

YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT

RULE 2.40 - WOOD BURNING APPLIANCES

(Adopted December 8, 2004)

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100 GENERAL

101 **PURPOSE:** To manage the emissions of particulate matter, carbon monoxide, and other air contaminants from wood burning appliances.

102 **APPLICABILITY:** This rule applies to the following:

102.1 Any person who manufactures, sells, offers for sale, operates or installs a wood burning appliance.

102.2 Any person who sells, offers for sale, or supplies wood intended for burning in a wood burning appliance.

110 **EXEMPTIONS - GENERAL:** The provisions of this rule shall not apply to the following:

110.1 Appliances that are exclusively fired with a gaseous fuel.

110.2 Cookstoves.

200 DEFINITIONS

201 **AIR POLLUTION CONTROL OFFICER (APCO):** The Air Pollution Control Officer of the Yolo-Solano Air Quality Management District, or his or her designee.

202 **COOKSTOVE:** Any wood fired appliance primarily for cooking food as described in Code of Federal Regulations 60.531.

203 **EXISTING DEVELOPMENT:** Any residential or commercial, single or multi-building unit, for which construction is complete.

204 **FIREPLACE:** Any permanently installed masonry or factory built device designed to operate at an air-to-fuel ratio greater than or equal to 35-to-1.

205 **GARBAGE:** Any solid, semisolid, and liquid wastes generated from residential, commercial, and industrial sources, including trash, refuse, rubbish, industrial wastes, asphaltic products, manure, vegetable or animal solid or semisolid wastes, and other discarded solid or semisolid wastes.

206 **MANUFACTURER:** Any person who constructs or imports a wood burning appliance.

- 207 **NEW DEVELOPMENT:** Any residential or commercial, single or multi-building unit, which begins construction on or after January 1, 2006. Construction begins when the foundation for the structure is started.
- 208 **PAINTS:** Any exterior and interior house and trim paints, enamels, varnishes, lacquers, stains, primers, sealers, undercoatings, roof coatings, wood preservatives, shellacs, and other paints or paint-like products.
- 209 **PAINT SOLVENTS:** All original solvents sold or used to thin paints or to clean up painting equipment.
- 210 **PELLET-FUELED WOOD BURNING HEATER:** Any wood burning heater which operates on pellet fuel and is either U.S. EPA-certified or is exempted under U.S. EPA requirements set forth in Part 60, Title 40, Subpart AAA Code of Federal Regulations.
- 211 **SEASONED WOOD:** Wood of any species that has been sufficiently dried so as to contain 20 percent or less moisture by weight.
- 212 **SOLID FUEL:** Any wood or any other non-gaseous or non-liquid fuel.
- 213 **TREATED WOOD:** Wood of any species that has been chemically impregnated, painted, or similarly modified to improve resistance to insects or weathering.
- 214 **U.S. EPA:** The United States Environmental Protection Agency.
- 215 **U.S. EPA Phase II Certified:** Any appliance certified by the U.S. EPA, that the unit meets the performance standards set forth in Part 60, Title 40 Subpart AAA Code of Federal Regulations.
- 216 **WASTE PETROLEUM PRODUCT:** Any petroleum product other than gaseous fuels that has been refined from crude oil, and has been used, and as a result of use, has been contaminated with physical or chemical impurities.
- 217 **WOOD BURNING APPLIANCE:** Any fireplace, wood burning heater, or pellet-fired wood heater, or any similar enclosed device burning any solid fuel used for aesthetic or space-heating purposes, which has a heat input of less than one million British thermal units per hour.
- 218 **WOOD BURNING HEATER:** An enclosed, wood burning appliance capable of and intended for space heating as described in Code of Federal Regulation 60.531(i.e. a wood stove or fireplace insert).

300 STANDARDS

- 301 **WOOD BURNING APPLIANCES:** No person shall sell, offer for sale, supply or install any wood burning appliance in a new or existing development that is not one of the following:
- 301.1 A pellet-fueled wood burning heater.
 - 301.2 A U.S. EPA Phase II Certified wood burning heater.
 - 301.3 An appliance or fireplace determined to meet the U.S. EPA particulate matter emission standard of less than 7.5 grams per hour for a noncatalytic wood fired appliance or 4.1 grams per hour for a catalytic wood fired appliance and is approved in writing by the APCO.
- 302 **OPERATION OF WOOD BURNING APPLIANCES:** All wood burning appliances shall be installed and operated according to the manufacturer's specifications. Any U.S. EPA approved wood burning appliance which has been altered, installed, or disassembled in anyway not specified by the manufacturer, or is operated in any manner that would result in emissions exceeding the U.S. EPA standard set forth in Part 60, Title 40, Subpart AAA Code of Federal Regulations, shall be considered a non U.S. EPA compliant appliance.
- 303 **PUBLIC INFORMATION:** Retailers selling or offering for sale new wood burning appliances, shall supply public education information with each sale of a wood burning appliance in the form of pamphlets, brochures or fact sheets on the following topics:
- 303.1 Proper installation, operation, and maintenance of the wood burning appliance,
 - 303.2 Proper fuel selection and use,
 - 303.3 Health effects from wood smoke, and
 - 303.4 Proper sizing of wood burning appliances.
- Public information shall be subject to the review and approval of the APCO.
- 304 **FUEL LIMITATIONS:** No person shall sell, offer for sale, or supply any wood which is orally, or in writing, advertised, described, or in any way represented to be "seasoned" or "dry" wood unless the wood has a moisture content of 20 percent or less by weight.

- 305 **PROHIBITED FUEL TYPES:** Except for commercial products expressly manufactured for starting a fire in a wood fired appliance, no person shall cause or allow any of the following materials to be burned in a wood burning appliance:
- 305.1 Garbage,
 - 305.2 Treated wood,
 - 305.3 Plastic products,
 - 305.4 Rubber products,
 - 305.5 Waste petroleum products,
 - 305.6 Paints and paint solvents,
 - 305.7 Coal,
 - 305.8 Glossy or colored paper,
 - 305.9 Particle board,
 - 305.10 Any other material not intended by a manufacturer for use as fuel in a solid fuel burning device.

400 ADMINISTRATIVE REQUIREMENTS

- 401 **COMPLIANCE REPORT:** Upon request, a manufacturer shall submit to the Air Pollution Control Officer a Compliance Report that demonstrates compliance with Section 301 of this Rule for each wood burning appliance subject to the provisions of this Rule or claiming exemption. The report shall contain all the following information.
- 401.1 **General Information:**
 - a. Name and address of manufacturer,
 - b. Product model identification
 - c. Description of the model
 - 401.2 **Test Report:**
 - a. All compliance test procedures and results for each model, and
 - b. All calculations for determining compliance of each model, or

- c. Explanation of the reason the product is exempt from U.S. EPA certification or is classified as a non-affected facility.

500 MONITORING AND RECORDS

501 **TEST METHODS:** The test methods listed below are approved for use to demonstrate rule compliance.

501.1 **Air-to-fuel ratio:** The standard for determining air/fuel ratios for combustion in wood burning appliances is U.S. EPA's test procedure set forth in Part 60.534, Title 40, Code of Federal Regulations.

501.2 **Moisture Content:** Moisture content of wood shall be determined by the American Society for Testing and Materials (ASTM) Test Method D 4442-92.