

Agenda Item A

Background on Oregon's Woodstove Program



Introduction

The state of Oregon has a long history of addressing wood smoke pollution, due to the air pollution concerns from wintertime residential wood burning. Back in the 1980s, Oregon was also the first state to adopt woodstove certification and emission limits. The U.S. Environmental Protection Agency (EPA) later adopted and implemented this certification nationwide. However, the old, polluting stoves can remain in service for dozens of years. Because of this concern, in June 2009, Governor Kulongoski signed Senate Bill 102, also known as the “Heat Smart” bill. Heat Smart allows the Oregon Department of Environmental Quality to require removal of an old, uncertified woodstove when selling a home, authorizes the Environmental Quality Commission (EQC) to set emission standards for new stoves and other wood heating devices, and adds language to Oregon law that explicitly states that it is illegal to burn household garbage and other prohibited materials inside homes. Under this law, Oregon is the first state to formally require removal of an uncertified stove upon sale of a home. DEQ estimates that approximately 310,000 homes in Oregon use woodstoves and half of these use older uncertified woodstoves.

Woodstove Certification – Identifying certified stoves in the field

How can a homeowner tell if their stove is certified?

All certified stoves will have either the Oregon DEQ label or an EPA label. This label shows tested smoke emissions and heating efficiency performance. The DEQ labels were used from 1985 through 1989, when they were replaced with the permanent EPA label. The EPA maintains a list of certified woodstoves that homeowners can reference to determine if their stove is certified. There are other labels on the stove, including a safety label which lists requirements for safe clearances to walls, hearths, and chimneys and is often confused with “certification”. A safety label (from U.L. or other safety-listing agency) is not the same as DEQ or EPA certification. Certification is completed by stove manufacturers when introducing a new model line. To meet certification requirements, stoves must have pollution control systems built into them. Certification typically cost a stove manufacturer \$10,000-\$15,000 per model.

Exceptions

Under SB 102 there are some wood burning devices that are still exempt from the certification requirements, such as pellet stoves, antique woodstoves, cookstoves, masonry heaters, masonry fireplaces, and central wood-fired furnaces. Antique stoves are

units built before 1940 which have a higher than normal re-sale value. Central wood-fired furnaces must be part of a ducted central heating system to be considered exempt. All of these exempt devices are not required to be removed upon home sale.

However, SB 102 allows the EQC to expand the definition of woodstoves, thereby requiring previously EPA-exempt stoves to meet EPA's emission standards. Back in the late 1980's, when EPA first began the certification program, there were only a handful of woodstoves exempt from emission standards. Today, EPA's exemption list has over 260 devices because EPA's current definition of "woodstove" is too narrow. The Heat Smart rules will expand the definition of "woodstove" to "solid fuel burning device", preventing these exempt devices from being allowed for sale in Oregon unless they meet EPA certification standards. This definition will be consistent with the state of Washington, which currently requires these exempt devices to meet the EPA standards because of concerns about wood smoke. The previously "exempt" devices will also be required to be removed upon home sale, unless they are exempted under SB 102.

Existing Woodstove Removal Requirements

Due to the concerns about woodsmoke, several communities have already passed local ordinances requiring the removal of old, noncertified woodstoves when a home is sold. This includes the communities of Bend, Medford, Ashland, Lakeview, Jackson County, and Klamath County. SB 102 creates a uniform, statewide requirement for old stove removal at the time of home sale, instead of separate local notification forms that realtors and home sellers must keep track of depending on the community's notification requirements.

DEQ Rulemaking Process

DEQ will use the advisory committee's input to help determine the best way to design and manage the program and ensure the proper removal and destruction of an uncertified stove upon home sale. The committee's input will help shape DEQ's proposed rules which will then be vetted for public comment. DEQ may revise its proposed rules based on the public comment received. DEQ will submit its recommendation and final rule to the Environmental Quality Commission for their consideration in October 2010.