



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

Compliance Advisory

November 10, 2011

Notice: Wood-Burning Devices Approved for Sale or Installation

This Advisory is provided to inform you about activities of the Air District which may affect your operation. It is intended to assist you in your effort to achieve and maintain compliance with applicable air pollution regulations.

ATTENTION: SELLERS, MANUFACTURERS AND INSTALLERS OF NEW AND USED HEARTH PRODUCTS AND WOOD STOVES

SUBJECT: APPROVED WOOD-BURNING DEVICES FOR SALE OR INSTALLATION

On July 9, 2008 the Bay Area Air Quality Management District (Air District) adopted Regulation 6, Rule 3: Wood-burning Devices to reduce harmful particulate matter from wood-burning devices. In order to reduce air pollution, among other requirements, the regulation prohibits the burning of any solid fuels during a *Winter Spare the Air* alert. The rule also requires that no person shall manufacture, sell, offer for sale or resale, supply, install or transfer a new or used wood-burning device unless it is one of the following:

1. A U.S. EPA Phase II certified wood-burning device; or
2. A pellet-fueled device; or
3. Listed on the Air District's list of approved devices.

Currently, the only devices approved for use within the Air District are either pellet-fueled or are included on the list of U.S. EPA *certified* wood-burning devices at: <http://www.epa.gov/burnwise/woodstoves.html>

Gas-fueled fireplaces and logs, gas inserts and electric fireplaces are also allowed. *There is no requirement for owners to replace existing fireplaces or woodstoves when a house or property is sold or transferred.*

In addition, sellers, manufacturers and installers must also provide:

- Awareness information in the form of pamphlet, brochure or fact sheet to the customer that explains the following:
 1. Proper installation, operation (including the prohibition of wood burning during a *Winter Spare the Air* alert) and maintenance of the wood-burning device;
 2. Health effects of wood smoke including the following statement: **“Wood smoke contains harmful particulate matter (PM) which is associated with numerous negative health effects”**; and
 3. Includes documentation that any wood-burning device sold is EPA-certified.




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U.S. EPA also has an alternative voluntary program for fireplaces. **Devices listed under U.S. EPA's cleaner fireplace voluntary program are NOT approved for installation within the Air District.** These wood-burning devices that are "qualified" under the EPA's Voluntary Fireplace Program are not certified per U.S. EPA's Residential Wood Heater New Source Performance Standard (NSPS) Rule. Currently there are no qualified fireplaces or other wood-burning devices approved for use within the Air District. Any of these wood-burning devices that may be installed are illegal under the rule; violators may be subject to citations which include financial penalties.

These requirements apply to new device installations in new construction as well as remodels. If a remodel alters or moves an existing device's firebox and/or requires a building permit, then the remodel is considered a new installation and currently only pellet-fueled or U.S. EPA-certified devices can be installed. These requirements also apply to the sale, resale, supply or transfer of a new or used wood-burning device intended for use within the Air District.

For more information regarding the specifics of Regulation 6, Rule 3: Wood-burning Devices please go to <http://www.baaqmd.gov/rules>.

More information can be obtained from the following:

-  For questions about this advisory contact Eric Pop, Air Quality Specialist, at epop@baaqmd.gov or (415) 749-5172.
-  For a copy of the Air District's rules, see <http://www.baaqmd.gov/rules>.
-  For compliance assistance, call the Compliance Counselor Hotline at: (415) 749-4999.

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