

Department of Environmental Conservation

DIVISION OF AIR QUALITY
Air Non-Point & Mobile Sources

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THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

June 1, 2020

Transmitted via Electronic Mail

Subject: Alaska Department of Environmental Conservation Approved Wood-Fired Heating Device List updates

Dear Device Manufacturer:

This letter is a follow up to the February 21, 2020 communication that was transmitted via Electronic Mail regarding Alaska's Wood-Fired Heating Approved Device Lists (Approved Device Lists). The February 21, 2020 letter may be found here at the bottom of the web page:

<http://dec.alaska.gov/air/burnwise/standards/# Letters>

As required under 18 AAC 50.77(c), wood heating appliances installed in the Fairbanks North Star Borough fine particulate matter (PM_{2.5}) air quality nonattainment area must meet the following requirements:

- Have a rated heat output capacity of less than 350,000 Btu per hour validated by certification testing.
- Hold a valid certification from EPA using a test method approved by the Department and for which the department has reviewed and accepted the underlying certification test results.
- Have a complete certification test report posted on the manufacturer's website that provides sufficient data to assure that testing was completed in accordance with all 40 CFR Part 60 requirements.
- Meet the designated PM emission limits codified in 18 AAC 50.

The Alaska Department of Environmental Conservation's (ADEC) Air Quality Division is currently reviewing the certification test reports for every US EPA appliance certified as complying to the Step 2 standards per 40 CFR part 60 Subpart AAA or Subpart QQQQ and as reported on the EPA wood heater database (<https://cfpub.epa.gov/oarweb/woodstove/index.cfm?fuseaction=app.about>) to ensure compliance with the ADEC standards and requirements in accordance with 18 AAC 50.77. As the effort progresses, ADEC has posted preliminary findings on the Approved Device Lists. The preliminary findings have generated some interest and requests for more specific information. The following information is intended to provide clarification on the process and encourage submittal of any additional relevant information in a timely manner.

Preliminary determinations still require additional review before becoming final determinations. We anticipate final determinations will be completed in July 2020. Once final, there will be four determination categories:

- Approved – the test report has been reviewed, and determined to be complete and complies with all US EPA and Alaska requirements.
- Pending - Incomplete Report/Minor - the test report has been reviewed, but a determination regarding compliance with all US EPA and Alaska requirements cannot be made. Deficiencies noted were largely administrative in nature and most data necessary to confirm emission rate values was found in the online report and does not require a modification to the original test report. Additional documentation must be submitted and posted. The appliance will require limited technical review to make agency final determination.
- Pending - Incomplete Report/Major - the data posted by the manufacturer has been reviewed and deemed deficient and staff are unable to complete a technical review at this time. Report lacked basic details required to recalculate and confirm emission rate values and/or lacked sufficient recordkeeping to determine compliance with applicable test methods. Issues identified will likely require the certification test laboratory to modify the test report to address deficiencies. The manufacturer must submit and post a complete test report, notify and submit new information to ADEC. ADEC will conduct and complete another full technical review of the test report for accuracy and completeness. Technical review determinations for these appliances will be made after review of initial reports has been completed. Technical review will be completed in the order received.
- Disapproved – the test report has been reviewed, and technical review has determined that the appliance does not meet Alaska requirements. Reasons for disapproving an appliance include, but are not limited to the following causes: appliance does not meet ADEC emission limits, testing was non-representative, test report suffers from significant/unresolvable issues, and/or was not completed in accordance with EPA requirements.

It is important to understand that ADEC has undertaken this effort to review certification reports to ensure that wood burning may continue in the Fairbanks North Star Borough nonattainment area now and into the future. In order to continue improving the air quality, reach attainment and continue to allow burning from a range of devices, ADEC needs assurances that the devices that are allowed to be installed within the area were tested in accordance with all requirements detailed in the US EPA regulations without anomalies, deviations, or defects. A single certification test is relied upon to demonstrate compliance for potentially hundreds of appliances within a PM_{2.5} Serious nonattainment area, an area where residential wood burning has been determined to be the largest contributing source sector; therefore, certification test reports must be held to the highest standard in order to guarantee claimed emission rates in all installations of a certified make and model. In addition, the New Source Performance Standards (NSPS) Subparts AAA and QQQQ require a recertification every 5 years; however, a recertification with a new test is not guaranteed. It is possible, then, that a device could pass a single certification test, and meet NSPS Subpart AAA or QQQQ requirements for years if not decades. With the new federal regulations specified in NSPS Subpart AAA and QQQQ, all certification testing has been completed within the last five years. It is imperative that ADEC complete a full report review to ensure that the goals for the program and community are met now and into the future.

Once review of all reports has been completed, ADEC will be able to provide specific feedback on each certification test as requested. However, the specific information will not be provided until all the reports have been completely reviewed to ensure that all manufacturers are treated equally and given a similar time to respond to review determinations. Given the time that it is taking to review reports, which has been compounded by the pandemic, ADEC is posting the preliminary findings, and updating the lists as often as weekly but at minimum monthly, to give as much advance notice of concerns to manufacturers as possible.

In order to ensure that ADEC has all the relevant data required to review an appliances' certification, we urge manufacturers to review the test report information that has been posted on their websites in accordance with 40 CFR 60.537(g). Please review the data posted to your website to determine if it contains all the information required for a complete test report as detailed in 40 CFR 60.8(f) and 60.533(b)(5). Also review the appliance owner's manual to ensure it complies with the requirements specified in 40 CFR 60.536(g). Many test reports do not have sufficient underlying data to confirm that the test and calculations were completed according to method requirements, and therefore have been deemed Pending/Incomplete. Please note that items such as calculations to determine firebox volume, all data for incomplete/ invalid runs, and detailed filter and precision calculations etc. must be made available in the non-CBI test report under the requirements of 40 CFR 60.533(b)(4).

If there is missing information from a report that a manufacturer has, they should send the information and a link to the publicly available update as soon as possible to Steven.hoke@alaska.gov. ADEC will not be searching for additional information on reports. Once the specific feedback information is released later this summer, it will be the responsibility of the manufacturer to provide the missing information to Steven.hoke@alaska.gov. Failure to provide the data in a timely manner will cause the device to be placed on the Disapproved Device List. Again, please remember that the NSPS Subparts AAA and QQQQ state that any data needed to confirm emission rates may not be considered Confidential Business Information (CBI).

While September 1, 2020 is the date where those devices that have not met the 1-hr filter pull standard will be removed from the Approved Device Lists. This date is also a target date for those with incomplete reports to be removed, however additional time may be granted to those devices that submit additional information by September 1 or earlier. Once a device is removed from the Approved Device List, it is possible that if additional information is provided, a device can be reinstated. Therefore, removal from the Approved Device List is not permanent but contingent on meeting all applicable ADEC requirements.

As stated, completion of the review process is expected by end of July. When all reviews have been completed, notification of all report deficiencies for each model will be sent out to the corresponding manufacturers. At the same time, ADEC will publish updated Lists; Approved, Pending (Incomplete Minor, Incomplete Major), and Disapproved. Reviewed devices remaining on the Pending List is contingent on data submittal.

Devices whose certification was posted to EPA's website after May 15, 2020 will not be reviewed until those reports posted prior to May 15, 2020 have been completed and the specific information released. A Pending Table/List has been added to the bottom of the Approved Device Lists to track these newly certified devices.

This letter is also intended to notify you that, as of May 15, 2020, ADEC has removed all appliances that do not meet the more stringent Step 2 standards in NSPS Subparts AAA and QQQQ from the Approved Device List. Appliances removed from the ADEC Approved Device List includes all appliances with a certificate of compliance for the 2015 emission standards and model lines that were previously certified as meeting the 1990 Phase II emission standards under the 1988 NSPS at an emission level equal to or less than the 2015 emission standards in 40 CFR 60.532(a).18 AAC 50.077 adopted the 2015 NSPS federal reference test methods (FRMs) and only those devices tested with methods approved using FRMs and meeting Step 2 compliance requirements

are eligible for the ADEC Approved Device Lists and legal to install at this time, regardless of federal rulemaking activities. The current regulations and additional information may be found at:

- <http://dec.alaska.gov/air/anpms/communities/fbks-pm2-5-nonattainment-control-measure-requirements> - all the control measures within the nonattainment may be found at this link. This includes the solid fuel-fired heating standards, requirements, and lists.

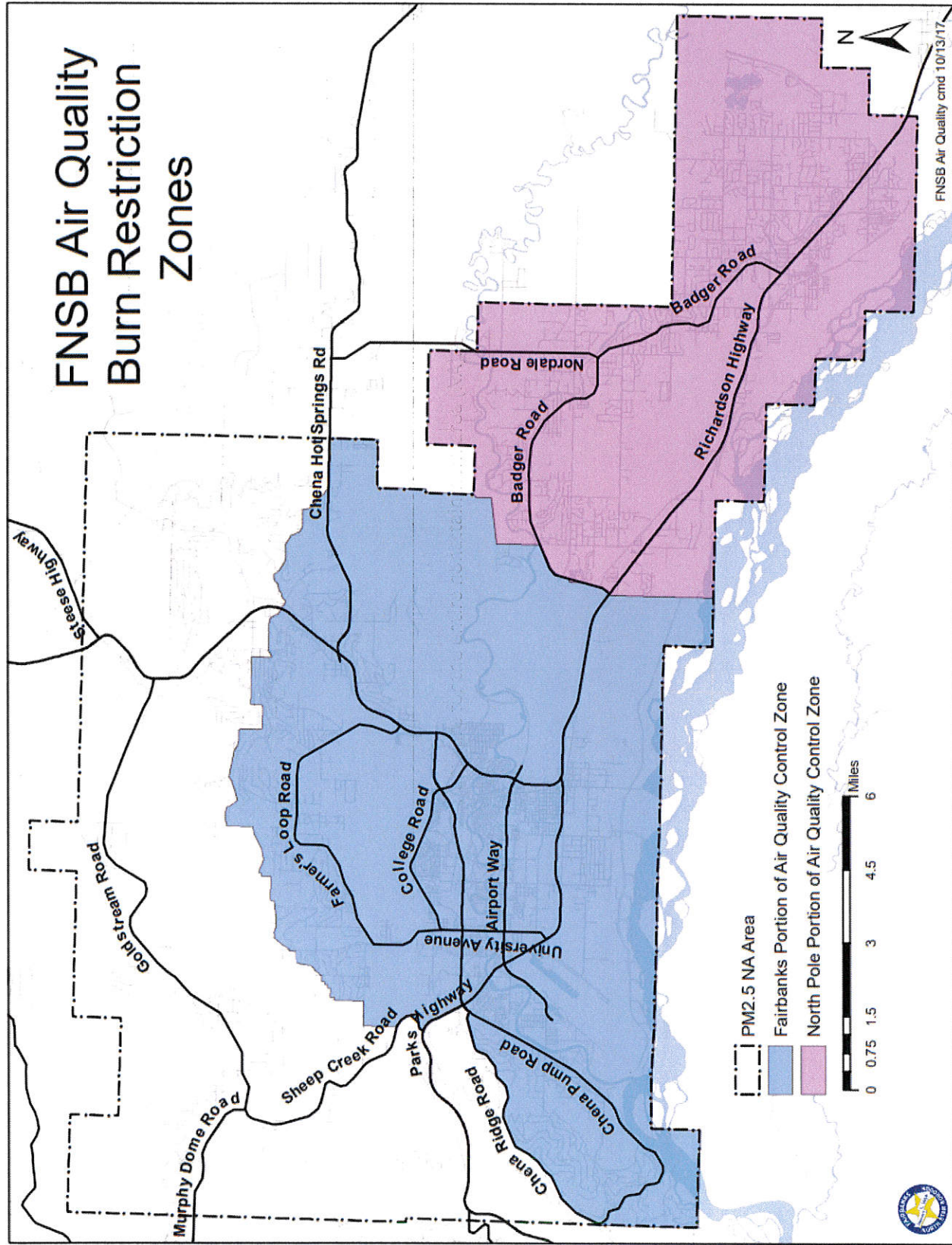
If you have any questions you may contact Steven Hoke at 907-451-5172 or steven.hoke@alaska.gov. You may also contact me directly at cindy.heil@alaska.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cindy Heil". The signature is fluid and cursive, with a large initial "C" and "H".

Cindy Heil

Environmental Program Manager



Note: Solid Fuel Fired Standards and Requirements are for the entire nonattainment area (NA).