

Solid Fuel Burning Domestic Appliance Regulation Response Form

The Solid Fuel Burning Domestic Appliance Regulation (SFB DAR) was enacted under the *Environmental Management Act* (EMA) for the purpose of reducing air pollution from domestic wood heating. The regulation sets particulate matter (PM) emission standards applicable to specified new solid fuel burning domestic appliances (such as wood and pellet stoves) manufactured or sold in B.C. The regulation has not been revised since it was enacted in 1994.

The Ministry of Environment and the Ministry of Healthy Living and Sport intend to review and revise the Solid Fuel Burning Domestic Appliance Regulation in keeping with actions set out in the B.C. Air Action Plan (www.bcairsmart.ca). The ministries intend to revise the regulation in two phases as described in the intentions paper. Phase 1 revisions will be initiated in 2010, following review and consideration of consultation comments. Revisions undertaken during this phase will address elements where the Ministry of Environment has both existing legislative authority to act and sufficient information to revise regulatory provisions.

Comments regarding the proposed intentions of the ministries are being solicited and will be carefully considered in preparing regulatory amendments. The ministries welcome all suggestions with respect to potential changes discussed in the intentions paper, or other aspects of the regulation of solid fuel burning domestic appliances.

Comments to the ministry should be made on or before July 2, 2010.

The intentions paper, the response form for providing comments to the ministries, and links to related legislation are posted on the Ministry of Environment website: <http://www.env.gov.bc.ca/epd/codes/solid-fuel/index.htm>.

Those interested are invited to submit comments on the ministry's intentions – using the instructions and questions provided on this response form. Individuals or organizations may also make written submissions to the ministry without following the format set out in the response form – as desired.

A summary report of comments and submissions received, including both printed and web-based responses, will be compiled and summarized without specific attribution by an independent contractor and posted on the Ministry of Environment website. Comments received will be treated with confidentiality by government staff and contractors. However, comments that you provide and information that identifies you as the source of those comments may be publicly available if a Freedom of Information (FOI) request is made under the *Freedom of Information and Protection of Privacy Act*.

Following review of comments and submissions, the ministry will complete legal drafting of the proposed regulatory changes for legislative review.

If you have any questions or comments, check the website address above, or contact Cindy Bertram of C. Rankin & Associates who has been contracted to manage consultation comments, at:

Email: cindybertram@shaw.ca
Mail: PO Box 28159 Westshore RPO
Victoria B.C. V9B 6K8
Fax: (250) 598-9948

Completed response forms or submissions may be returned by any of the means listed above (email, fax or mail), or by directly submitting the web-based response form on the ministry website.

Thank you for your time and comments!

Solid Fuel Burning Domestic Appliance Regulation Response Form

Discussion Areas and Questions

The following discussion areas and questions are based on a policy intentions paper for consultation available from the Ministry of Environment website, <http://www.env.gov.bc.ca/epd/codes/solid-fuel/index.htm>

1. Objectives guiding proposed revisions

The overall objective of the review and proposed revisions is to reduce impacts on human health and ecosystems by reducing air pollution from domestic wood heating. The ministries used a set of objectives to assess potential changes and guide revisions of the regulation set out in section 5.1 of the intentions paper.

- 1.1 Do you have any comments or suggestions regarding the objectives and their use by the ministries in guiding proposed revisions to the regulation?

2. Widening the scope of the regulation

The ministries intend to revise the regulation so that “appliance” will be defined in an inclusive manner – with the emission standards applying to all biomass fired solid fuel appliances except: (1) defined classes of appliances specifically excluded from the regulation; and (2) defined classes of appliances for which a separate emissions standard is provided. This will greatly reduce the number of “exempt” appliances sold in B.C. (see intentions paper section 5.2).

- 2.1 Do you have any comments regarding the ministries' intention to widen the scope of the regulation?

3. Lower PM emission standards for new solid fuel burning appliances

The ministries intend to adopt Particulate Matter (PM) emission standards equivalent to the levels currently required in Washington State. These emission levels will be defined as the B.C. emissions standard. Beginning in 2011 only appliances meeting the B.C. emissions standard will be allowed to be offered for sale in B.C. The only exceptions will be classes of appliance specifically exempted from meeting the emissions standard, and classes of appliances for which a separate standard is established. The proposed standard will result in a lowering of the maximum permissible average emissions rate by 40% and ensure that only the lowest emitting new appliances are available for sale in B.C. (see intentions paper section 5.3).

- 3.1 Do you have any comments regarding the ministries' intention to set lower emission standards for new solid fuel burning appliances that are equivalent to the levels currently required in Washington State?

Solid Fuel Burning Domestic Appliance Regulation Response Form

4. PM emission standards for indoor central heating appliances

The ministries intend to revise the regulation to include a definition of an indoor central heating appliance, and beginning in 2012 only solid fuel burning indoor central heating appliances certified to meet the CSA standard will be legal to offer for sale in B.C. If the US EPA has adopted a similar or more stringent emissions limit for indoor central heating appliance by 2012, appliances of this type could also be certified to that standard. The phase in date of 2012 is proposed to allow for indoor central heating appliances to be certified (see intentions paper section 5.4).

- 4.1 Do you have any comments regarding the ministries' intention to establish PM emission standards for indoor central heating appliances?

5. Requirements for outdoor central heating appliances

The ministries intend to revise the regulation to include a definition for outdoor central heating appliances, and beginning in 2011 only solid fuel burning outdoor central heating appliances certified to meet the CSA standard or demonstrated to meet the EPA White Tag emissions level will be legal to offer for sale in B.C. If the US EPA has adopted an emissions standard for outdoor central heaters by 2011 (replacing the voluntary White Tag program), appliances of this type could also be certified to that standard.

In addition to the emissions standards the ministries propose to include a setback standard that will limit the installation of new outdoor central heating appliances to sites where they are unlikely to cause nuisance or health problems to neighbours. The ministries are proposing a setback distance in the range of 60-150 metres for appliances that do not meet the emission standards and 30-90 metres for appliances that do meet the emission standards (see intentions paper section 5.5).

- 5.1 Do you have any comments regarding ministries' intention to establish PM emission standards for outdoor central heating appliances?
- 5.2 Do you have any comments or suggestions for the ministries regarding the proposed setback standard for installation of outdoor central heating appliances and the date for setback provisions coming into force?
- 5.3 Do you have any comments or suggestions regarding the ministry's intention that retailers of outdoor central heating appliances be required to provide information to purchasers on setback requirements, and that purchasers be required to acknowledge receipt of this material?

6. PM emission standards for cook stoves

The ministries intend to adopt a definition for a "cook stove" in the revised regulation. Appliances meeting this definition can continue to be legally sold in B.C., but will be required to be certified to meet the B.C. emission standard starting in September 2014 (see intentions paper section 5.6).

- 6.1 Do you have any comments regarding the ministries' intention to require cook stoves to meet the B.C. emission standards?

Solid Fuel Burning Domestic Appliance Regulation Response Form

7. Additional considerations

The following "additional considerations" are described in section 5.7 of the intentions paper.

A. Transition period

- 7.1 Do you have any comments or suggestions regarding an appropriate transition period (e.g., 12-18 months) between the effective date of the regulation and its coming into force – to allow sufficient notice for manufacturers, distributors and retailers of appliances to meet new standards?

B. Acceptable fuels

- 7.2 Do you have any comments or suggestions regarding "acceptable fuels" for solid fuel appliances (e.g., seasoned wood with a moisture content below 20%, wood chips, manufactured fire logs, wood or other biomass products, clean paper, newsprint and/or cardboard) and the ministries' intention to include a list of such fuels in the regulation?

C. Labelling and information requirements

- 7.3 Do you have any comments or suggestions regarding labeling of appliances or the ministries' intentions to track appliances that are legal for sale in B.C.?

D. Testing and record keeping requirements

- 7.4 Do you have any comments or suggestions regarding appropriate testing and record keeping requirements that should be a component of the regulation?

E. Pelletized fuel specifications

- 7.5 Do you have any comments or suggestions on the need for, or form of, a pelletized fuel specification provision in the regulation?

F. B.C. specific appliance testing not required

- 7.6 Do you have any comments or suggestions regarding appropriate testing requirements for solid fuel burning domestic appliances that may be manufactured, distributed and offered for sale in B.C.?

8. Proposed Phase 2 revisions to the Regulation

Section 6 of the intentions paper describes several provisions that the ministries are considering for inclusion in Phase 2 revisions to the Regulation. Phase 2 revisions are aimed at reducing pollution from existing solid fuel burning appliances and addressing remaining exempt appliances.

- 8.1 Do you have any comments or suggestions for the ministries to consider in the design of the Phase 2 revisions?

Solid Fuel Burning Domestic Appliance Regulation Response Form

9. Additional provisions in other legislation

Section 7 of the intentions paper describes examples of other regulatory or non-regulatory means that may be used to reduce harmful emissions from solid fuel burning appliances. The ministries are seeking comment on these and other measures that might be enacted outside of the Solid Fuel Burning Domestic Appliance Regulation.

- 9.1 Do you have any comments on or suggestions for regulatory or non-regulatory measures outside of the Solid Fuel Burning Domestic Appliance Regulation that would support reduction of harmful emissions from solid fuel burning appliances?

10. Awareness, compliance and enforcement

Section 5.8 of the intentions paper outlines awareness and compliance promotion, compliance verification, enforcement and offence and penalty aspects of the regulation.

- 10.1 Do you have any comments or suggestions for the ministries to support awareness, compliance and enforcement of the regulation?

11. Protection of human health and the environment

- 11.1 Are there any aspects of solid fuel burning domestic appliances that could significantly **affect human health or the environment** that are not, in your view, sufficiently addressed in the ministries' intentions and proposed amendments to the Regulation?

- Yes
 No

What, if any, are they? What suggestions do you have for the ministries to improve the manner in which these concerns are addressed?

- 11.2 Do you have any other comments or suggestions for the ministries regarding the regulation of solid fuel burning domestic appliances?

Thank you for your time and comments!

Please remember to return this response form to the ministry on or before July 2, 2010.

(Optional) Contact Information

If you wish to receive further information concerning regulatory changes related to the Solid Fuel Burning Domestic Appliance Regulation, please provide your contact information – **including an e-mail address** – below. This information will be compiled separate from responses and used to inform respondents of posting of the summary of comments and subsequent actions to develop and implement the regulatory changes. Note that all submissions will be treated with confidentiality by government staff and contractors however information that identifies you as the source of those comments may be publicly

Solid Fuel Burning Domestic Appliance Regulation Response Form

available if a Freedom of Information request is made under the *Freedom of Information and Protection of Privacy Act*.

Contact Name:

Business or Organization Name (if appropriate):

E-mail:

Mailing address:

Telephone:

Fax:

Background and Area of Interest

Please mark an "x" in the appropriate boxes if your primary interest in the ministry's intentions relates to your:

- Work in the manufacture, sales or distribution of solid fuel burning appliances:**
Please describe (e.g., manufacturer, retailer, distributor):
- Work in the private sector manufacturing or selling solid fuels for domestic appliances:**
Please describe (e.g., wood pellets, wood chips, wood salvage or harvesting):
- Work for a government regulatory agency:**
Please describe (e.g., federal, provincial, municipal):
- Work for a public sector organization:**
Please describe (e.g., health authority, education institution, Crown corporation):
- First Nation**
Please describe:
- Involvement or work for an environmental or community interest group**
Please describe:
- Other interest:**
Please describe:

Thank you once more for your time and interest in these regulatory changes.

If you have any further questions, please contact Cindy Bertram at: cindybertram@shaw.ca