ATTENTION: CITY/COUNTY BUILDING AND PLANNING DEPARTMENTS

SUBJECT: APPROVED WOOD-BURNING DEVICES FOR INSTALLATION

On July 9, 2008 the Bay Area Air Quality Management District (Air District) adopted Regulation 6, Rule 3: Wood-burning Devices. Sections 303 and 304 of the rule require that only wood-burning devices that are approved by the Air District can be installed. Currently, the only devices approved for installation 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

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 have "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. Any of these wood-burning devices that are installed are illegal under the rule; violators may be subject to citations which include financial penalties.

These requirements apply to new device installations 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 the 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.

Brian Bateman
Director of Compliance and Enforcement
Bay Area Air Quality Management District