

Re Rules and Regulations of the)  
Air Pollution Control District    )  
of San Diego County . . . . .)

**RESOLUTION REPEALING EXISTING NEW SOURCE PERFORMANCE  
STANDARDS (NSPS) SUBPART AAA OF REGULATION X  
AND ADDING BY REFERENCE FEDERAL NSPS SUBPART AAA  
TO REGULATION X OF THE RULES AND REGULATIONS OF THE  
SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT**

On motion of Member Horn, seconded by Member Roberts,  
the following resolution is adopted:

**WHEREAS**, the San Diego County Air Pollution Control Board, pursuant to Section 40702 of the Health and Safety Code, adopted Rules and Regulations of the Air Pollution Control District of San Diego County; and

**WHEREAS**, said Board now desires to amend said Rules and Regulations; and

**WHEREAS**, notice has been given and a public hearing has been had relating to the amendment of said Rules and Regulations pursuant to Section 40725 of the Health and Safety Code.

**NOW THEREFORE IT IS RESOLVED AND ORDERED** by the San Diego County Air Pollution Control Board that the Rules and Regulations of the Air Pollution Control District of San Diego County be and hereby are amended as follows:

1. Amendment to Regulation X repealing existing Subpart AAA.

SUBPART AAA - Standards of Performance for New Residential Wood Heaters is deleted in its entirety.

2. Amendment to Regulation X adding Subpart AAA by reference is to read as follows:

**REGULATION X. STANDARDS OF PERFORMANCE FOR NEW  
STATIONARY SOURCES (NSPS)**

The provisions of Part 60, Chapter I, Title 40, of the Code of Federal Regulations, (40 CFR 60), applicable to the subparts listed in this Regulation are hereby adopted by reference on the

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Resolution - Subpart AAA

12/22/99

date shown and made part of the District Rules and Regulations. Whenever any source is subject to more than one rule, regulation, provision, or requirement relating to the control of any air contaminant, in cases of conflict or duplication the most stringent rule, regulation, provision, or requirement shall apply.

All new sources of air pollution and all modified or reconstructed sources of air pollution shall comply with the applicable standards, criteria, and requirements set forth herein. For the purpose of this Regulation, the word "Administrator" as used in 40 CFR 60 shall mean the Air Pollution Control Officer of the San Diego County Air Pollution Control District, except that the Air Pollution Control Officer shall not be empowered to approve alternate test methods, alternate standards or work practices. Other deviations, if any, from the provisions of 40 CFR 60 which are adopted by the Air Pollution Control Board are noted in the reference to the affected Subpart.

The U.S. Environmental Protection Agency (EPA) retains concurrent enforcement authority for these standards pursuant to Section 113 of the federal Clean Air Act, as amended, if the EPA Administrator desires to exercise it.

SUBPART Dc	STANDARDS OF PERFORMANCE FOR SMALL INDUSTRIAL-COMMERCIAL-INSTITUTIONAL STEAM GENERATING UNITS	(55 FR 37683, Sept. 12, 1990)	(Adopted Aug. 13, 1997)
		(61 FR 20736, May 8, 1996)	(Adopted Aug. 13, 1997)
SUBPART WWW	STANDARDS OF PERFORMANCE FOR MUNICIPAL SOLID WASTE LANDFILLS	(61 FR 9919, March 12, 1996)	(Adopted Aug. 13, 1997)
SUBPART AAA	STANDARDS OF PERFORMANCE FOR NEW RESIDENTIAL WOOD HEATERS	(53 FR 5873, February 26, 1988)	(date of adoption)
		(53 FR 12009, April 12, 1988)	(date of adoption)
		(53 FR 14889, April 26, 1988)	(date of adoption)
		(57 FR 5328, February 13, 1992)	(date of adoption)
		(60 FR 33925, June 29, 1995)	(date of adoption)
		(63 FR 64874, November 24, 1998)	(date of adoption)
		(64 FR 7466, February 12, 1999)	(date of adoption)

DATE: 10/10/2011  
BY: J. Dutton  
SENIOR DEPUTY

Passed and adopted by the Board of Supervisors, County of San Diego, State of California,  
on this 12th day of April, 2000, by the following vote:

AYES: Cox, Jacob, Slater, Roberts, Horn

STATE OF CALIFORNIA)  
County of San Diego)<sup>SS</sup>

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in  
the Minutes of the Board of Supervisors.

THOMAS J. PASTUSZKA  
Clerk of the Board of Supervisors

By Marion Egan  
Marion Egan, Deputy



Resolution No. 00-132  
4/12/00 (APCD 2)

**AIR POLLUTION CONTROL DISTRICT  
SAN DIEGO COUNTY**

**NEW SOURCE PERFORMANCE STANDARDS (NSPS)  
SUBPART AAA - STANDARDS OF PERFORMANCE  
FOR NEW RESIDENTIAL WOOD HEATERS**

**WORKSHOP REPORT**

A workshop notice was mailed to all facilities known to sell residential wood heaters at retail establishments in San Diego County. Notices were also mailed to all Economic Development Corporations and Chambers of Commerce in San Diego County, the U.S. Environmental Protection Agency (EPA), the California Air Resources Board (ARB), and other interested parties.

The workshop was held on October 28, 1999, and was attended by three people.

**1. WORKSHOP COMMENT**

Some cities in California issue building permits for the installation of EPA exempt wood cook stoves or appliances and some will not issue building permits for the same stoves or appliances. Will this workshop address the uniformity of the building permit requirements throughout San Diego County?

**DISTRICT RESPONSE**

No. This workshop is to discuss adoption of an air pollution control regulation - a federal New Source Performance Standard for particulate emissions from residential wood heaters. Building permits for the installation of EPA exempt wood cook stoves or appliances are issued by the cities or counties according to local building codes.

**2. WORKSHOP COMMENT**

Zero-clearance fireplaces are less efficient, emit more pollution, and are installed in greater numbers than wood heaters. Most residences have zero-clearance fireplaces installed because they only cost about \$50, while wood heaters cost about \$500. Is EPA or ARB planning to ban the use of zero-clearance, wood-burning fireplaces?

**DISTRICT RESPONSE**

No. According to information available to the District, neither EPA or ARB plan to regulate zero-clearance wood fireplaces at this time.

**3. WORKSHOP COMMENT**

Why are vent-free, EPA-exempt wood heaters not allowed to be installed in residential settings in California? In other states, vent-free wood heaters may also be installed in residences.

**DISTRICT RESPONSE**

Where vent-free, EPA-exempt wood heaters may be installed is not determined by air pollution control regulations. Local building codes regulate the installation of wood heaters.