

COMPLIANCE ASSISTANCE BULLETIN

OCTOBER 2017

RULE 4902 – RESIDENTIAL WATER HEATERS

Attention all Manufacturers, Distributors, Retailers, and Installers of Residential Water Heaters

San Joaquin Valley Air Pollution Control District (District) Rule 4902 (Residential Water Heaters) states, in part, that no person shall manufacture for sale, distribute, sell, offer for sale, or install any residential natural-gas fired water heater, instantaneous water heater, mobile home water heater, or pool heater with heat input rates less than or equal to 75,000 Btu/hr. within the District unless the unit is certified to meet the emission levels specified within the rule.

It has recently come to the attention of the District that some wholesalers, distributors and/or retailers believe they can legally sell non-compliant units within the District - provided they disclaim to the buyer that the unit cannot be installed within the jurisdiction of the District. While the District applauds the efforts of businesses to educate their customers of Rule 4902 and advise them of the restrictions against installing non-complaint units within the jurisdiction of the District, these efforts by themselves do not establish compliance with the rule. Please be advised that Rule 4902 is a “point-of-sale” rule. Accordingly, the selling or simply offering for sale of non-compliant units within the jurisdiction of the District, in and of itself, is a violation of Rule 4902. Failure to comply with Rule 4902 will result in the District taking enforcement action and the potential imposition of monetary penalties.

If you have any questions or require additional information regarding this rule, please contact the staff of the Compliance Department of your local District regional office below:

Modesto Office
(Serving San Joaquin, Stanislaus, and Merced Counties)

209-557-6400

Fresno Office
(Serving Madera, Fresno, and Kings Counties)

559-230-5950

Bakersfield Office
(Serving Tulare County and the valley portion of Kern County)

661-392-5500