

**MARICOPA COUNTY  
AIR POLLUTION CONTROL REGULATIONS  
REGULATION III – CONTROL OF AIR CONTAMINANTS**

**RULE 318  
APPROVAL OF RESIDENTIAL WOODBURNING DEVICES**

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RULE 318  
APPROVAL OF RESIDENTIAL WOODBURNING DEVICES

SECTION 100 – GENERAL

101 **PURPOSE:** Rule 318 describes the standards for approval of residential woodburning devices.

102 **APPLICABILITY:** Rule 318 applies to the approval of residential woodburning devices that may be exempted from the restrictions established by the Residential Woodburning Restriction Ordinance.

**SECTION 200 – DEFINITIONS:** For the purpose of this rule, the following definitions shall apply:

201 **APPROVED WOODBURNING DEVICE:** The following residential devices shall be approved woodburning devices, even though such devices may burn a solid fuel other than wood:

201.1 A device that has been certified by the Environmental Protection Agency (EPA) as conforming to Phase II EPA Standards for Wood Heaters in 40 Code of Federal Regulations (CFR) 60, Subpart AAA as amended through July 1, 1998.

201.2 Any pellet stove.

201.3 Any gas burning hearth appliances, including a dedicated gas logset permanently installed in any kind of woodburning fireplace.

201.4 Any masonry heater or any other solid fuel burning device that meets performance standards that are equivalent to the standards in 40 CFR 60, Subpart AAA as amended through July 1, 1998, and that is approved by the Control Officer and the Administrator of EPA.

202 **FIREPLACE:** A chimney-connected, solid fuel or gas burning appliance, with or without glass doors, that is intended primarily for occasional recreational and aesthetic use and only secondarily for incidental or supplemental heating and that ordinarily is permanently installed into the structure of a building.

203 **MANUFACTURER:** Any person who constructs or imports a residential woodburning device or parts for a residential woodburning device.

204 **MASONRY HEATER:** A vented, woodburning radiant heating system that is designed to burn rapidly and to capture and store the resultant heat energy in the mass of the appliance through internal heat exchange flue channels. A masonry heater is constructed primarily of masonry materials (brick, stone, tile, concrete, mortar, or refractory), weighs at least 1,754 lbs (800 kgs.), and is either site built or assembled from factory made components.

- 205 PELLET STOVE:** A safety listed appliance, such as an appliance that has been tested in an accredited laboratory (i.e., UL, Warnock Hersey), designed to burn only wood pellets or any naturally pelleted fuel, such as but not limited to, cherry pits, corn, or olive pits. A pellet stove is incapable of burning wood and may or may not be certified under 40 CFR 60.530.
- 206 RESIDENCE:** A residence shall be deemed to include single and multiple dwellings, hotels, motels, dormitories, and mobile homes, and the use of a room or group of rooms for the living, sleeping, and housekeeping activities of persons on a permanent or semi-permanent basis.
- 207 SOLID FUEL:** Includes, but is not limited to, wood, nongaseous fuel, nonliquid fuel, oil, natural gas, electricity, liquid petroleum (LP) gas, and propane.
- 208 WOODSTOVE, WOODHEATER, OR CONVENTIONAL WOODSTOVE:** A wood heating appliance, either free-standing or inserted into a fireplace, belonging to a model line that is not an EPA-certified model line. A woodstove, woodheater, or conventional woodstove does not include a barbecue device, a cookstove, a boiler, nor a furnace, as defined in 40 CFR 60.530(c).

## SECTION 300 – STANDARDS

- 301 DESCRIPTION OF RESIDENTIAL DEVICES APPROVED FOR BURNING WOOD:** Effective September 30, 1994, the following residential devices shall be approved for burning wood, even though such devices may burn a solid fuel other than wood:
- 301.1** A device that has been certified by EPA as conforming to Phase II EPA Standards for Wood Heaters in 40 CFR 60, Subpart AAA as amended through July 1, 1998.
- 301.2** Any pellet stove.
- 301.3** Any gas burning hearth appliances, including a dedicated gas logset permanently installed in any kind of woodburning fireplace.
- 301.4** Any masonry heater or any other solid fuel burning device that meets performance standards that are equivalent to the standards in 40 CFR 60, Subpart AAA as amended through July 1, 1998, and that is approved by the Control Officer and the Administrator of EPA.
- 302 REQUIRED INFORMATION FOR MASONRY HEATERS AND ANY OTHER RESIDENTIAL SOLID FUEL BURNING DEVICES:** The manufacturer, operator, and/or installer of any device described in subsection 301.4 of this rule shall provide to the Control Officer:
- 302.1** An affidavit that attests that the device has been certified by another air pollution control agency, provided the certification procedures and testing protocols used by that agency are determined by the Control Officer and the Administrator of EPA to be substantially equivalent to the certification procedures and testing protocols used by the Northern Sonoma County Air Pollution Control District; and
- 302.2** All other information determined by the Control Officer and the Administrator of EPA to be needed for an adequate evaluation of the device.