryland Licensed Forester #765

In Support of SB 695 and HB 1140

I'm a consulting forester, located in Salisbury, and I work for both companies currently manufacturing commercial firewood as well as those who are actively exploring the possibility.

A few comments about the kind of trees that make their way into commercial firewood. These are generally smaller, suppressed trees within stands of larger, more valuable timber. Most will drop out of the stand naturally over time. Utilizing them for firewood captures their value and allows foresters to concentrate growth on the more desirable trees left in the stand. A common logging prescription on the Eastern Shore is to thin pine stands and leave oaks and hickory which have high wildlife values and remove sweet gum or maple, which do not. This diversifies the stand and improves wildlife habitat. The other source of firewood logs is the huge volume of trees removed by tree care companies, to clear up storm damage or improve road or utility rights-of-way.

USDA APHIS has always certified that firewood dry kiln operations as adequate to control Emerald Ash Borer as part of its nationwide control strategy. The agency issued a compliance label to be attached as part of each shipment and this allowed the firewood to be transported across state lines and to states with formal ash borer control programs. This was also deemed adequate for states that didn't have emerald ash borer issues but were concerned about other pests like spotted lantern fly. However, USDA has stopped all regulatory programs for emerald ash borer including entering into compliance agreements with kiln operators and providing USDA certificates for heat treatment of hardwood firewood for emerald ash borer.

For the time being, USDA still certifies that firewood dry kilns in Maryland are operated at standards to control gypsy moths since Maryland is in a gypsy moth quarantine area. However, there have been indications that USDA will stop certifying dry kiln operations as adequate to control this pest, too, in favor of state regulations and kiln certifications. North Carolina is one state that has foreseen this possibility and developed its own program for firewood operations in that state.

Maryland has no authority to certify that kiln operations to dry or heat treat firewood as adequate to meet either federal pest control standards or those of other states. If USDA were to drop certifications for gypsy moth control, existing companies would immediately lose access to markets in at least eight states, and, since larger companies have no ability to control shipments to individual states, in practice, the company's wood could not cross state lines. This would end their operations.

The highest heat treatment to control plant pests on firewood shipments is 160 degrees F. for 75 minutes. Firewood dry kiln operations far exceed this (250 degrees for 36 hours). Kiln certifications by USDA include annual physical measurements of kiln temperatures accompanied by reviews of the company's computer-generated kiln records. It requires about a day of USDA staff time.

SB 695 and HB 1140 authorizes DNR to establish a voluntary program to certify that dry kilns for firewood are operated in a manner that meets federal and other state's requirement for heat treatment for pest control, just as USDA has traditionally done. This would not be a large program, requiring only some training of the appropriate staff person and one or two site visits per year, a small but vital program. It will allow continued operation of existing operations and remove an instant, insurmountable barrier to those in western Maryland who might enter this market.

Forestry's Testimony in Support of Firewood Certif

Uploaded by: william miles

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ASSOCIATION OF FOREST INDUSTRIES, INC.

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SUPPORT FOR HOUSE BILL 1140

VOLUNTARY FIREWOOD CERTIFICATION PROGRAM -- ESTABLISHMENT

March 1, 2022

The Maryland Forests Association and the Association of Forest Industries – Maryland’s two leading voices for the forest products industry, inclusive of landowners, sawmills, loggers, consultants, and primary/secondary manufacturers – support House Bill 1140.

Early last year, USDA ceased certifying that commercial dry kiln operations for firewood were adequate to control the spread of Emerald Ash Borers (EAB). This pest has spread throughout the Northeast and efforts to mitigate its spread have largely proven ineffective. Consequently, USDA is turning most control measures, including the certification of firewood dry kilns, over to the states. Currently, Maryland has no such program and no statutory authority to create one. The lack of such a program will be an instant barrier to those who might want to enter the commercial firewood market and will drastically limit shipments of firewood to important market areas for existing producers.

For now, USDA continues to certify firewood dry kiln operations as sufficient to control gypsy moths in gypsy moth quarantine areas which includes Maryland. That provides some ability to continue out of state shipments, but USDA is indicating that they may soon discontinue this service as well. In addition, spotted lantern fly has been found in Maryland and surrounding states will almost certainly require adequate control measures before wood products can be shipped from areas with this serious pest. Kilns used to dry lumber or heat treat pallets are already certified by private organizations or federal agencies as adequate for pest control. Commercial firewood operations remain vulnerable, however. HB 1140 will correct this by authorizing the Maryland DNR to initiate a small but effective effort to monitor firewood dry kiln operations and certify that they meet individual state and federal requirements for pest control, including spotted lantern fly. This will assure continued operation of existing firms and pave the way for new entries into the commercial firewood marketplace.

The program authorized by HB 1140 is voluntary, applying only to those operators with commercial firewood dry kilns who would like state certification. Smaller operators without kilns will continue to use other “best practices” to control pests and they also typically do not ship outside the state. They will be unaffected, as will lumber mills and pallet operations with dry kilns that produce other wood products.

In the final analysis, support of House Bill 1140 is support for a rural resource-based industry and its measurable jobs/taxes, thus benefiting Maryland’s State and local economy.

Respectfully,

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