Fact Sheet

Buying or Selling a Home with a Woodstove or Fireplace Insert

What’s required?
Oregon law requires all uncertified woodstoves and fireplace inserts located on a residential property to be removed, destroyed and disposed of when a home is sold. The 2009 Oregon Legislature passed this law to help protect people from unhealthy wood smoke pollution.

What are the health concerns with wood smoke?
Wintertime residential wood burning is a significant source of air pollution, including fine particulate matter and air toxics. At times, heavy smoke from residential wood burning in a community can exceed federal air quality health standards for particulate matter. Particulate matter in wood smoke can be easily inhaled and reach the deepest part of our lungs; it is known to cause or contribute to respiratory disease, asthma attacks, heart problems and premature death. Wood smoke also contains toxic organic compounds known to cause cancer.

Why are uncertified stoves a concern?
Uncertified woodstoves burn about 70 percent dirtier than certified options and can contribute to health problems. They also burn far less efficiently and typically require more wood than newer, certified stoves. Removing them from service will help to restore and preserve healthy air across the state.

How do I determine if my woodstove or fireplace insert is certified?
You can tell if your device is certified by looking on the back for an Oregon DEQ or U.S. Environmental Protection Agency certification label, indicating the device has been tested to comply with particulate emission standards. An Underwriters Laboratory or UL safety label is not the same as a DEQ or EPA certification label and does not mean the device is certified to meet emission performance standards. Examples of certification labels are provided in the right-hand column of this fact sheet.

Is there a list of certified devices I can use to determine if mine is certified?
No. Oregon DEQ relies on the presence of either a DEQ or EPA certification label on the back of a device to determine if a device is certified to meet emissions performance standards. If your device does not have a certification label similar to one of the examples shown on this factsheet, it is not certified and must be decommissioned when the home is sold.

Example: U.S. EPA certification label

Example: Oregon DEQ certification label

My stove does not have an emissions certification label. Can I get it certified?
No. 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 and be tested by an independent third party at the time of manufacture to assure they meet emissions performance standards.
Who is responsible for removing an uncertified woodstove or insert?
The home seller is responsible for complying with the removal, destruction and disposal requirements unless both the seller and buyer agree in writing that the buyer will accept responsibility. In cases where the buyer takes responsibility, then they have 30 days after the close of sale to meet the requirements.

Can I remove and destroy it myself?
You can choose to remove and destroy the uncertified woodstove or insert yourself, or hire someone to do it for you. If you choose to remove it yourself, DEQ provides a list of potential places to dispose of uncertified devices on the Heat Smart Program web page (see link to web page at the bottom of this fact sheet).

I've removed my uncertified woodstove or fireplace insert. What do I do now?
After an uncertified device has been removed, it must be destroyed and disposed of, and DEQ must be notified by the responsible party.

How do I destroy and dispose of my uncertified woodstove or insert?
An uncertified woodstove or fireplace insert is considered destroyed when it is demolished to the extent that it cannot be restored or reused as a heating device. DEQ recommends permanently removing the door and hinges, and cutting holes in the top and sides of the device at least four inches in diameter to destroy it. DEQ also recommends taking your uncertified woodstove or fireplace insert to a scrap metal dealer or recycler for disposal. Be sure to obtain a numbered receipt from the contractor or business that disposes of your stove and keep it for your records. You will need to reference the disposal receipt when notifying DEQ that an uncertified device has been decommissioned.

How do I notify DEQ that I removed, destroyed and disposed of an uncertified woodstove or fireplace insert?
To notify DEQ that an uncertified device has been decommissioned, the person who removed the device can submit an Uncertified Woodstove Removal Notification form to DEQ online by visiting the Heat Smart web page (see link at end of this fact sheet). When you or your contractor submits a removal notification form online, you will immediately receive a confirmation number that is your proof of complying with removal and destruction requirements for uncertified devices. Please print and save a copy of the Uncertified Woodstove Removal Notification Confirmation for your records, as you may need it as documentation in closing the sale of your home.

What about uncertified woodstoves or fireplace inserts in my garage or shop?
You must remove all uncertified devices from the property being sold, regardless of where they are located. This includes garages and workshops.

Are there any types of devices that are not required to be certified?
Yes. The following devices are exempt from the certification requirements and do not need to be removed from the home at the time of sale:
- Antique stoves
- Central, wood-fired boilers
- Cookstoves
- Gas fireplaces and appliances
- Masonry heaters and fireplaces
- Pellet stoves
- Saunas

Can I sell my uncertified woodstove or fireplace insert?
No. It is against the law to sell, offer to sell, or advertise to sell any uncertified solid fuel burning device in Oregon.

Are there penalties if I don't comply with the law?
Yes. Fines start at $750 for noncompliance. In addition, your insurance company may invalidate your homeowner’s insurance or the mortgage company may delay the home sale if they discover an uncertified wood heating device was not removed, destroyed and reported to DEQ.

If I want to install a new woodstove or fireplace insert, what do I need to do?
You must obtain a permit from your local building codes department. Oregon Building Code requires all new woodstoves and fireplace inserts to be certified for emissions performance in order to be installed in Oregon. Call your local city or county building department for details.

Where can I get more information?
To access the removal notification forms and get more information on the requirements, please visit DEQ’s Heat Smart Program web page at: http://www.oregon.gov/deq/AQ/Pages/HeatSmart.aspx

Alternative formats
Alternative formats of this document can be made available. For more information call 503-229-5696, Portland, or call toll-free in Oregon at 1-800-452-4011, ext. 5696. Hearing-impaired persons may call 711.