

**Note: The meeting will begin at 11:00 AM, not 9:45 AM as listed
in the Public Notice**



PUBLIC HEARING NOTICE

May 28, 2008

TO: INTERESTED PARTIES
FROM: EXECUTIVE OFFICER / APCO
SUBJECT: **PUBLIC HEARING: PROPOSED NEW REGULATION 6: PARTICULATE MATTER, RULE 3: WOOD-BURNING DEVICES; PROPOSED AMENDMENTS TO REGULATION 1: GENERAL PROVISIONS AND DEFINITIONS; REGULATION 5: OPEN BURNING; AND CERTIFICATION OF A CEQA EIR**

On **Wednesday, July 9, 2008**, the Board of Directors of the Bay Area Air Quality Management District will conduct a public hearing to consider adoption of a new rule, proposed **Regulation 6: Particulate Matter, Rule 3: Wood-burning Devices**, and to consider certification of a California Environmental Quality Act (CEQA) Environmental Impact Report (EIR). The hearing will be held in the 7th floor Board Room of the District Office, 939 Ellis Street, San Francisco. **District Board meetings begin at 9:45 a.m.**

Regulation 6, Rule 3 would regulate PM_{2.5} (particulate matter of 2.5 microns in diameter or less) from wood stoves and fireplaces not used for essential heating.

The proposed rule for wood-burning devices would:

- Restrict operation of any indoor or outdoor fireplace, fire pit, wood or pellet stove, masonry heater or fireplace insert on specific days during the winter when air quality is forecast to exceed the National Ambient Air Quality Standard for PM_{2.5} (35 micrograms per cubic meter);
- Limit excessive visible emissions from wood-burning devices;
- Require cleaner burning technology (EPA Phase II certified wood-burning device, pellet stove, approved low-mass fireplace or masonry heater) when wood-burning devices are sold, resold or installed;
- Require cleaner burning technology (EPA Phase II certified wood-burning device, pellet stove, approved low-mass fireplace or masonry heater) if wood-burning devices are permitted for installation in new building construction;
- Prohibit the burning of garbage, plastics and other inappropriate types of materials;
- Require disclosure of the moisture content on wood sold for use within District, including instructions on how to dry wood if it has a moisture content greater than 20 percent by weight.

- Require a warning label on packages of wood and other solid fuels (such as pressed logs and pellets) stating the use of the product can be harmful to public health and a message to check Air Quality status before burning these products.

Additionally, the following regulations would be amended:

Regulation 1, General Provisions and Definitions, would delete the language that currently excludes “residential heating” from any regulation to allow for the adoption of proposed Regulation 6, Rule 3, in order to regulate indoor wood-burning devices.

Regulation 5, Open Burning, would be amended to restrict operation of outdoor recreational fires when air quality is forecast to exceed the National Ambient Air Quality Standard for PM_{2.5} (35 micrograms per cubic meter).

Pursuant to the California Environmental Quality Act (Public Resources Code § 21000 et seq.), an initial study and draft Environmental Impact Report (EIR) for the proposed amendments has been conducted, concluding that the proposed amendments would not have any significant adverse environmental impacts. The draft EIR was posted for review and comment on May 5, 2008. **Written comments on the draft EIR will be accepted until 5:00 p.m. on Wednesday, June 18, 2008.**

Comments on the proposed rule and draft EIR should be directed to Eric Pop, Air Quality Specialist, Bay Area Air Quality Management District, 939 Ellis Street, San Francisco, California, 91409, telephone (415) 749-5172, fax (415) 928-0338, or e-mail at epop@baaqmd.gov. **Written comments on the proposed rule will be accepted until 5:00 p.m. on Friday, June 27, 2008.**

PUBLIC TRANSPORTATION

MUNI -- #47 AND 49 NORTH AND SOUTH ON VAN NESS AVENUE

BART -- CIVIC CENTER STATION 8TH AND MARKET STREETS

Attendees are encouraged to ride public transit, rideshare, bicycle, walk or use other non-motorized modes to and from the District.