



Compliance and Enforcement Division
January 25, 2011
Compliance Advisory
Solid Fuel Labeling - Interim Alternative Compliance Option

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: COMPANIES THAT SELL OR PROVIDE FIREWOOD OR SOLID FUEL FOR USE IN WOOD-BURNING FIREPLACES OR STOVES

SUBJECT: SOLID FUEL LABELING REQUIREMENT

NOTICE: Implementation was delayed by litigation; the Air District prevailed in the litigation regarding the solid fuel labeling requirement.

On July 9, 2008 the Bay Area Air Quality Management District (Air District) adopted Regulation 6, Rule 3: Wood-burning Devices. Among the requirements, the rule requires labels on each package of solid fuel or wood sold or provided for use within the Bay Area. Solid fuels include but are not limited to the following:

- Firewood or wood
- Any manufactured logs (such as DuraFlame)
- Any pressed logs (such as Presto Logs)
- Other fire logs (such as EnviroLog and JavaLog)
- Any solid or semisolid fire starters
- Pellets (wood-based or plant-based)

Pursuant to Regulation 6, Rule 3, Section 404.1: Labeling for Solid Fuel or Wood Sale requires each package of solid fuel sold or provided for use in a wood-burning device within Air District boundaries must be labeled with the following language **as of December 16, 2010** (see reverse side for sample labels which are formatted to be printed on standard 1" by 4" size mailing labels for your use):

"Use of this and other solid fuels may be restricted at times by law. Please check 1-877-4NO-BURN or <http://www.8774NOBURN.ORG> before burning."

The requirement to label "each package" means that the smallest unit of product that is intended for sale shall be labeled. For product that can be sold either as individual units or in boxes containing multiple units, the individual units must be labeled. There is no requirement to label the box containing units that are labeled and packaged for individual sale.

Until April 10, 2011, retailers may use the following Interim Alternative Compliance Option (IACO). Under the IACO, the retailer may comply with 6-3-404.1 by:

1. Posting signs containing the required label information every two linear feet of shelving or floor space that holds solid fuel product; and
2. Providing loose leaflets, coupons or labels that contain the compliance information next to product so that customers may take the label information with them.

The IACO expires on April 10, 2011. As of that date, each package of solid fuel sold must be labeled in compliance with 6-3-404.1.

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

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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