

# Masonry Fireplace Emissions Regulations

Currently most fireplace emissions regulations are only enforced in the West.  
(Based on HPBA study)

## Fireplace Bans

### History of Fireplace Regulation

1988-91 Denver area bans fireplaces

1986-92 CO Ski Towns ban fireplaces – Aspen, Steamboat, Vail

1989 Reno bans fireplaces

1990 Las Vegas bans fireplaces

Note: Wood stove no-burn programs in all above areas

## Wood Fireplace Bans: Region IX

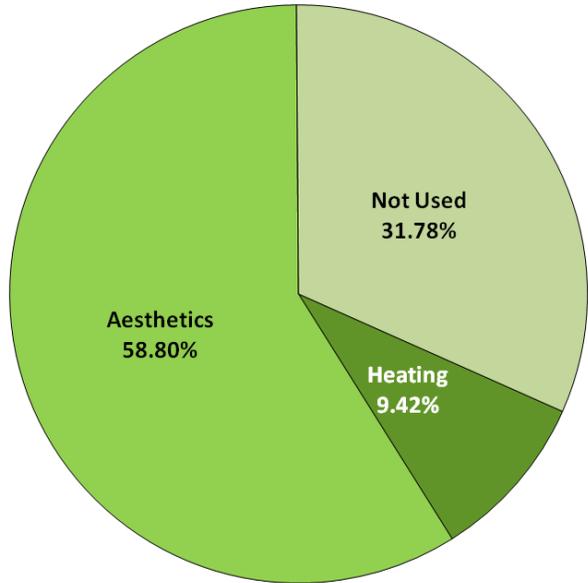
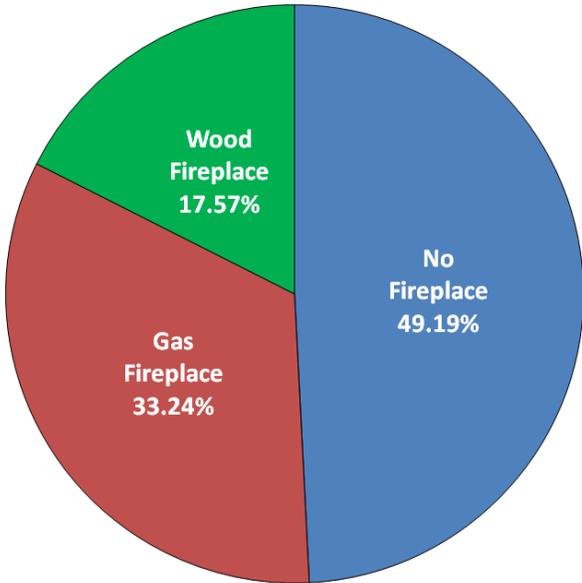
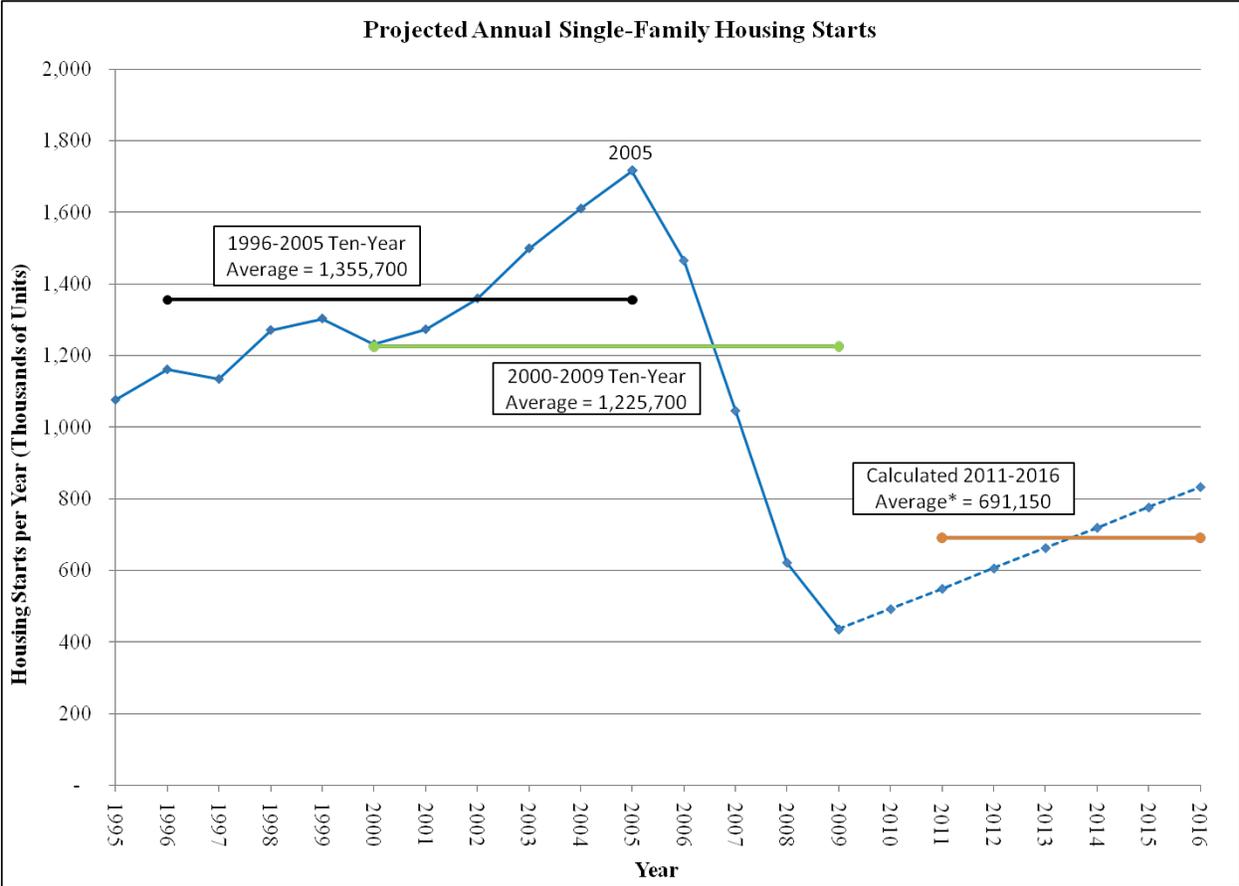
South Coast AQMD - Rule 445(d) \*  
San Luis Obispo AQMD - Rule 504.D  
San Joaquin Valley APCD-Rule 4901§ 5.3  
Bay Area AQMD- Regulation 6 § 3-302 \*  
Great Basin (Mammoth Lakes) Rule 431  
Sacramento AQMD - Rule 417 § 301 \*  
Northern Sonoma Ct APCD - Rule 400 \*  
Tahoe – TRPA - Chapter 91.3.B \*  
Yolo-Salono AQMD - Rule 2.40 § 301 \*  
Placer Cty APCD - Rule 225 § 302 \*  
Feather River AQMD - Rule 3.17.F \*  
Butte Cty AQMD - Regs. 207-3.1.3; 6.1-2 \*  
Mendocino Cty AQMD - Rule 4.1-400(a),(d)  
Shasta Cty – Rule 3:23(b)(5)  
Maricopa Cty (Phoenix) Rule 318

## Wood Fireplace Bans: Region X

Klamath Cty- Chapt. 406  
Jackson Cty - Ord. § 1810.03  
State of Washington – limited to Washington State wood  
burning fireplaces

## Wood Fireplace Bans: Region VIII

7 County Denver-Boulder Metro – Adopted by Colorado  
AQCC - Regulation No. 4, 5  
Numerous other Colorado communities  
Jackson Wy / Teton Cty – prohibition



Housing Starts and Fireplace Use

# HPBA Conclusion

1) Existing state and local rules in states most likely to need fireplace restrictions in their PM SIPs already address new wood fireplaces in their regulations.

2) A fireplace NSPS would be massive regulatory overkill, requiring controlled fireplaces in areas where they are simply not needed.

3) The Fireplace Voluntary Program is a more appropriate response: it is a tool that can be used selectively by SIP planners.

# Masonry Issues

Masonry fireplaces have been "exempt" from EPA regulation.

Local and state regulators have wanted to regulate fireplaces.

These "regulations" can be seen as "bans"

Now the EPA intends within two years to broaden the net and regulate all fireplaces under the New Source Performance Standard (NSPS), like stoves.

NSPS regulation would require fireplaces nationwide to meet emissions standards under the force of law which would mean the end of the custom-built masonry fireplace. Only some metal fireplaces and maybe a few masonry kit fireplaces can be expected to survive.

The EPA has developed a "Voluntary Fireplace Program" but so far most local and state regulators have not participated, reinforcing that the regulations are really bans.

The EPA and many local regulators don't understand the mason fireplace industry, don't know about building codes - only UL listed products - and don't think there are many masonry fireplaces built. Their collective experience has been with stoves.

# Plan of Action

## Communicate:

Tell the EPA how many masonry fireplaces are built and how many jobs are involved in manufacturing components and materials, selling, distributing and building masonry fireplaces.

The masonry industry estimates that at least 50,000 masonry fireplaces were built in 2009 in the US. Perhaps as many as 80,000 to 100,000 masonry fireplaces were built in the US each year in the preceding decade. This estimate is the result of input from clay flue liner, firebrick and damper manufacturers.

## Political Action:

State and local air quality regulators are mostly employed by agencies directed by people appointed by state, county and city elected officials. In other words they are not directly responsible to voters. Contacting your local elected representatives may help us to communicate with these regulators.

## Talking Points:

Masonry fireplaces are "inherently clean-burning" - which is why the EPA exempted them from the stove regulations.

Fireplaces use a renewable fuel (wood) and can save energy by heating a room instead of heating the whole house - usually with fossil fuels.

Most masonry fireplaces are used for space heating, ambiance and when there is a power outage - in other words, only occasionally.

Fireplaces are part of our cultural heritage and while they do pollute a little, so does driving to the grocery store.

Making the EPA Voluntary Fireplace Program work is a way to regulate fireplace emissions where it's important in some areas in the West. The draconian NSPS regulations are not needed in most of the country. Support the HPBA recommendations.

Is the small benefit of eliminating emissions from fireplace worth the jobs lost, increase in dependence on fossil fuels and the loss in amenity?