



PROPOSED AMENDED RULE (PAR) 445

WOOD-BURNING DEVICES

PUBLIC WORKSHOP

March 25, 2021

Rule 445 – Wood-Burning Devices

- Applies to indoor/outdoor wood burning devices
 - Mostly residential fireplaces and wood-burning stoves
- Reduces wood-smoke (including ambient fine particulate (PM_{2.5}) levels) linked to:
 - Increased mortality
 - Cardiovascular and respiratory impacts
- Helps to attain and maintain health based National Ambient Air Quality Standards (NAAQS)
- PM_{2.5} contingency measure added June 5, 2020
- Ozone contingency measure added October 31, 2020

Existing Rule Requirements

- Not allowed in new developments
- Replacement of existing units must be with types approved in rule
- Seasoned wood fuel sale provision
- Non-wood fuel burning prohibition (e.g., no trash burning)
- Wood-burning curtailment on a No-Burn Day:
 - Unhealthful levels of ambient PM_{2.5} forecast ($29\mu\text{g}/\text{m}^3$)
 - Wood-burning prohibited
- Contingency Measures for PM_{2.5} and Ozone
 - Triggered if U.S. EPA makes a final determination of failure to meet reporting milestone/NAAQS attainment deadline

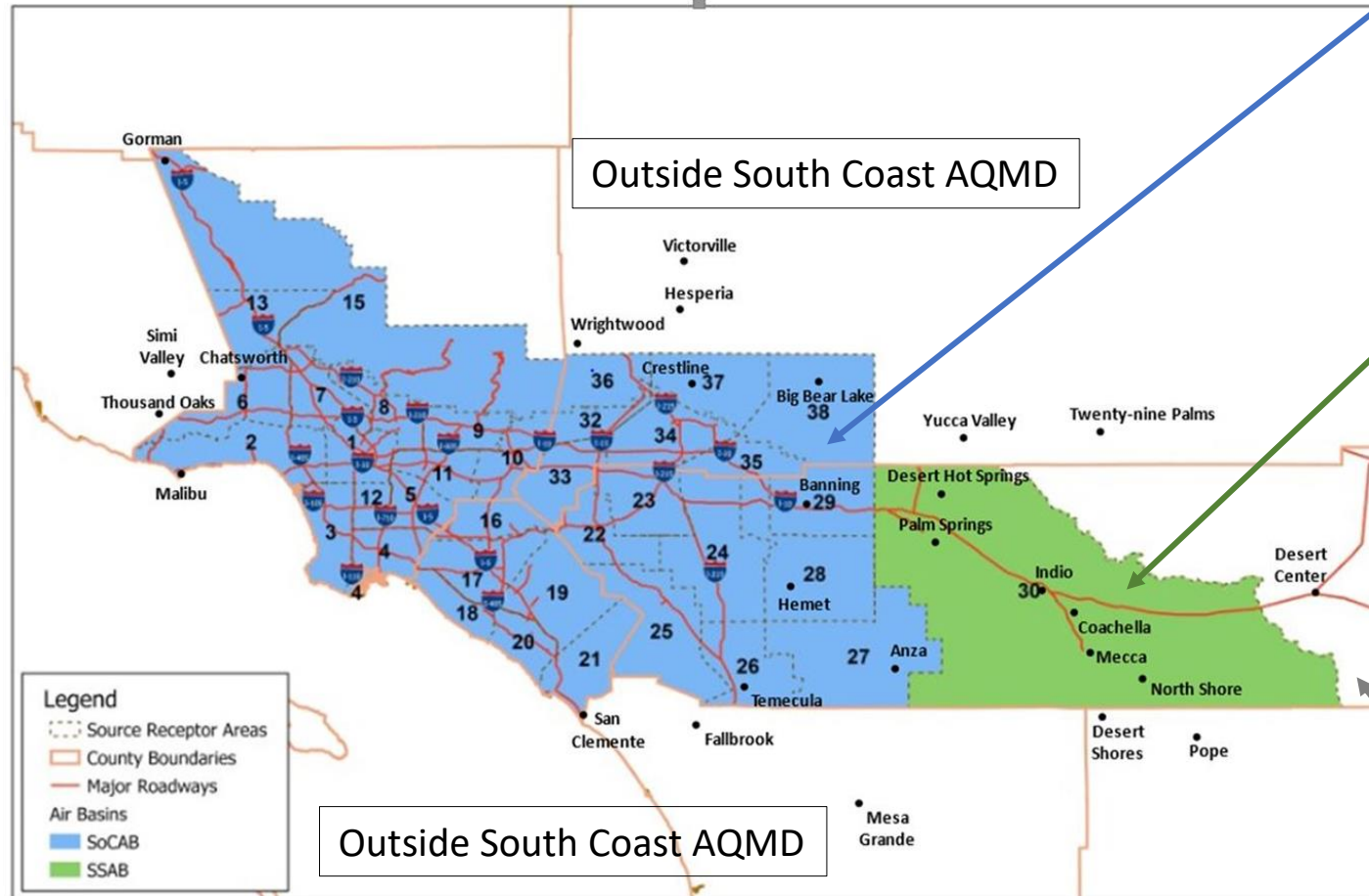
No-Burn Day Exempt

- Sole source of heat
- Low-income households
- No natural gas service within 150 feet
- $\geq 3,000$ feet above mean sea level
- Ceremonial Fires exempted under Rule 444 – Open Burning

Proposed SSAB Ozone Contingency Measure

- EPA interprets the Bahr v. EPA, 836 Fd.3d 1218 (9 Cir. 2016) court ruling as requiring additional ozone contingency measures
- Rule 445 can provide potential contingency measure
 - Link between ambient ozone and wood smoke in “shoulder months”
 - Correlation between reduction of Volatile Organic Compounds (VOC) from wood-burning and ambient ozone
- Contingency measure automatically triggered if U.S. EPA makes a final determination of a failure to meet an applicable Reasonable Further Progress (RFP) requirement or 8-hour ozone NAAQS deadline for the SSAB
 - No-Burn Day Program during a September through April wood-burning season

Air Basins in the South Coast AQMD



South Coast Air Basin (SoCAB)

- Extreme non-attainment for ozone
- Rule 445 Applicable
- Ozone contingency measure added October 2020

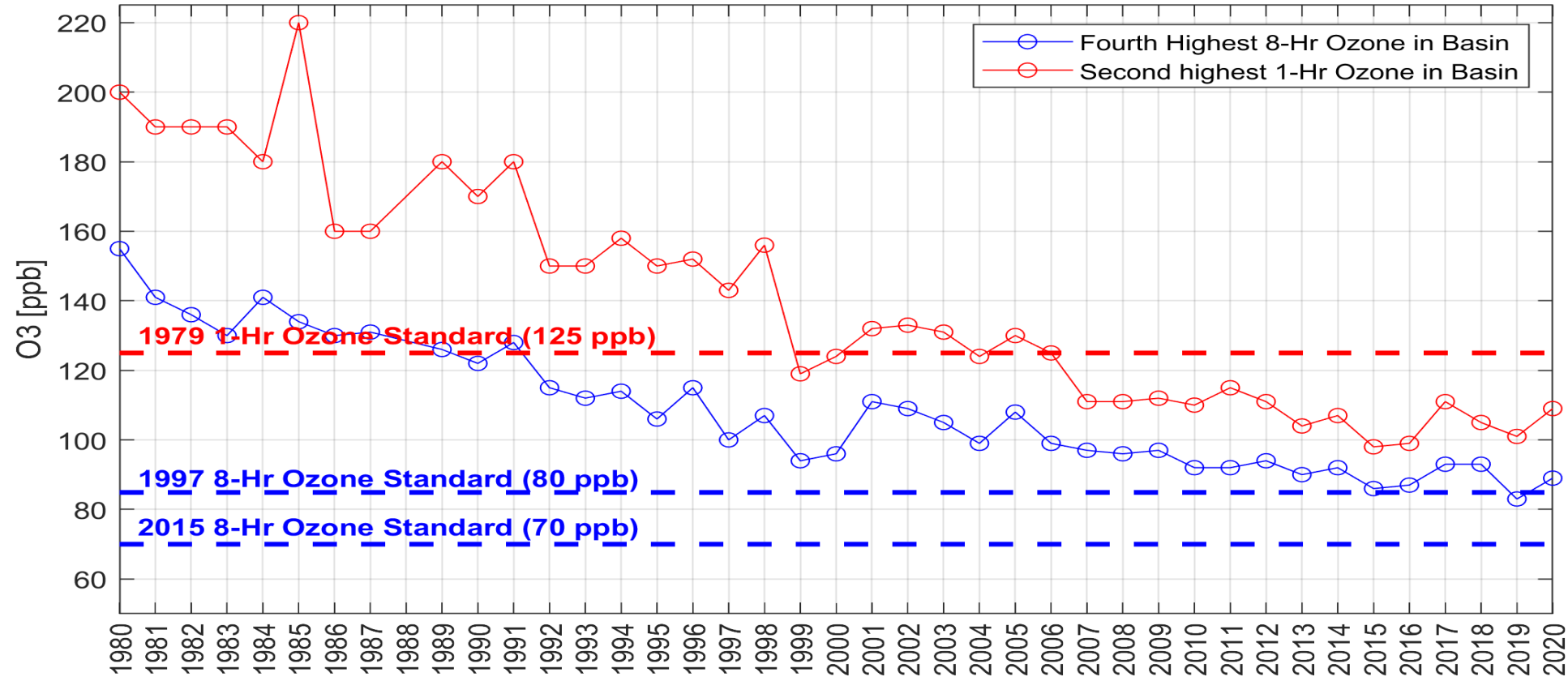
Salton Sea Air Basin (SSAB)

- Reclassified to Extreme non-attainment for 1997 8-hour ozone NAAQS June 2019
- Rule 445 not currently applicable
- Amendment adds ozone contingency measure
- Rule 445 effective in SSAB **only** if contingency measure is triggered

Mojave Desert Air Basin (MDAB)

- Unclassified
- Rule 445 not applicable

SSAB Historical 8-Hour Ambient Ozone



Applicable 8-hour Ozone NAAQS for the SSAB

Year	Average Time	Attainment Threshold	Status	Basin Designation	Deadline
1979	1-hour	0.12 ppm (120 ppb)	Attainment	Attained 2013 ✓	11/15/2007
1997	8-hour	0.08 ppm (80 ppb)	Nonattainment	Extreme	6/15/2024
2008	8-hour	0.075 ppm (75 ppb)	Nonattainment	Severe-15	7/20/2027
2015	8-hour	0.070 ppm (70 ppb)	Nonattainment	Severe	8/3/2033

Proposed SSAB Ozone Contingency Measure

(g)(2) For the SSAB: Upon the issuance of a final determination by U.S. EPA, that the SSAB has failed to comply with the following requirements by the applicable date to:

(A) meet a Reasonable Further Progress (RFP) requirement in an approved attainment plan for an applicable SSAB ozone NAAQS; or

(B) attain an applicable SSAB ozone NAAQS by the applicable attainment date.

For the SSAB only, the applicable contingency measure(s) specified in paragraph (g)(3) shall be implemented, sequentially and in the order of stringency.

(g)(3) Basin-wide, in the applicable air basin only (SoCAB or SSAB), below 3,000 feet above mean sea level, no person shall operate an indoor or outdoor wood-burning device, portable outdoor wood-burning device, or wood-fired cooking device on a calendar day during the wood-burning season for ozone, so declared by Executive Officer to be a wood-burning curtailment day (No-Burn Day) due to forecasted ambient ozone concentration levels, if the daily maximum 8-hour ozone air quality forecast for any SRA in the applicable Basin (SoCAB or SSAB) exceeds:

(A) 80 ppb ozone, upon a final determination of a first failure to comply with any of the provisions of paragraph (g)(1) or (g)(2), as applicable;

(B) 75 ppb ozone, upon a final determination of a second failure to comply with any of the applicable provisions of paragraph (g)(1) or (g)(2), as applicable; and

(C) 70 ppb ozone, upon a final determination of a third failure to comply with any of the applicable provisions of paragraph (g)(1) or (g)(2), as applicable.

SSAB Ozone Contingency Emission Reductions

SSAB Ozone Contingency Measure	<u>First</u> Time Triggered	<u>Second</u> Time Triggered	<u>Third</u> Time Triggered
Forecast Threshold	80 ppb	75 ppb	70 ppb
VOC TPY	0.07	0.24	0.89

Proposed SoCAB PM2.5 Threshold Reduction

Would result in additional PM2.5 emission reductions if SoCAB PM2.5 contingency provisions are triggered:

- (f)(2) A Basin-wide, mandatory wood-burning curtailment during the wood-burning season if the daily PM2.5 air quality forecast for any SRA exceeds:
 - (A) 29 $\mu\text{g}/\text{m}^3$ PM2.5, upon a final determination of a failure to comply with any of the provisions of paragraph (f)(1);*
 - (B) ~~28~~ **27** $\mu\text{g}/\text{m}^3$ PM2.5, upon a final determination of a failure to comply with any **two** of the provisions in paragraph (f)(1);
 - (C) ~~27~~ **26** $\mu\text{g}/\text{m}^3$ PM2.5, upon a final determination of a failure to comply with any **three** of the provisions in paragraph (f)(1); and
 - (D) ~~26~~ **25** $\mu\text{g}/\text{m}^3$ PM2.5, upon a final determination of a failure to comply with any **four** of the provisions in paragraph (f)(1).

* First contingency triggered beginning November 2020 wood-burning season

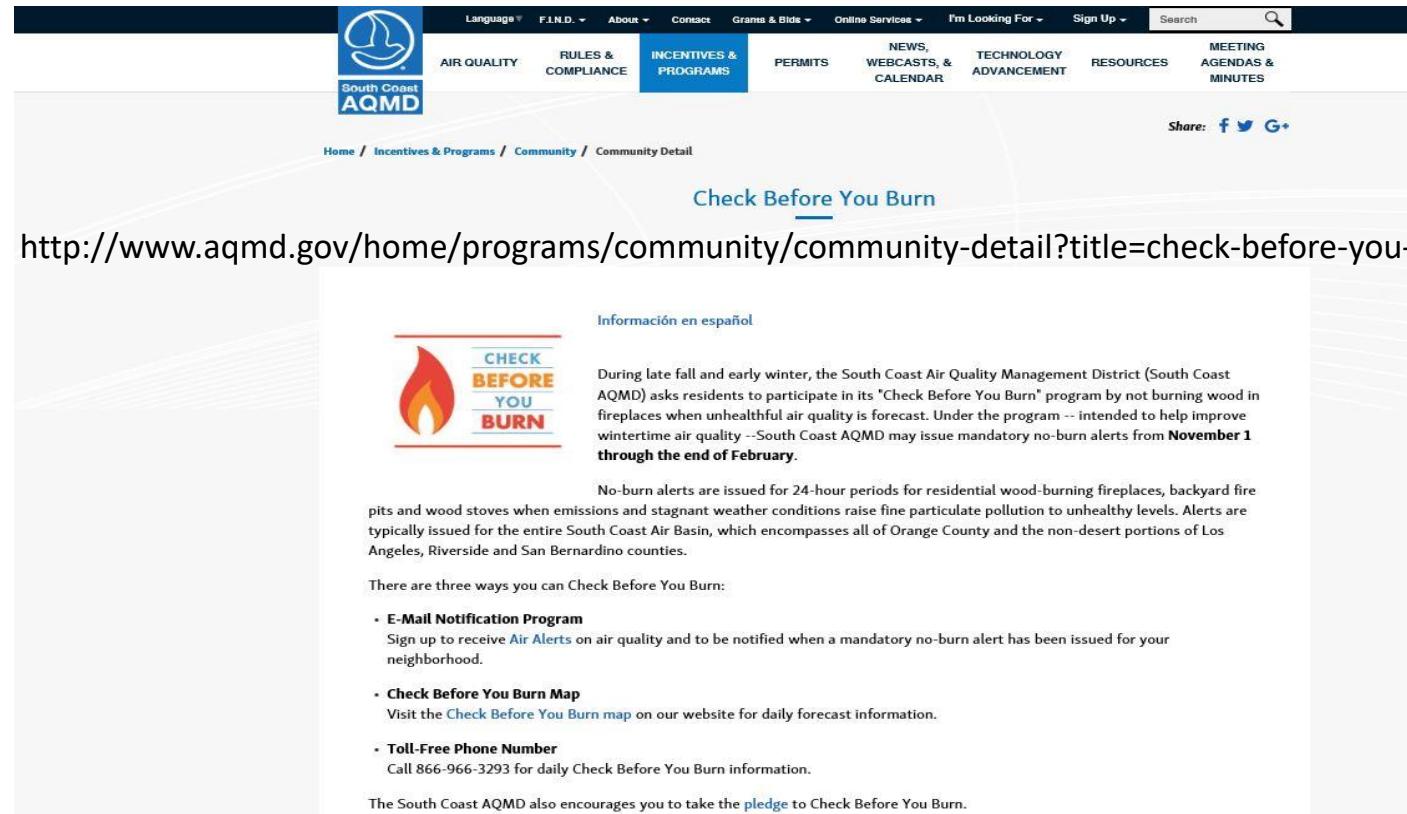
Rule Clarification - No-Remodeling Allowed

- (c)(15) RECONSTRUCTION means rebuilding or reinstalling a wood-burning device irreparably damaged due to fire, wildfire, flood, earthquake or other soil or geologic movements, where the wood-burning device was not the cause of the damage or destruction.
- (c)(16) REPAIR means restoring a wood-burning device to proper working order by replacing or servicing worn or damaged components, including cracked, damaged or worn masonry, crumbling mortar or other components. Repairs shall not increase the dimensions, throughput capacity or emissions potential of the existing wood-burning device. Repair for the purposes of this rule does not include solely aesthetic remodeling.
- (d)(3) Notwithstanding the requirements of paragraph (d)(1) or (d)(2), a wood-burning device may be repaired or, if irreparable, reconstructed as defined in this rule. There shall be no increase in the dimensions, throughput capacity or emissions potential of the reconstructed wood-burning device.

Other Proposed Prohibitions/Clarifications

- (c)(24) Use of charcoal prohibited – unless used for cooking
- (d)(4) Burning wood prohibited unless it is seasoned wood (< 20% moisture content)
- (d)(5) Extending the term during which only seasoned wood can be sold from the current July through February to July through April – to match the ozone contingency term

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Check Before You Burn

<http://www.aqmd.gov/home/programs/community/community-detail?title=check-before-you-burn>

Información en español



During late fall and early winter, the South Coast Air Quality Management District (South Coast AQMD) asks residents to participate in its "Check Before You Burn" program by not burning wood in fireplaces when unhealthy air quality is forecast. Under the program -- intended to help improve wintertime air quality --South Coast AQMD may issue mandatory no-burn alerts from **November 1 through the end of February**.

No-burn alerts are issued for 24-hour periods for residential wood-burning fireplaces, backyard fire pits and wood stoves when emissions and stagnant weather conditions raise fine particulate pollution to unhealthy levels. Alerts are typically issued for the entire South Coast Air Basin, which encompasses all of Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino counties.

There are three ways you can Check Before You Burn:

- **E-Mail Notification Program**
Sign up to receive [Air Alerts](#) on air quality and to be notified when a mandatory no-burn alert has been issued for your neighborhood.
- **Check Before You Burn Map**
Visit the [Check Before You Burn map](#) on our website for daily forecast information.
- **Toll-Free Phone Number**
Call 866-966-3293 for daily Check Before You Burn information.

The South Coast AQMD also encourages you to take the [pledge](#) to Check Before You Burn.

California Environmental Quality Act (CEQA) and Socioeconomic

- PAR 445 is not expected to require physical modifications that would cause a significant adverse effect on the environment
- PAR 445 is exempt from CEQA pursuant to:
 - CEQA Guidelines Section 15061 (b)(3) which exempts actions where it can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment
 - CEQA Guidelines Section 15308 which exempts actions by regulatory agencies for protection of the environment
- A Notice of Exemption will be prepared
- Socioeconomic impact assessment available 30 days prior to the South Coast AQMD Governing Board Hearing on June 4, 2021

Rule Development Schedule

April 8, 2021 – Close of Comment Period

April 16, 2021 – Stationary Source Committee Meeting

May 4, 2021 – Set Hearing Documents Publicly Available

May 7, 2021 – Set Hearing

June 4, 2021 – Public Hearing

Contact information

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