

### Air District Proposals to Regulation 6, Rule 3: Wood Burning Devices

|   | Current Reg 6-3 Requirements   | Air District Proposed Changes   | Rationale  |
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| <b>Exemptions</b>   |  |   |  |
| <b>Only Source of Heat</b>                                  | Limited Exemption, Only Source of Space Heat:<br>The requirement of Section 6-3-301 shall not apply to any person whose only source of heat for residential space heating is a wood-burning device. A person claiming this exemption cannot have use of another form of functioning space heating.   | A wood burning device may be used during a mandatory burn ban if the device is the only source of heat in a residential dwelling and the device is EPA certified. A person claiming this exemption is required to register the EPA certified device in the District's registration program and submit records to the District for verification.<br><br>(Effective November 1, 2016)       | EPA certified devices emit approximately 80% less PM 2.5 emissions than uncertified wood burning devices. This exemption provides relief for those residences that have no alternative form of heat. (e.g. natural gas, electric or propane).  |
| <b>Non-Functional, Permanently Installed Heating Device</b> | NEW  | Residential dwellings (excluding commercial and residential rental properties) that have a non-functional, permanently installed heating device may receive a temporary exemption from a mandatory burn ban if repairs are completed in 30 days and submission of all repair documentation is submitted to the District within 10 days of completion.<br><br>(Effective November 1, 2015) | A functional heating device is vital to any home during the winter. This temporary exemption accounts for unforeseeable occurrences when a permanently installed heating system becomes inoperable and needs repair. A temporary exemption may be granted by the District if repairs are completed promptly and all documentation of repairs have been submitted to the District for verification. |
| <b>Loss of Electric Power and/or Natural Gas</b>            | Limited Exemption, Electrical Power Service Unavailability:<br>The requirements of Section 6-3-301 shall not apply to any person in an area where electrical power service is not available (which includes temporary service outages), as determined by electrical utility service to an area or household.   | The use of a wood burning device is allowed during a mandatory burn ban when there is loss of electric power and/or natural gas as determined by the utility service providers.<br><br>(Effective November 1, 2015)   | A temporary exemption provides relief during periods of gas and/or electric utility service outages. This temporary exemption allows the use of all types of wood burning devices (certified or uncertified) if there is no alternate form of heating due to the utility service outage.   |
| <b>Definitions</b>  |  |   |  |
| <b>Mandatory Burn Ban</b>                                   | <p>Curtailed Period: Any period declared to the public by the APCO when a negative impact upon public health is anticipated, resulting from PM2.5 levels forecast to exceed 35 micrograms/m<sup>3</sup>. Members of the public can verify status of a curtailment through the following methods:</p> <ul style="list-style-type: none"> <li>• Listen to Local TV or Radio News</li> <li>• Call 1-800-HELP-AIR; or</li> <li>• Check <a href="http://www.sparetheair.org">www.sparetheair.org</a></li> <li>• Check <a href="http://www.baaqmd.gov">www.baaqmd.gov</a></li> </ul> | A mandatory burn ban is declared to prevent regional wood smoke accumulation when a PM2.5 level is anticipated to exceed an unhealthy level within the next 3 days.   | The District forecasts mandatory burn bans to prevent regional wood smoke accumulation. This proposal ensures the regulatory definition is consistent with how the Air District currently forecasts and declares a burn ban.   |

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| <b>Standards</b>   |   |   |   |
| <p><b>Sales and Manufacturing of Heating Devices</b></p> | <p>Criteria for Sale, Resale or Installation of Wood-burning Devices: Effective January 1, 2009, no person shall sell, offer for sale or resale, supply, install, or transfer a new or used wood-burning device intended for use within the District boundaries unless it is one of the following:</p> <ul style="list-style-type: none"> <li>303.1. U.S EPA Phase II certified wood-burning device;</li> <li>303.2. Pellet-fueled device;</li> <li>303.3. A low mass fireplace, masonry heater or other wood-burning device of a make and model that meets EPA emission targets and has been approved in writing by the APCO.</li> </ul> | <p>All new EPA certified wood burning devices manufactured and sold must meet or exceed new NSPS standards:</p> <ul style="list-style-type: none"> <li>• Effective 60 days after new NSPS standards are published in the Federal Register: <ul style="list-style-type: none"> <li>○ 4.5 g/hr for catalytic and non-catalytic stoves using crib test or cordwood test. If cordwood testing is conducted, the manufacturer must supply the emissions test method to EPA and the test method must be approved.</li> </ul> </li> <li>• Effective 5 years after the date of the final rule, the following new NSPS standards apply: <ul style="list-style-type: none"> <li>○ 2.0 g/hr for catalytic and non-catalytic stoves using crib test.</li> <li>○ 2.5 g/hr for catalytic and non-catalytic stoves using cordwood test. The manufacturer must supply the emissions test method to EPA and the test method must be approved.</li> </ul> </li> </ul> <p>Wood stove retailers will be allowed to sell existing inventory of EPA certified devices rated 4.6 g/hr- 7.5 g/hr until December 31, 2015.</p> | <p>The U.S. EPA updated its clean air standards for residential wood heaters to make new heaters significantly cleaner and improve air quality. The District is required to adopt these federal standards for the manufacturing and sales of new wood heaters.</p>  |
| <p><b>Sale or Transfer of Real Property</b></p>          | <p>NEW</p>  | <p>Real estate property may not be sold or transferred if it includes an uncertified wood burning device. The seller may decommission the uncertified device or may replace it with gas-fueled, electric, or EPA Certified devices that meet or exceeds new NSPS standards.</p> <p>(Effective November 1, 2016)</p>   | <p>The District estimates that 3% of homes in the Bay Area are sold each year and effectively, property turnovers would occur every 30 years. A requirement to transition and replace uncertified wood burning devices and install EPA certified heaters will ensure regional emissions reduction of PM 2.5 over the next 30 years.</p> |
| <p><b>Fireplace or Chimney Remodels</b></p>              | <p>Criteria for Wood-burning Devices in New Building Construction: Effective for construction permits issued after January 1, 2009, no person or builder shall commence construction of a new building or structure permitted to contain or containing a wood-burning device or install a new wood-burning device resulting from a remodel unless the device meets the requirements of Section 6-3-303. Any gas-fueled heating device or electric-powered heating device is allowed under this standard.</p>  | <p>Upon remodeling a fireplace or chimney, an uncertified wood burning device must be replaced with a device that is gas-fueled, electric or EPA certified that meets or exceeds new NSPS standards. This requirement is triggered by any fireplace or chimney remodeling activity that requires a local building permit.</p> <p>(Effective November 1, 2015)</p>   | <p>The District is clarifying the standard for wood burning devices for remodels of the chimney or fireplace, as triggered by a local building permit. This requirement is consistent with the District's goal to achieve regional emissions reduction of PM 2.5 through transitioning to clean burning heaters.</p>                    |

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| <b>Commercial and Residential Rental Property</b> | NEW   | All commercial and residential rental properties must have an alternate form of heat that does not burn solid fuel and all wood burning devices must be EPA certified or be replaced with gas-fueled or electric devices.<br><br>(Effective November 1, 2016)  | A requirement to transition and replace uncertified wood burning devices and install EPA certified heaters will ensure regional emissions reduction of PM 2.5.  |
| <b>New Building Constructions</b>                 | Criteria for Wood-burning Devices in New Building Construction: Effective for construction permits issued after January 1, 2009, no person or builder shall commence construction of a new building or structure permitted to contain or containing a wood-burning device or install a new wood-burning device resulting from a remodel unless the device meets the requirements of Section 6-3-303. Any gas-fueled heating device or electric-powered heating device is allowed under this standard. | New building constructions may only install gas-fueled or electric devices. Installation of devices that burn solid fuel is prohibited.<br><br>(Effective November 1, 2015)  | Transitioning to only the cleanest heating devices in new building constructions will achieve regional PM 2.5 emissions reduction.  |
| <b>Visible Emissions Limitation</b>               | Visible Emissions Limitation: No person shall cause or allow a visible emission from any wood-burning device in any building or structure that exceeds No. 1 on the Ringelmann Chart or 20 percent opacity for a period or periods aggregating more than six consecutive minutes in any one-hour period. Visible emissions from the startup of a new fire for a period not to exceed twenty consecutive minutes in any consecutive four-hour period are not subject to this provision.                | Following a 20 minute start-up allowance for new fires, visible emissions of greater than 20% opacity and aggregate to 3 minutes in any hour is considered an exceedance of the standard.<br><br>(Effective November 1, 2015)  | The goal is to amend the visible emissions standard to be consistent with District Regulation 6, Rule 1 (General Requirements for Sources of PM) while allowing a 20 minute start-up allowance for new fires. |
| <b>Administrative Requirements</b>                |   |  |   |
| <b>Registration</b>                               | NEW   | Registration - All residential properties claiming Only Source of Heat Exemption must have a registered EPA certified device. <ul style="list-style-type: none"> <li>• Type of Device(s)</li> <li>• # of Device(s)</li> <li>• Make, Model and Serial # of Device(s)</li> <li>• Manufacture Date(s)</li> </ul> (Effective November 1, 2016) | A registration program for claimants requesting Only Source of Heat Exemption using EPA certified devices will allow the District to inventory emissions and address localized health impacts.                |