

**APPENDIX B**

**Rule Consistence Analysis for Rule 4901**

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## **RULE CONSISTENCY ANALYSIS FOR PROPOSED AMENDMENTS TO RULE 4901 (WOOD BURNING FIREPLACES AND WOOD BURNING HEATERS)**

### **SUMMARY**

Pursuant to Sections 40727 and 40727.2 of the California Health and Safety Code, prior to adopting, amending, or repealing a rule or regulation, the District performs a written analysis that identifies and compares the air pollution control elements of the rule or regulation with corresponding elements of existing or proposed District rules, existing statutes, and state and federal rules, regulations, and guidelines that apply to the same source category. The rule elements analyzed are emission limits, monitoring and testing requirements, recordkeeping and reporting requirements, and operating parameters and work practice requirements. Amendments to Rule 4901 do not conflict with any District or federal rules, regulations, or policies applicable to similar stationary sources, as demonstrated below.

#### ***District Rules***

There are no other District prohibitory rules or regulations or fee rules tailored specifically for wood burning fireplaces or wood burning heaters; therefore, there are no rules in conflict with or inconsistent with the requirements of Rule 4901.

#### ***State Rules, Regulations, and Policies***

There are no identified California state rules, regulations, or policies specific to reducing emissions from residential wood combustion.

#### ***Federal Rules, Regulations, and Policies***

Rule 4901 is as stringent as the current federal New Source Performance Standards (NSPS) (40 CFR 60 Subpart AAA (Standards of Performance for New Residential Wood Heaters). Additionally there are no EPA Control Techniques Guidelines (CTG), Alternative Control Techniques (ACT), National Emission Standards for Hazardous Air Pollutants (NESHAP), or Maximum Achievable Control Technology (MACT) guidelines for this source category.

#### ***EPA New Source Performance Standard (NSPS)***

On April 2, 2020, EPA published amendments to the 2015 NSPS for New Residential Wood Heaters, New Hydronic Heaters and Forced-Air Furnaces (collectively referred to as “wood heating devices”).<sup>1</sup> These amendments maintain compliance dates

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<sup>1</sup> EPA. *Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces; Final Rule*. 85 Fed. Reg. 64, pp. 18448-18455. (April 2, 2020). Retrieved from: <https://www.govinfo.gov/content/pkg/FR-2020-04-02/pdf/2020-05961.pdf>

established in the original NSPS, removed the pellet fuel minimum requirements from the 2015 NSPS, and clarified requirements regarding the use of unseasoned wood in the pellet fuel production. Rule 4901 continues to be as stringent as the NSPS.