

South Coast Air Quality Management District
Notice of Public Workshop

PROPOSED AMENDED RULE 445 –WOOD BURNING DEVICES

Thursday, March 25, 2021

10:00 AM

<https://scaqmd.zoom.us/j/91864697935>

Meeting ID: 918 6469 7935

To participate by phone or for audio by phone, dial:

+1 (669) 900-6833

The public will be allowed to provide public comment through telephone or Zoom connection.

(Please note if the Zoom meeting link provided does not work, copy the link into web browser, or directly enter the meeting ID into the Zoom web or mobile application)

Purpose of This Meeting

The South Coast Air Quality Management District (South Coast AQMD) has scheduled a public workshop to present and solicit information and suggestions from the public regarding Proposed Amended Rule (PAR) 445 – Wood Burning Devices. PAR 445 is scheduled for a Public Hearing before the South Coast AQMD Governing Board on June 4, 2021.

South Coast AQMD staff recognizes the challenges businesses and other stakeholders are experiencing due to COVID-19 and seeks to be consistent with Governor Newsom’s Executive Order N-29-20 (March 18, 2020). To ensure we are practicing safe social distancing, the public consultation meeting will only be conducted via video conferencing (Zoom) which can be accessed via your computer or smart phone. Alternatively, stakeholders can phone in to participate. We understand that this is not the same as a face to face public meeting; however, staff will take the time to listen to comments from all stakeholders.

Rule Background

Rule 445 applies to persons that manufacture, sell, or install a wood-burning device; commercial firewood sellers that sell or supply wood or other wood-based fuels for burning in a wood-burning device; and any property owner or tenant that operates a wood-burning device. A wood-burning device includes fireplaces, wood-burning heaters, and similar permanently installed, indoor or outdoor devices for burning wood-based fuel.

Rule 445 requires mandatory wood-burning curtailment on days where ambient concentrations of fine particulate matter (PM 2.5) are forecast to exceed the allowable rule standard (No-Burn Days). On No-Burn Days the operation of any wood-burning device is prohibited. Exemptions exist for low-income households, where the device is the sole source of heating or there is no gas service, geographic elevations 3,000 or more feet above mean sea level, and ceremonial fires. Provisions regarding the use of fire rings/pits are covered by Rule 444 – Open Burning. Rule 445 was amended on June 5, 2020 to make all No-Burn Days Basin-wide and to add contingency measures automatically lowering the PM2.5 forecast threshold based on a failure to attain/comply with federal Clean Air Act PM2.5 requirements/standards by the applicable due date. In addition, Rule 445 was amended on October 27, 2020 for the South Coast Air Basin (SoCAB) to add contingent ozone thresholds for declaring a No-Burn Day effective September 1 through April 30, if a determination is made by the U.S. EPA of failure to attain a National Ambient Air Quality Standards (NAAQS) ozone standard or a Clean Air Act milestone by the applicable due date. Prescribed ozone No-Burn Day thresholds decrease incrementally and automatically with each subsequent final determination by U.S. EPA of an applicable failure.

Objective of Proposed Rule Amendments

Proposed amendments to Rule 445 would satisfy CAA ozone requirements for the Salton Sea Air Basin (SSAB), commonly known as the Coachella Valley, which was reclassified as an extreme non-attainment area for the 1997

8-hour ozone NAAQS. An ozone No-Burn Day provision in the SSAB, mirroring the current SoCAB ozone contingency provision, would be triggered upon a determination by US EPA of a failure to attain a NAAQS ozone standard or a Clean Air Act milestone by the applicable due date, effective September 1 through April 30. The SSAB ozone threshold for No-Burn Days would also be incrementally lowered automatically from 80 ppb to 70 ppb for each subsequent final determination of an applicable failure by the U.S. EPA. However, ozone provisions including No-Burn Day forecasts and incremental threshold reductions would be triggered separately for each Basin, based on the daily ozone forecast and applicable failure, in the applicable Basin. In addition, other proposed amendments include: 1) clarifying that non-aesthetic fireplace repairs and reconstruction of a destroyed fireplace as defined in the rule are allowed but that aesthetic fireplace remodeling is prohibited; 2) allowing burning of only seasoned wood; 3) clarifying that charcoal may only be used as a fuel for cooking; 4) increasing the number of months during which only seasoned wood may be sold from July through February to July through April; 5) adding/modifying definitions, including defining the SSAB, modification of Source Receptor Area (SRA), and consideration of a revision of Wood-Burning Season. Furthermore, staff is soliciting comments on the scope of the exemptions in the subparagraphs (i)(7)(A) through (C), potential reductions in the PM2.5 No-Burn Day thresholds, and other minor amendments to improve clarity/rule implementation.

California Environmental Quality Act

Pursuant to the California Environmental Quality Act (CEQA) and South Coast AQMD's certified regulatory program (Public Resources Code Section 21080.5, CEQA Guidelines Section 15251(l) and South Coast AQMD Rule 110), the South Coast AQMD, as lead agency, is reviewing the proposed project (PAR 445) to determine if it will result in any potential adverse environmental impacts. Appropriate CEQA documentation will be prepared based on the analysis. Comments and suggestions regarding the CEQA analysis may be directed to:

Ryan Banuelos
Planning, Rule Development and Area Sources, CEQA Section
South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765
Email: rbanuelos@aqmd.gov
Phone: (909) 396-3479

Available Supporting Documents

The following supporting documents will be available on or before March 19, 2021:

- Proposed Amended Rule 445; and
- Preliminary Draft Staff Report for Proposed Amended Rule 445

These documents may be accessed from the South Coast AQMD website on or before the date of the public workshop at: <http://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/proposed-rules#PAR445>

Americans with Disabilities Act and Language Accessibility

Disability and language-related accommodations can be requested to allow participation in the public workshop. The agenda will be made available, upon request, in appropriate alternative formats to assist persons with a disability (Gov't Code Section 54954.2(a)). In addition, other documents may be requested in alternative formats and languages. Any disability or language-related accommodation must be requested as soon as practicable. Requests will be accommodated unless providing the accommodation would result in a fundamental alteration or undue burden to the South Coast AQMD. Please contact George Wu at (909) 396-2533 from 7:00 a.m. to 5:30 p.m., Tuesday through Friday, or send the request to gwu@aqmd.gov.

Submission of Documents or Comments

You are invited to attend the meeting electronically by Zoom or telephone. Instructions on how to participate can be found on page 1 of this notice. You may also send comments, documents, or other relevant information to:

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Written comments on this proposed amended rule should be submitted by April 8, 2021.