

# New Federal US EPA Regulations affecting Wood Pellet Manufacturers

## Summary

On February 3, 2015, the U.S. Environmental Protection Agency (EPA) signed the following federal regulations, expanding the regulatory coverage of wood burning appliances:

- 40 CFR Part 60, Subpart AAA, *Standards of Performance for New Residential Wood Heaters*, and
- 40 CFR Part 60, Subpart QQQQ, *Standards of Performance for New Hydronic Heaters and Forced-Air Furnaces*,

These rules contain the following:

- obligations specific to:
  - ⇒ manufacturers of wood heaters,
  - ⇒ manufacturers of wood pellets,
  - ⇒ sellers of all types of regulated wood heaters, and
  - ⇒ owners and operators of wood heaters;
- emissions standards;
- certification test methods and process.

Pellet burning appliances can only be tested for certification using pellets graded under a licensing agreement with a third-party organization, such as one of the following:

- PFI (Pellet Fuel Institute)
- ENplus
- CANplus



## Important Compliance Facts for Pellet Manufacturers

The pellets must meet the following minimum requirements:

1. **Density:** minimum density of 38 lb/ft<sup>3</sup>;
2. **Dimensions:** maximum length of 1.5 inches and diameter 0.230 - 0.285 inches;
3. **Inorganic fines:** less than or equal to 1%;
4. **Chlorides:** less than or equal to 300 parts per million by weight;
5. **Ash content:** no more than 2%;
6. Contains no demolition or construction waste;
7. **Trace metals:** less than 100 mg/kg; and
8. **Does not contain prohibited fuels:**
  - Lawn clippings or yard waste;
  - Residential or commercial garbage;
  - Materials containing rubber, including tires;
  - Materials containing plastic;
  - Waste petroleum products;
  - Paints or paint thinners;
  - Asphalt products;
  - Materials containing asbestos;
  - Construction or demolition debris;
  - Paper products, cardboard, plywood, or particleboard; \*
  - Railroad ties, pressure-treated wood, or pallets;
  - Manure or animal remains;
  - Salt water driftwood or other previously salt water saturated materials;
  - Unseasoned wood (wood with a moisture content of 20% or more; or 35% or more for chip wood);
  - Any materials that are not included in the warranty and owner's manual for the subject wood heater; or
  - Any materials that were not included in the certification tests for the subject wood heater.

\* The prohibition against burning these materials does not prohibit the use of fire starters made from paper, cardboard, sawdust, wax, and similar substances for the purpose of starting a fire in an affected unit.



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## Important Compliance Dates

**After December 31, 2015**, retailers *may not* sell any wood pellet-fueled heating units - stoves, outdoor wood boilers, indoor boilers, or forced-air furnaces - that do not meet the regulatory requirements.

**Starting January 1, 2016**, Owners and operators of wood- and pellet-fired heaters are required to utilize proper burn practices for units subject to these regulations; operate each heater as directed by the owner's manual; **use only the grades of pellet fuels**, wood, or wood chips that are **included in the owner's manual** based on the heater/stove certification tests; and not burn Prohibited Fuel.

Manufacturers are required to **void the warranties** in cases of improper operation, including burning of improper fuel.

### These rules DO NOT regulate:

- heaters fueled solely by gas, oil, or coal.
- **existing** wood heaters that are already in use in or at people's homes.
- fireplaces, cook stoves, camp stoves, and Native American bake ovens, all as defined in the regulations.

## Regulation and Summary Documents

The regulation and summary documents can be accessed on-line at <http://www2.epa.gov/residential-wood-heaters/>.



## Enforcement of Regulation

Although states may take delegation of parts of this regulation, Maine has not chosen to do so at this time. Because this is a federal law, the US EPA is the enforcing agency for this regulation.

The notice of final rulemaking was signed by EPA Administrator Gina McCarthy on February 3, 2015. The regulation becomes effective 60 days after the date it is published in the Federal Register. The effective date is expected to be in early May of 2015.

## Assistance

For further information on the requirements of these federal standards or for technical assistance on any environmental regulation, please contact:

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