



2/7/13

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**Hearth Industry Comments on the Proposed Revision of SCAQMD Rule 445**  
**John Crouch, Director of Public Affairs, HPBA**  
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Gentlemen:

The Hearth, Patio & Barbecue Association (HPBA) is the North American trade association for all products and services related to Hearth products. In partnership with our local affiliate association, the HPBA Pacific chapter, we appreciate the opportunity to provide these comments during the proposed revision of Rule 445.

We wish to incorporate by reference comments from Mr. Chris Caron of Duraflame Corp, which are attached. Duraflame is the undisputed leader in the distribution of solid fuel, wood-wax firelogs. We strongly support Mr. Caron's comments on labeling. It is imperative that the SCAQMD utilize the same label, web site, and 800 system as that established, and required by the BAAQMD. Both air districts have a consistent goal; to increase public awareness of episodic, "no-burn" programs. These goals are best served by a single notice on each package. Multiple messages for separate air districts, complicates the information on the packages and will diminish the attention consumers pay to this message. The District's interests are best served by utilizing the BAAQMD's label and system.

With regards to the proposal to extend the episodic "no-burn" announcements to the entire district based on the PM levels at individual monitors, we have conceptual concerns about the commitment that the District made to CARB and the EPA. We understand that this was deemed necessary in order to obtain approval of the AQMP, particularly as it pertains to the extension of the episodic control program. We are very concerned that this effort will not be successful, based in part on the District's exemption of low income households from the "no-burn" program. The irony of creating a broad exemption for low income households from a no-burn program which will most often be triggered by a PM 2.5 monitor site which is sited in a Low Income community is interesting. Although there may be some interbasin transport, the monitor will clearly be impacted most strongly by low level PM from the surrounding neighborhoods that may contain many, many households which will be able to ignore the no-burn program. Unless the District undertakes a VERY targeted program for the Mira Loma/Jurupa Valley area, this 'catch-22' no-burn program may take a long time to produce reductions in the 24 hour PM 2.5 numbers. This targeted program must include more Spanish language outreach for these households, as suggested by the fact that the elementary school which is the monitoring site classifies 48% of their students as English Language Learners.



Notwithstanding this conundrum, related to the extension of the “no-burn” program we believe the revision of this rule offers an opportunity for the District to address some shortcomings in the original Rule 445/Incentive program process. Specifically:

1. The rule can best reduce the potential wood burning impact of new homes, above 3,000’ by allowing the use of EPA Qualified Fireplaces as an option to EPA Certified woodstoves. USEPA has approved 22 models from 7 manufacturers to their standard, which was specifically designed for fireplaces. Much attention has been paid to the fact that these products do not meet the requirement of a woodstove, (on a grams/hour basis) and indeed cannot, since they are not wood stoves. Far less attention this been paid to the fact that these products do a fine job of burning a short, hot fire, and then going out. This was demonstrated when two of these products, along with one retrofit, were burned during the AQMP Open House in the interior courtyard of the District. These units burned for two to three hours and went out, which is what a fireplace should do. EPA certified wood stoves often burn eight hours or more on a single load of fuel. A household with an EPA stove will be much more likely to use the 1.2 cords per year referenced in the District’s original emission inventory (EI), whereas a household above 3,000’ with a qualified fireplace would be hard pressed to burn the .6 cords the EI assigned to fireplace users unless they wanted to routinely refuel the fire after midnight. The Qualified fireplace is a better product for a modern home above 3,000’ in many cases and will encourage less wood use per household than the EPA certified woodstoves.

2. Although the incentive program is not a specific part of the rule, it has always been an important component of the District’s wood smoke reduction strategy. Gas logs have been the only component of this incentive program and we believe that the program should be expanded to offer more options to reduce wood smoke, including gas assisted EPA qualified retrofits for wood burning fireplaces. Many households still prefer the use of wood (estimated millions of wood burning fireplaces in Southern California). Gas logs currently receive an incentive amount of \$150 per log set. The qualified gas enhanced retrofit program would like to partner with both the SCAQMD, and the local gas utility, to establish a \$100 incentive to homeowners who wish to add a gas assisted retro fit device to their wood burning fireplace to reduce emissions and decrease health risks associated with inhaling wood smoke.

Gas logs are a wonderful option for many families in the basin, provided they have natural gas service and that it specifically extends to their fireplace .

Not all families have gas service, particularly in the western Riverside County area, and some that do have this service, do not have it to their fireplace. For families that live in areas without service we believe that options such as the EPA Qualified Catalytic retro fit and Alcohol Fuel systems should be included in the Incentive program. For families that would still like to burn and have gas, the gas assisted retrofit is a good option. A variety of options in the incentive program will reduce wood smoke more quickly by involving more households, including those who would like to adopt cleaner technology.



3. The District's public education program should utilize more of the USEPA's Burn Wise messaging.

The Team at OAQPS is not focused on the easy households, the households who will listen to a video on an Air District's web site, and immediately change their family's patterns. Burn Wise is designed to seduce (for want of a better word) the most irrational, incorrigible homeowners, into considering the impact of their burning, and challenging them to take some steps to reduce their wood smoke contribution. Even more important for an air district as large as SCAQMD, Burn Wise is designed to be non-confrontational, which may motivate behavior changes that minimize the need for enforcement.

Of course, if the District has the resources to send hundreds of enforcement personnel door to door (especially in western Riverside County), then the quality of their education program may not matter. I doubt that this is the case, however. As indicated earlier, the primary region of interest for this program, western Riverside County, needs a multi-language approach to public education, and should be non-confrontational.

In summary, we believe that the district can move to the next level in their wood smoke reduction program with an improved rule, a better incentive program, and a more thoughtful public education program. We welcome an opportunity to discuss any of these ideas.



Proposed Revisions for SCAQMD Rule 445 – Wood Burning Devices  
Revisions by Chris Caron, Duraflame, Inc.  
2/7/13

**(c) Definitions**

REVISION (1) - COMMERCIAL ~~FIREWOOD~~ SOLID FUEL SELLER means any operation that has a business license that sells, or offers for sale, packaged, bundled, or bulk firewood, manufactured firelogs, or wood pellets.

REVISION (6) (A) Means any calendar day or consecutive calendar day's period of time during the wood burning season.....

REVISION (14) ..... This definition does not apply to solid fuel intended for cooking of food, such as charcoal or cooking wood chunks or chips.

NEW (23) Alcohol Fueled Fireplace or Burner Device – means any indoor or outdoor fireplace or burner device used for aesthetic or space heating purposes that is fueled exclusively with a liquid or gel form of alcohol.

NEW (24) US EPA Phase 2 Qualified Wood Burning Fireplace Retrofit Device means an aftermarket retrofit device that is installed into new or existing wood-burning fireplace for the primary purpose of reducing wood smoke emissions from fireplaces. Based on testing by an independent accredited laboratory US EPA has determined that the retrofit device qualifies at the Phase 2 emissions level for the US EPA Voluntary Fireplace Program.

**(d) Requirements**

(2)

REVISION (D) HPBA to supply wording for EPA Phase 2 Qualified Wood Burning fireplace to be installed above 3000 feet

NEW (E) US EPA Phase 2 Qualified Wood Burning Fireplace Retrofit Device

NEW (F) An Alcohol Fueled Fireplace or Burner Device

(5)

REVISION Effective (~~one~~ two years from the date of adoption), no commercial ~~firewood~~ solid fuel seller shall .....

**(f) Exemptions**

NEW (8) The provisions of paragraph (d)(5) shall not apply to Solid Fuel products that have a label permanently affixed to the product package which complies with the requirements of San Francisco Bay Area Air Quality Management District Regulation 6, Rule 3, section 404, *Labeling for Solid Fuel or Wood Sale*; and includes the toll free number 1-877-4NO-BURN and the web site address; <http://WWW.8774NOBURN.ORG>.

NEW (9) The provisions of paragraph (e) shall not apply to any wood fired oven or grill used for residential cooking purposes.