

## Rule 421 Options for Board Consideration

Any one of the following, or a combination of the following, options may be considered for adoption at the October 25, 2007 Board hearing.

1. Add a voluntary no burn program for days on which air quality is expected to be between a specified range which recommends wood burning be discontinued for that day, except for EPA certified devices and EPA exempt pellet stoves and inserts that do not produce visible smoke.
  - a. Set range between  $25 \mu\text{g}/\text{m}^3$  -  $35 \mu\text{g}/\text{m}^3$
  - b. Set range between  $30 \mu\text{g}/\text{m}^3$  -  $35 \mu\text{g}/\text{m}^3$
2. Add a 1 year exemption from the mandatory no-burn rule for EPA certified devices and pellet stoves and inserts that do not produce visible smoke. Two alternatives are proposed:
  - a. Exemption expires in one year unless federal standards met.
  - b. Exemption expires in one year unless extended by the Board.
3. Add an exemption from the mandatory no-burn rule for EPA certified devices and pellet stoves and inserts that do not produce visible smoke unless the air quality is forecast to exceed  $40 \mu\text{g}/\text{m}^3$ .
4. Add an exemption from the mandatory no-burn rule for EPA certified devices and pellet stoves and inserts that do not produce visible smoke. (no expiration date)

Additional rule language implementing Option 1.a.

- 115 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 302 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke.
- 208 **U.S. EPA:** The United States Environmental Protection Agency.
- 209 **U.S. EPA Phase II Certified:** Any appliance certified by the U.S. EPA to meet the performance and emission standards set forth in Title 40 CFR, Part 60, Subpart AAA.
- 302 **Voluntary Curtailment:** The requirements of this section shall be in effect during the burning season. The Air Pollution Control Officer will declare a Voluntary Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 25 µg/m<sup>3</sup> but is not likely to exceed 35 µg/m<sup>3</sup>.

Renumber existing Section 208 and 209 to 210 and 211

Additional rule language implementing Option 1.b.

- 115 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 302 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke.
- 208 **U.S. EPA:** The United States Environmental Protection Agency.
- 209 **U.S. EPA Phase II Certified:** Any appliance certified by the U.S. EPA to meet the performance and emission standards set forth in Title 40 CFR, Part 60, Subpart AAA.
- 302 **Voluntary Curtailment:** The requirements of this section shall be in effect during the burning season. The Air Pollution Control Officer will declare a Voluntary Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 30 µg/m<sup>3</sup> but is not likely to exceed 35 µg/m<sup>3</sup>.

Renumber existing Section 208 and 209 to 210 and 211

Additional rule language implementing Option 2.a.

- 115 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 301 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke. This exemption shall expire September 1, 2008, unless the Air Pollution Control Officer determines that the 98<sup>th</sup> percentile of the PM<sub>2.5</sub> concentrations from every Federal Reference Method sampler is 35 µg/m<sup>3</sup> or less for the period April 1, 2007 through March 31, 2008.
- 208 **U.S. EPA:** The United States Environmental Protection Agency.
- 209 **U.S. EPA Phase II Certified:** Any appliance certified by the U.S. EPA to meet the performance and emission standards set forth in Title 40 CFR, Part 60, Subpart AAA.
- 404 **Notification of Expiration of Certified Wood Heaters and Pellet Stoves Exemption:** The Air Pollution Control Officer will provide notice if the

Section 115 exemption expires using the same methods identified in Section 401.

Renumber existing Section 208 and 209 to 210 and 211

Additional rule language implementing Option 2.b.

115 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 301 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke. This exemption shall expire September 1, 2008, unless extended by the Board of Directors.

208 **U.S. EPA:** The United States Environmental Protection Agency.

209 **U.S. EPA Phase II Certified:** Any appliance certified by the U.S. EPA to meet the performance and emission standards set forth in Title 40 CFR, Part 60, Subpart AAA.

404 **Notification of Expiration of Certified Wood Heaters and Pellet Stoves Exemption:** The Air Pollution Control Officer will provide notice if the Section 115 exemption expires using the same methods identified in Section 401.

Renumber existing Section 208 and 209 to 210 and 211

Additional rule language implementing Option 3

115 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 301 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided:

115.1 the devices do not emit visible smoke; and

115.2 a Stage 1 Mandatory Curtailment is in effect.

208 **U.S. EPA:** The United States Environmental Protection Agency.

209 **U.S. EPA Phase II Certified:** Any appliance certified by the U.S. EPA to meet the performance and emission standards set forth in Title 40 CFR, Part 60, Subpart AAA.

Amend Section 301.2

301.2 The Air Pollution Control Officer will declare a Stage 1 Mandatory Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 35 µg/m<sup>3</sup> but is not likely to exceed 40 µg/m<sup>3</sup>

301.3 The Air Pollution Control Officer will declare a Stage 2 Mandatory Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 40 µg/m<sup>3</sup>.

Renumber existing Section 208 and 209 to 210 and 211

Additional rule language implementing Option 4

115 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 301 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke.

208 **U.S. EPA:** The United States Environmental Protection Agency.

- 209 **U.S. EPA Phase II Certified:** Any appliance certified by the U.S. EPA to meet the performance and emission standards set forth in Title 40 CFR, Part 60, Subpart AAA.

Renumber existing Section 208 and 209 to 210 and 211

### **Rule Language Implementing Combinations of Options:**

The various options may be adopted as proposed or in combination with each other. Staff have identified representative combinations below, but the Board of Directors may identify and approve another combination of the proposed options at the October hearing.

#### Additional rule language implementing Options 1.a. and 2.a.

- 115 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 301 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke. This exemption shall expire September 1, 2008, unless the Air Pollution Control Officer determines that the 98<sup>th</sup> percentile of the PM<sub>2.5</sub> concentrations from every Federal Reference Method sampler is 35 µg/m<sup>3</sup> or less for the period April 1, 2007 through March 31, 2008.
- 116 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 302 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke.
- 208 **U.S. EPA:** The United States Environmental Protection Agency.
- 209 **U.S. EPA Phase II Certified:** Any appliance certified by the U.S. EPA to meet the performance and emission standards set forth in Title 40 CFR, Part 60, Subpart AAA.
- 302 **Voluntary Curtailment:** The requirements of this section shall be in effect during the burning season. The Air Pollution Control Officer will declare a Voluntary Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 25 µg/m<sup>3</sup> but is not likely to exceed 35 µg/m<sup>3</sup>.
- 404 **Notification of Expiration of Certified Wood Heaters and Pellet Stoves Exemption:** The Air Pollution Control Officer will provide notice if the Section 115 exemption expires using the same methods identified in Section 401.

Renumber existing Section 208 and 209 to 210 and 211

#### Additional rule language implementing Options 1.a. and 2.b.

- 115 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 301 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke. This exemption shall expire September 1, 2008, unless extended by the Board of Directors.
- 116 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 302 shall not apply to U.S. EPA Phase II Certified wood burning

heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke.

208 **U.S. EPA:** The United States Environmental Protection Agency.

209 **U.S. EPA Phase II Certified:** Any appliance certified by the U.S. EPA to meet the performance and emission standards set forth in Title 40 CFR, Part 60, Subpart AAA.

302 **Voluntary Curtailment:** The requirements of this section shall be in effect during the burning season. The Air Pollution Control Officer will declare a Voluntary Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 25 µg/m<sup>3</sup> but is not likely to exceed 35 µg/m<sup>3</sup>.

404 **Notification of Expiration of Certified Wood Heaters and Pellet Stoves Exemption:** The Air Pollution Control Officer will provide notice if the Section 115 exemption expires using the same methods identified in Section 401.

Renumber existing Section 208 and 209 to 210 and 211

Additional rule language implementing Options 1.a. and 3

115 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 301 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided:

115.1 the devices do not emit visible smoke; and

115.2 a Stage 1 Mandatory Curtailment is in effect.

116 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 302 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke.

208 **U.S. EPA:** The United States Environmental Protection Agency.

209 **U.S. EPA Phase II Certified:** Any appliance certified by the U.S. EPA to meet the performance and emission standards set forth in Title 40 CFR, Part 60, Subpart AAA.

Amend Section 301.2

301.2 The Air Pollution Control Officer will declare a Stage 1 Mandatory Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 35 µg/m<sup>3</sup> but is not likely to exceed 40 µg/m<sup>3</sup>

301.3 The Air Pollution Control Officer will declare a Stage 2 Mandatory Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 40 µg/m<sup>3</sup>.

302 **Voluntary Curtailment:** The requirements of this section shall be in effect during the burning season. The Air Pollution Control Officer will declare a Voluntary Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 25 µg/m<sup>3</sup> but is not likely to exceed 35 µg/m<sup>3</sup>.

Renumber existing Section 208 and 209 to 210 and 211

Additional rule language implementing Options 1.a. and 4

- 115 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 301 and 302 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke.
- 208 **U.S. EPA:** The United States Environmental Protection Agency.
- 209 **U.S. EPA Phase II Certified:** Any appliance certified by the U.S. EPA to meet the performance and emission standards set forth in Title 40 CFR, Part 60, Subpart AAA.
- 302 **Voluntary Curtailment:** The requirements of this section shall be in effect during the burning season. The Air Pollution Control Officer will declare a Voluntary Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 25 µg/m<sup>3</sup> but is not likely to exceed 35 µg/m<sup>3</sup>.
- Renumber existing Section 208 and 209 to 210 and 211

Additional rule language implementing Options 1.b. and 2.a.

- 115 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 301 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke. This exemption shall expire September 1, 2008, unless the Air Pollution Control Officer determines that the 98<sup>th</sup> percentile of the PM<sub>2.5</sub> concentrations from every Federal Reference Method sampler is 35 µg/m<sup>3</sup> or less for the period April 1, 2007 through March 31, 2008.
- 116 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 302 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke.
- 208 **U.S. EPA:** The United States Environmental Protection Agency.
- 209 **U.S. EPA Phase II Certified:** Any appliance certified by the U.S. EPA to meet the performance and emission standards set forth in Title 40 CFR, Part 60, Subpart AAA.
- 302 **Voluntary Curtailment:** The requirements of this section shall be in effect during the burning season. The Air Pollution Control Officer will declare a Voluntary Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 30 µg/m<sup>3</sup> but is not likely to exceed 35 µg/m<sup>3</sup>.
- 404 **Notification of Expiration of Certified Wood Heaters and Pellet Stoves Exemption:** The Air Pollution Control Officer will provide notice if the Section 115 exemption expires using the same methods identified in Section 401.
- Renumber existing Section 208 and 209 to 210 and 211

Additional rule language implementing Options 1.b. and 2.b.

- 115 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 301 shall not apply to U.S. EPA Phase II Certified wood burning

heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke. This exemption shall expire September 1, 2008, unless extended by the Board of Directors.

116 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 302 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke.

208 **U.S. EPA:** The United States Environmental Protection Agency.

209 **U.S. EPA Phase II Certified:** Any appliance certified by the U.S. EPA to meet the performance and emission standards set forth in Title 40 CFR, Part 60, Subpart AAA.

302 **Voluntary Curtailment:** The requirements of this section shall be in effect during the burning season. The Air Pollution Control Officer will declare a Voluntary Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 30 µg/m<sup>3</sup> but is not likely to exceed 35 µg/m<sup>3</sup>.

404 **Notification of Expiration of Certified Wood Heaters and Pellet Stoves Exemption:** The Air Pollution Control Officer will provide notice if the Section 115 exemption expires using the same methods identified in Section 401.

Renumber existing Section 208 and 209 to 210 and 211

#### Additional rule language implementing Options 1.b. and 3

115 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 301 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided:

115.1 the devices do not emit visible smoke; and

115.2 a Stage 1 Mandatory Curtailment is in effect.

116 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 302 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke.

208 **U.S. EPA:** The United States Environmental Protection Agency.

209 **U.S. EPA Phase II Certified:** Any appliance certified by the U.S. EPA to meet the performance and emission standards set forth in Title 40 CFR, Part 60, Subpart AAA.

Amend Section 301.2

301.2 The Air Pollution Control Officer will declare a Stage 1 Mandatory Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 35 µg/m<sup>3</sup> but is not likely to exceed 40 µg/m<sup>3</sup>

301.3 The Air Pollution Control Officer will declare a Stage 2 Mandatory Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 40 µg/m<sup>3</sup>.

302 **Voluntary Curtailment:** The requirements of this section shall be in effect during the burning season. The Air Pollution Control Officer will declare a Voluntary Curtailment whenever he or she determines that the 24-hour

average PM2.5 concentration may exceed 30 µg/m<sup>3</sup> but is not likely to exceed 35 µg/m<sup>3</sup>.

Renumber existing Section 208 and 209 to 210 and 211

Additional rule language implementing Options 1.b. and 4

115 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 301 and 302 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke.

208 **U.S. EPA:** The United States Environmental Protection Agency.

209 **U.S. EPA Phase II Certified:** Any appliance certified by the U.S. EPA to meet the performance and emission standards set forth in Title 40 CFR, Part 60, Subpart AAA.

302 **Voluntary Curtailment:** The requirements of this section shall be in effect during the burning season. The Air Pollution Control Officer will declare a Voluntary Curtailment whenever he or she determines that the 24-hour average PM2.5 concentration may exceed 30 µg/m<sup>3</sup> but is not likely to exceed 35 µg/m<sup>3</sup>.

Renumber existing Section 208 and 209 to 210 and 211

Additional rule language implementing Options 2.a and 3

115 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 301 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided:

115.1 the devices do not emit visible smoke; and

115.2 a Stage 1 Mandatory Curtailment is in effect.

This exemption shall expire September 1, 2008, unless the Air Pollution Control Officer determines that the 98<sup>th</sup> percentile of the PM2.5 concentrations from every Federal Reference Method sampler is 35 µg/m<sup>3</sup> or less for the period April 1, 2007 through March 31, 2008.

208 **U.S. EPA:** The United States Environmental Protection Agency.

209 **U.S. EPA Phase II Certified:** Any appliance certified by the U.S. EPA to meet the performance and emission standards set forth in Title 40 CFR, Part 60, Subpart AAA.

Amend Section 301.2

301.2 The Air Pollution Control Officer will declare a Stage 1 Mandatory Curtailment whenever he or she determines that the 24-hour average PM2.5 concentration may exceed 35 µg/m<sup>3</sup> but is not likely to exceed 40 µg/m<sup>3</sup>.

301.3 The Air Pollution Control Officer will declare a Stage 2 Mandatory Curtailment whenever he or she determines that the 24-hour average PM2.5 concentration may exceed 40 µg/m<sup>3</sup>.

404 **Notification of Expiration of Certified Wood Heaters and Pellet Stoves Exemption:** The Air Pollution Control Officer will provide notice if the Section 115 exemption expires using the same methods identified in Section 401.

Renumber existing Section 208 and 209 to 210 and 211

Additional rule language implementing Options 2.b and 3

- 115 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 301 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided:  
115.1 the devices do not emit visible smoke; and  
115.2 a Stage 1 Mandatory Curtailment is in effect.  
This exemption shall expire September 1, 2008, unless extended by the Board of Directors.
- 208 **U.S. EPA:** The United States Environmental Protection Agency.
- 209 **U.S. EPA Phase II Certified:** Any appliance certified by the U.S. EPA to meet the performance and emission standards set forth in Title 40 CFR, Part 60, Subpart AAA.
- Amend Section 301.2
- 301.2 The Air Pollution Control Officer will declare a Stage 1 Mandatory Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 35 µg/m<sup>3</sup> but is not likely to exceed 40 µg/m<sup>3</sup>
- 301.3 The Air Pollution Control Officer will declare a Stage 2 Mandatory Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 40 µg/m<sup>3</sup>.
- 404 **Notification of Expiration of Certified Wood Heaters and Pellet Stoves Exemption:** The Air Pollution Control Officer will provide notice if the Section 115 exemption expires using the same methods identified in Section 401.
- Renumber existing Section 208 and 209 to 210 and 211

Additional rule language implementing Options 1.a., 2.a and 3

- 115 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 301 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided:  
115.1 the devices do not emit visible smoke; and  
115.2 a Stage 1 Mandatory Curtailment is in effect.  
This exemption shall expire September 1, 2008, unless the Air Pollution Control Officer determines that the 98<sup>th</sup> percentile of the PM<sub>2.5</sub> concentrations from every Federal Reference Method sampler is 35 µg/m<sup>3</sup> or less for the period April 1, 2007 through March 31, 2008.
- 116 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 302 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke.
- 208 **U.S. EPA:** The United States Environmental Protection Agency.
- 209 **U.S. EPA Phase II Certified:** Any appliance certified by the U.S. EPA to meet the performance and emission standards set forth in Title 40 CFR, Part 60, Subpart AAA.
- Amend Section 301.2
- 301.2 The Air Pollution Control Officer will declare a Stage 1 Mandatory Curtailment whenever he or she determines that the 24-hour average

- PM2.5 concentration may exceed 35  $\mu\text{g}/\text{m}^3$  but is not likely to exceed 40  $\mu\text{g}/\text{m}^3$ .
- 301.3 The Air Pollution Control Officer will declare a Stage 2 Mandatory Curtailment whenever he or she determines that the 24-hour average PM2.5 concentration may exceed 40  $\mu\text{g}/\text{m}^3$ .
- 302 **Voluntary Curtailment:** The requirements of this section shall be in effect during the burning season. The Air Pollution Control Officer will declare a Voluntary Curtailment whenever he or she determines that the 24-hour average PM2.5 concentration may exceed 25  $\mu\text{g}/\text{m}^3$  but is not likely to exceed 35  $\mu\text{g}/\text{m}^3$ .
- 404 **Notification of Expiration of Certified Wood Heaters and Pellet Stoves Exemption:** The Air Pollution Control Officer will provide notice if the Section 115 exemption expires using the same methods identified in Section 401.
- Renumber existing Section 208 and 209 to 210 and 211

Additional rule language implementing Options 1.a., 2.b and 3

- 115 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 301 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided:
- 115.1 the devices do not emit visible smoke; and
- 115.2 a Stage 1 Mandatory Curtailment is in effect.
- This exemption shall expire September 1, 2008, unless extended by the Board of Directors.
- 116 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 302 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke.
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- 209 **U.S. EPA Phase II Certified:** Any appliance certified by the U.S. EPA to meet the performance and emission standards set forth in Title 40 CFR, Part 60, Subpart AAA.
- Amend Section 301.2
- 301.2 The Air Pollution Control Officer will declare a Stage 1 Mandatory Curtailment whenever he or she determines that the 24-hour average PM2.5 concentration may exceed 35  $\mu\text{g}/\text{m}^3$  but is not likely to exceed 40  $\mu\text{g}/\text{m}^3$
- 301.3 The Air Pollution Control Officer will declare a Stage 2 Mandatory Curtailment whenever he or she determines that the 24-hour average PM2.5 concentration may exceed 40  $\mu\text{g}/\text{m}^3$ .
- 302 **Voluntary Curtailment:** The requirements of this section shall be in effect during the burning season. The Air Pollution Control Officer will declare a Voluntary Curtailment whenever he or she determines that the 24-hour average PM2.5 concentration may exceed 25  $\mu\text{g}/\text{m}^3$  but is not likely to exceed 35  $\mu\text{g}/\text{m}^3$ .
- 404 **Notification of Expiration of Certified Wood Heaters and Pellet Stoves Exemption:** The Air Pollution Control Officer will provide notice if the

Section 115 exemption expires using the same methods identified in Section 401.

Renumber existing Section 208 and 209 to 210 and 211

Additional rule language implementing Options 1.b., 2.a. and 3

- 115 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 301 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided:
- 115.1 the devices do not emit visible smoke; and
  - 115.2 a Stage 1 Mandatory Curtailment is in effect.
- This exemption shall expire September 1, 2008, unless the Air Pollution Control Officer determines that the 98<sup>th</sup> percentile of the PM<sub>2.5</sub> concentrations from every Federal Reference Method sampler is 35 µg/m<sup>3</sup> or less for the period April 1, 2007 through March 31, 2008.
- 116 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 302 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke.
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Amend Section 301.2

- 301.2 The Air Pollution Control Officer will declare a Stage 1 Mandatory Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 35 µg/m<sup>3</sup> but is not likely to exceed 40 µg/m<sup>3</sup>.
- 301.3 The Air Pollution Control Officer will declare a Stage 2 Mandatory Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 40 µg/m<sup>3</sup>.
- 302 **Voluntary Curtailment:** The requirements of this section shall be in effect during the burning season. The Air Pollution Control Officer will declare a Voluntary Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 30 µg/m<sup>3</sup> but is not likely to exceed 35 µg/m<sup>3</sup>.
- 404 **Notification of Expiration of Certified Wood Heaters and Pellet Stoves Exemption:** The Air Pollution Control Officer will provide notice if the Section 115 exemption expires using the same methods identified in Section 401.

Renumber existing Section 208 and 209 to 210 and 211

Additional rule language implementing Options 1.b., 2.b. and 3

- 115 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 301 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided:
- 115.1 the devices do not emit visible smoke; and
  - 115.2 a Stage 1 Mandatory Curtailment is in effect.

This exemption shall expire September 1, 2008, unless extended by the Board of Directors.

116 **Exemption – Certified Wood Heaters and Pellet Stoves:** The provisions of Section 302 shall not apply to U.S. EPA Phase II Certified wood burning heaters and pellet-fueled wood burning heaters provided the devices do not emit visible smoke.

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Amend Section 301.2

301.2 The Air Pollution Control Officer will declare a Stage 1 Mandatory Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 35 µg/m<sup>3</sup> but is not likely to exceed 40 µg/m<sup>3</sup>

301.3 The Air Pollution Control Officer will declare a Stage 2 Mandatory Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 40 µg/m<sup>3</sup>.

302 **Voluntary Curtailment:** The requirements of this section shall be in effect during the burning season. The Air Pollution Control Officer will declare a Voluntary Curtailment whenever he or she determines that the 24-hour average PM<sub>2.5</sub> concentration may exceed 30 µg/m<sup>3</sup> but is not likely to exceed 35 µg/m<sup>3</sup>.

404 **Notification of Expiration of Certified Wood Heaters and Pellet Stoves Exemption:** The Air Pollution Control Officer will provide notice if the Section 115 exemption expires using the same methods identified in Section 401.

Renumber existing Section 208 and 209 to 210 and 211