

**§ 60.530**

**40 CFR Ch. I (7-1-13 Edition)**

(b) Under § 60.15, the “fixed capital cost of the new components” includes the fixed capital cost of all depreciable components (except components specified in § 60.506(a)) which are or will be replaced pursuant to all continuous programs of component replacement which are commenced within any 2-year period following December 17, 1980. For purposes of this paragraph, “commenced” means that an owner or operator has undertaken a continuous program of component replacement or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of component replacement.

**Subpart AAA—Standards of Performance for New Residential Wood Heaters**

SOURCE: 53 FR 5873, Feb. 26, 1988, unless otherwise noted.

**§ 60.530 Applicability and designation of affected facility.**

(a) The affected facility to which the provisions of this subpart apply is each wood heater manufactured on or after July 1, 1988, or sold at retail on or after July 1, 1990. The provisions of this subpart do not apply to wood heaters constructed prior to July 1, 1988, that are or have been owned by a noncommercial owner for his personal use.

(b) Each affected facility shall comply with the applicable emission limits in § 60.532 unless exempted under paragraph (c), (d), (e), (f), (g) or (h) of this section.

(c)–(d) [Reserved]

(e) Affected facilities manufactured in the U.S. for export are exempt from the applicable emission limits of § 60.532 and the requirements of § 60.533.

(f) A wood heater used for research and development purposes that is never offered for sale or sold is exempt from the applicable emission limits of § 60.532 and the requirements of § 60.533. No more than 50 wood heaters manufactured per model line may be exempted for this purpose.

(g) A coal-only heater is exempt from the applicable emission limits of § 60.532 and the requirements of § 60.533.

(h) The following are not affected facilities and are not subject to this subpart:

- (1) Open masonry fireplaces constructed on site,
- (2) Boilers,
- (3) Furnaces, and
- (4) Cookstoves.

(i) Modification or reconstruction, as defined in §§ 60.14 and 60.15 of subpart A, shall not, by itself, make a wood heater an affected facility under this subpart.

[53 FR 5873, Feb. 26, 1988, as amended at 60 FR 33925, June 29, 1995]

**§ 60.531 Definitions.**

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and subpart A of this part.

*At retail* means the sale by a commercial owner of a wood heater to the ultimate purchaser.

*Boiler* means a solid fuel burning appliance used primarily for heating spaces, other than the space where the appliance is located, by the distribution through pipes of a gas or fluid heated in the appliance. The appliance must be tested and listed as a boiler under accepted American or Canadian safety testing codes. A manufacturer may request an exemption in writing from the Administrator by stating why the testing and listing requirement is not practicable and by demonstrating that his appliance is otherwise a boiler.

*Coal-only heater* means an enclosed, coal-burning appliance capable of space heating, or domestic water heating, which has all of the following characteristics:

- (1) An opening for emptying ash that is located near the bottom or the side of the appliance,
- (2) A system that admits air primarily up and through the fuel bed,
- (3) A grate or other similar device for shaking or disturbing the fuel bed or power-driven mechanical stoker,
- (4) Installation instructions that state that the use of wood in the stove, except for coal ignition purposes, is prohibited by law, and
- (5) The model is listed by a nationally recognized safety-testing laboratory for use of coal only, except for coal ignition purposes.

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*Commercial owner* means any person who owns or controls a wood heater in the course of the manufacture, importation, distribution, or sale of the wood heater.

*Cookstove* means a wood-fired appliance that is designed primarily for cooking food and that has the following characteristics:

- (1) An oven, with a volume of 0.028 cubic meters (1 cubic foot) or greater, and an oven rack,
- (2) A device for measuring oven temperatures,
- (3) A flame path that is routed around the oven,
- (4) A shaker grate,
- (5) An ash pan,
- (6) An ash clean-out door below the oven, and
- (7) The absence of a fan or heat channels to dissipate heat from the appliance.

*Furnace* means a solid fuel burning appliance that is designed to be located outside of ordinary living areas and that warms spaces other than the space where the appliance is located, by the distribution of air heated in the appliance through ducts. The appliance must be tested and listed as a furnace under accepted American or Canadian safety testing codes unless exempted from this provision by the Administrator. A manufacturer may request an exemption in writing from the Administrator by stating why the testing and listing requirement is not practicable and by demonstrating that his appliance is otherwise a furnace.

*Manufactured* means completed and ready for shipment (whether or not packaged).

*Manufacturer* means any person who constructs or imports a wood heater.

*Model line* means all wood heaters offered for sale by a single manufacturer that are similar in all material respects.

*Representative affected facility* means an individual wood heater that is similar in all material respects to other wood heaters within the model line it represents.

*Sale* means the transfer of ownership or control, except that transfer of control shall not constitute a sale for purposes of § 60.530(f).

*Similar in all material respects* means that the construction materials, exhaust and inlet air system, and other design features are within the allowed tolerances for components identified in § 60.533(k).

*Wood heater* means an enclosed, wood burning appliance capable of and intended for space heating or domestic water heating that meets all of the following criteria:

- (1) An air-to-fuel ratio in the combustion chamber averaging less than 35-to-1 as determined by the test procedure prescribed in § 60.534 performed at an accredited laboratory;
- (2) A usable firebox volume of less than 0.57 cubic meters (20 cubic feet);
- (3) A minimum burn rate of less than 5 kg/hr (11 lb/hr) as determined by the test procedure prescribed in § 60.534 performed at an accredited laboratory; and
- (4) A maximum weight of 800 kg (1,760 lb). In determining the weight of an appliance for these purposes, fixtures and devices that are normally sold separately, such as flue pipe, chimney, and masonry components that are not an integral part of the appliance or heat distribution ducting, shall not be included.

[53 FR 5873, Feb. 26, 1988, as amended at 64 FR 7466, Feb. 12, 1999; 65 FR 61763, Oct. 17, 2000]

### § 60.532 Standards for particulate matter.

Unless exempted under § 60.530, each affected facility:

- (a) [Reserved]
- (b) Manufactured on or after July 1, 1990, or sold at retail on or after July 1, 1992, shall comply with the following particulate matter emission limits as determined by the test methods and procedures in § 60.534:

- (1) An affected facility equipped with a catalytic combustor shall not discharge into the atmosphere any gases which contain particulate matter in excess of a weighted average of 4.1 g/hr (0.009 lb/hr). Particulate emissions during any test run at any burn rate that is required to be used in the weighted average shall not exceed the value calculated for "C" (rounded to 2 significant figures) calculated using the following equation: