

## Regulation and Requirements Summary

Please review the official public notice version of the regulatory language to ensure full understanding of the requirements.

Control Measure Identification	Proposed Regulation citation	Summary
<b>Registration requirements</b>		
Stakeholder #1 BACM 13, 16,19, 20, 22, 15, 30	Repeal and replace 18 AAC 50.077  new subsection 18 AAC 50.077(k)	Requires wood fired heating devices to be registered with DEC <ul style="list-style-type: none"> <li>• upon sale of new device by vendor or dealer, <ul style="list-style-type: none"> <li>○ Vendor shall also provide curtailment information to buyer at time of sale</li> <li>○ Review proper operating instructions with buyer</li> </ul> </li> <li>• prior to closing if real estate transaction includes a device,</li> <li>• prior to issuance of any waivers</li> <li>• in order to participate in the Burn Right Program</li> <li>• In order to participate in any wood-stove change-out or conversion program</li> </ul>
<b>Fuel Requirements</b>		
Stakeholder #12 BACM 51	New section 18 AAC 50.078(b)	Requires only Diesel #1 may be sold for use in diesel-fired equipment – starting July 1, 2020.
Stakeholder #13 Modified BACM 31, 32	18 AAC 50.076(d) & (j)	Effective October 1, 2021, commercial wood seller must ensure that wood being sold must have a moisture content less than 20%  Until September 30, 2021, registered commercial wood sellers will continue with existing regulations.  After October 1, 2021, only sale dry wood that is either <ul style="list-style-type: none"> <li>• Properly seasoned, split and store covered for at least 9 months</li> <li>• Mechanically dried, where the drying process has been inspected and approved by the department to ensure consistency and reliability or</li> <li>• Harvested from an inspected fire killed source that has been split, stacked, stored and confirmed dry prior to freezing.</li> </ul> Includes affidavit to buyer that wood is dry on forms provided by department.
BACM 31, 32	18 AAC 50.078 (e)	Non-commercial wood sellers may only sell dry wood.
<b>Device Requirements</b>		
<b>Wood-fired heating devices</b>		
Repeal and replace existing 50.077 (Standards for wood-fired heating devices)		
Stakeholder #17b, 18 BACM 15, 16, 17, 28, R4, R6, R9, R10, R11, R12 & R16	18 AAC 50.077(b)	Requires all EPA <u>uncertified</u> devices and all outdoor hydronic heaters, except outdoor pellet fueled hydronic heaters to be <ul style="list-style-type: none"> <li>• Removed or replaced by December 31, 2024.</li> <li>• Removed or replaced before being sold, leased, or conveyed as part of an existing building; and</li> <li>• All removed devices must be destroyed or rendered inoperable</li> </ul>

BACM 7, 22, R16, modified	18 AAC 50.077(c)	No outdoor hydronic heaters may be sold or installed unless pellet fueled.
BACM R9, R15, R16, R17 modified	18 AAC 50.077(d)	Identifies the EPA emission rate used as requirement of <b>pellet fueled wood fired hydronic heater</b> , that EPA certification is required, EPA test methods and measurement requirements. 0.10 lb/mmBTU
BACM R5 modified	18 AAC 50.077(e)	Identifies EPA emission rate used as requirement of <b>catalyst equipped</b> and <b>pellet fueled woodstoves</b> , that EPA certification is required, EPA test methods and measurement requirements. 2.0 g/hr
Consistent with FNSB incorporated Ordinance	18 AAC 50.077(f)	Identifies EPA emission rate used as requirement of <b>non-catalyst woodstoves</b> , that EPA certification is required, EPA test methods and measurement requirements, and TEOM emission profile approved by department before allowed on DEC list of approved devices. 2.0 g/hr
Existing regulations renumbered and edited as needed for consistency	18 AAC 50.077(g)	Identifies EPA emission rate used for wood-fired heating devices that whose rated size is 350,000 Btu or greater per hour, that EPA certification is required, EPA test methods and measurement requirements. 2.0 g/hr
	18 AAC 50.077(h)	Allows department to review manufacturer test results and place a model on the list of devices the department prepares identifying what devices are allowable under this section.
Consistent with FNSB incorporated Ordinance	18 AAC 50.077(i)	Allows sale of a device not meeting regulations to be sold outside of the nonattainment area when confirmed in writing by the buyer the device will not be installed within the nonattainment area.
	18 AAC 50.077(j)	Allows for a temporary waiver for conveyance of an existing noncompliant device after department considers financial hardship, technical feasibility, and potential impact to locations sensitive to exposure to PM2.5.
Stakeholder #32, BACM 4, 5, 13, 26, 48, R16	new subsection 18 AAC 50.077(k)(2) &(3)	Wood-fired heating devices and wood fired retrofit control devices must be professionally sized and professionally installed with confirmation of proper installation and location. Installers must be certified. Replacement devices must be confirmed removed and destroyed.
Stakeholder #22, #31 BACM 3, 24	new subsection 18 AAC 50.077(k)(4)	Wood-fired heating devices may not be the primary or only heat source <ul style="list-style-type: none"> <li>• New construction except ‘dry cabins’ on 2 + acre parcel</li> <li>• For rental units, unless was a rental until before effective date of regulations and qualifies for a NOASH.</li> </ul>
BACM 2	new subsection 18 AAC 50.077(k)(5)	Wood-fired heating devices not meeting regulations may not be advertised for sale within the area.
<b>Coal fired devices</b>		
BACM 48, 49	18 AAC 50.079(f) new	Existing coal-fired heating devices to be <ul style="list-style-type: none"> <li>• removed or replaced by December 31, 2024</li> <li>• remove or replace before being sold, leased, or conveyed as part of an existing building</li> </ul>

		<ul style="list-style-type: none"> <li>removed devices shall be destroyed or rendered inoperable</li> </ul>
<b>Solid Fuel Device Operations/Curtailment</b>		
BACM 42	18 AAC 50.075(e)(3) new	Fuel to non-exempt devices must be withheld, and combustion in these devices – as evidenced by visible smoke from a chimney – must cease within three hours after announcement of a curtailment of operation under an emergency episode
Consistent with FNSB incorporated Ordinance	18 AAC 50.075(f)(2) new	Solid fuel fired heating device shall be operated so that visible emissions do not cross property lines.
BACM 40	Episode Chapter	<p>Advisory and Alert Thresholds</p> <ul style="list-style-type: none"> <li>Advisory – 15 ug/m3</li> <li>Stage 1 – 20 ug/m3</li> <li>Stage 2 – 30 ug/m3</li> </ul>
Stakeholder #23, #24,#26, #27  BACM 16, 19, 20, 25, 27, 28, & 29	Episode Chapter	<p>NOASH and Exemptions requirements</p> <ul style="list-style-type: none"> <li>Length of waivers based on age and emission rate of device</li> <li>Annual renewals on oldest and highest emission rated devices</li> <li>3<sup>rd</sup> party inspection of device to verify proper installation required</li> <li>3<sup>rd</sup> party inspection of maintenance (chimney sweep) required</li> <li>Device registration required</li> <li>Documentation of dry wood supply</li> </ul>
<b>Small area sources</b>		
BACM 68, 69, 70	18 AAC 50.078 (c)	One time submission of information requirement for small area sources: Charbroilers, Incinerators, Used Oil Burners
North Pole coffee roaster already has technology installed (BACM 67 for other coffee roasters)	18 AAC 50.078 (d)	Requires that coffee roasters within area install a pollution control device appropriate to unit, approved by the department, unless facility provides information demonstrating control technology is technically or economically infeasible. Installation to occur 1 year from effective date of regulations.
<b>Contingency Device Requirement</b>		
Contingency Measure/MSM	<p>Amendment New subsection 18 AAC 50.030(c)</p> <p>Serious SIP Contingency measure chapter New subsection 18 AAC 50.077(m)</p>	<p>Identifies measures that will be triggered on effective date of EPA issuing a finding for failure to attain, failure to meet a qualitative mile stone, or failure to make reasonable further progress.</p> <ul style="list-style-type: none"> <li>Remove/replace all EPA <u>certified</u> stoves that are 25 years or older AND have an emission rating greater than 2.0 g/hr</li> <li>Remove or replace by December 31, 2024.</li> </ul>