

New rules on wood-burning devices affect home sales, new construction

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From staff reports

The San Joaquin Valley's poor wintertime air quality could soon get some relief, thanks to a new rule governing wood-burning stoves which goes into effect on Thursday.

Rule 4901, amended by the San Joaquin Valley Air Pollution Control District in July, affects residential fireplace inserts and freestanding stoves, and is designed to further reduce wintertime particulate pollution.

Beginning in the new year, only the cleanest wood-burning heaters will be allowed to remain in a home when it is sold or transferred. The rule also limits the number of wood-burning heaters allowed in new homes and new developments.

"This rule will allow the Valley to slowly phase out old, dirty-burning wood stoves and inserts, and greatly reduce particulate matter emissions," said Anthony Presto, a spokesman for the air district.

Wood-burning fireplaces and stoves are a significant source of particulate matter air pollution in the San Joaquin Valley, he explained. Due to the severity of the Valley's wintertime air pollution problem, the air district is mandated by the U.S. Environmental Protection Agency to reduce particulate matter emissions Valley-wide.

"The district is taking every feasible control measure possible to reduce air pollution in the San Joaquin Valley," said Presto. "This is just one of its efforts to reduce that pollution."

Wood smoke accounts for about one-third of particulate matter - or PM10 - in the air; the remaining two-thirds comes from agriculture and industry, which are already being regulated by the air district.

This high concentration of particulate matter can reduce lung function and often exacerbates incidents of asthma and heart attacks.

"This is a step in reducing those occurrences and protecting public health," said Presto.

Beginning Jan. 1, when a home is sold or transferred, the seller is required to certify that any wood-burning heater left in the home is either an open-hearth fireplace, a pellet-fueled heater or an EPA Phase II-certified insert or stove.

Any other wood-burning heater has to be removed, replaced or made inoperable by the seller before the real estate transaction can be completed.

There are no exemptions to this requirement; however the restrictions do not apply to natural gas- or propane-fueled devices.

Rule 4901 also restricts the number and type of wood-burning devices that can be installed in new residential developments.

For example, in developments with a density ratio of two or fewer homes per acre, one wood-burning heater is allowed per home. In developments with a density greater than two dwelling units per acre, up to two EPA Phase II-certified stoves are allowed per acre but no open-hearth fireplaces are allowed.

The new restrictions apply to any single or multi-family housing unit that starts construction on or

after Jan. 1, 2004.

"Wood stoves and fireplace inserts manufactured prior to July 1, 1990, will most likely not meet the new requirement," said Presto.

"They'll need to be removed before the close of the real estate transaction or escrow."

Wood stoves and fireplace inserts manufactured after that date are more likely to be in compliance with the EPA Phase II certification requirement, he said.

He suggested that to be certain, stove and insert owners should check for a metal plate or sticker that verifies the device's manufacture date and certification level.

Although wood-burning heaters are now required to be EPA Phase II-certified before they can be sold, the seller should ensure that the sticker or label is present on used stoves or those imported from outside of the United States.

For more information, and a listing of certified devices, visit www.epa.gov/compliance/monitoring/programs/woodstoves

Failure to comply with the requirements could lead to the seller being responsible for future costs of replacement or removal of the equipment and fines.

For more information on the Valley's pollution, as well as daily wood-burning restrictions that may be in force, visit www.valleyair.org or call the air district's Modesto office at 557-6400.

[Modesto Bee Editorial Cartoon](#)



A World of Changes in 2003

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Fresno Bee Editorial

Looking back at a year's events is sometimes entertaining and often saddening, but always instructive. So it is as we recount the tale of our ever-changing world this New Year's Eve.

Indeed, 2003 has been especially eventful; many outcomes and continuing story lines could not have been expected 12 months ago.

Uttering the words "Governor Schwarzenegger" last January would have elicited quizzical and even amused glances. Few would have envisioned the recent image of a captured and disheveled Saddam Hussein.

[The Valley's poor air quality was already visible to us, yet still not fully in our sights.](#)

Yes, the landscape changed in 2003. Arnold Schwarzenegger's historic recall triumph in October unseated an unpopular governor who had just been re-elected in 2002. Now the big-screen action figure is attempting to shift his heroics from Hollywood to Sacramento. A once brazen and defiant Saddam has been reduced to a meek, deposed dictator of Iraq waiting to answer for his crimes against humanity. [And the seriousness of the Valley's filthy air has gained an audience -- though the seriousness of our efforts to clean it up often remains wanting.](#)

The recall election of Schwarzenegger was a testy statement from a restless California electorate, upset with the state's economy, budget deficit and Gray Davis' political missteps.

Now Schwarzenegger is discovering that eliminating "wasteful spending" and governing within the state's fiscal and political restraints is not an easy script to follow. In fairness, the new governor has proposed structural changes for California's fiscal process that could prove fruitful. Still, the impact of his "fixes" -- cuts to programs that aid the poor and disabled and a proposed \$15 billion bond -- could affect the state for years.

Halfway around the world, the U.S. invasion of Iraq and the overthrow of a tyrant touched the region, from the deployment of Navy air crews from Lemoore and local troops from the National Guard and reserves to the deaths of Valley soldiers. The price of freedom numbed the rural town of Earlimart in late April when Army 1st Lt. Osbaldo Orozco, 26, was the first Valley soldier to die in the war. To the north, Livingston became another Valley victim of war's horrors when 20-year-old Army Pfc. Karina Lau died Nov. 2. Lau, en route back home for a two-week leave, was killed when the Chinook helicopter in which she was a passenger was shot down.

[While Iraq and a change in Sacramento leadership dominated the news in 2003, the Valley's dirty air continued to smother us, and has moved to the forefront of regional concerns. The Bee's exhaustive special report, "Last Gasp," published in mid-December a year ago, chronicled the severity of the air problem and was the catalyst for bringing attention to the issue.](#)

[In 2003, strides indeed were taken toward cleaning the air, but many of them merely tinkered around the edges -- and we still have so very far to go.](#)

[This was a year in which the board of the San Joaquin Valley Air Pollution Control District voluntarily chose to move its eight-county area from "severe noncompliance" with the ozone standard to "extreme noncompliance," pushing a deadline to achieve the clear-air standard for ozone from 2005 to 2010 and thus avoiding sanctions -- for now.](#)

[The fear is that a year from now -- and in years to come -- progress toward Valley residents breathing a little easier will remain, much like our air, stagnant.](#)

On the local political front, Fresno Mayor Alan Autry said he would not seek re-election, then reconsidered after his handpicked successor, H. Spees, backed out of the race. Autry, not wanting to leave the city in the hands of "politicians," filed to run again after much contemplation.

Autry continued sparring with educators in 2003, saying he won't retreat from his campaign to reform the schools. At one point, he said Fresno's education system "commits socioeconomic murder on our children." That statement ignored the socioeconomic problems rooted in his city, and the lack of adequate response from City Hall.

Educators in Fresno Unified School District cheered this year's Academic Performance Index scores, which showed improvement in 2002-03 for 86% of the district's schools, a substantial increase over the previous year. Still, Fresno Unified continued to struggle to educate a population bogged down by poverty and high unemployment.

This year also brought us the long-awaited opening of the Save Mart Center on the California State University, Fresno, campus, bringing big-name acts and a first-class facility for Bulldog athletics.

The tightening of civil liberties in the name of security continued these past 12 months, as Peace Fresno members found out when they realized that an undercover sheriff's detective had been attending their meetings.

In 2003, we also learned of the grim discovery of the bodies of Laci Peterson and her unborn son, as the saga of the legal proceedings of her husband, Scott Peterson, accused of killing them, moved forward.

This was, in sum, a year filled with news that tested our emotions and tried our patience. Now here is 2004, and a fresh chance to solve our problems and celebrate many successes. Bring it on.

"... history can carry on no successful competition with news, in the matter of sharp interest."

-- Mark Twain