

# STATE OF COLORADO

Bill Owens, Governor  
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Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department  
of Public Health  
and Environment

## NOTICE OF PUBLIC RULEMAKING HEARING BEFORE THE COLORADO AIR QUALITY CONTROL COMMISSION

### Regarding Proposed Revisions to: Regulation Number 4: New Wood Stoves and the Use of Certain Wood Burning Appliances During High Pollution Days

#### **SUBJECT:**

The Commission will consider a proposal to revise Regulation Number 4 to adopt a testing protocol for masonry heaters, to add a definition for exempt devices, to clarify definitions in the regulation, and to correct grammatical and typographical errors.

#### **FEDERAL REQUIREMENTS:**

The federal act does not require the Commission to make any of the rule revisions that are the subject of this Notice of Public Rulemaking Hearing.

A proposed Statement of Basis, Specific Statutory Authority, and Purpose and a regulatory analysis (if one has been requested) will be available for inspection no later than five (5) days prior to the hearing. The proposed language for the rule revision is attached to and made a part of this notice.

#### **HEARING SCHEDULE:**

DATE:            June 15, 2006  
TIME:            9:00 a.m.  
PLACE:           Sabin Room  
                     Colorado Department of Public Health & Environment  
                     4300 Cherry Creek Drive, South  
                     Denver, CO 80246-1530

*The hearing may be continued at such places and time as the Commission may announce.*

The Commission shall deliberate upon the evidence, testimony and written submissions presented at this hearing, as well as any related matters properly submitted before the hearing record is closed.

**PUBLIC COMMENT:**

The Commission encourages all interested persons to provide their views either orally at the hearing or in writing prior to or at the hearing. The Commission especially solicits comments and analyses from persons who will incur directly some cost or benefit from the proposed revisions. Public testimony will be taken as close to the start of the hearing as possible and during the hearing as necessary. Written submissions prior to the hearing are requested to allow review prior to presentation at the hearing. Written submission should be mailed to the Commission Office at least 14 days prior to the hearing.

**PARTY STATUS:**

In order to obtain party status at the hearing, compliance with several requirements as defined in the Commissions Procedural Rules is necessary. An original and three (3) copies of a written petition for party status must be filed with the Office of the Air Quality Control Commission no later than 5:00 p.m. **April 20, 2006**. The petition must: *1) identify the applicant; 2) provide the name, address, and telephone and facsimile numbers of the applicants representative; and 3) briefly summarize what, if any, policy, factual, and legal issues the applicant has with the proposal(s) as of the time of filing the application.* Copies of the petition for party status must also be received, by this same date, by the Division staff person and the Assistant Attorneys General representing the Division and the Commission identified below.

Individuals may also obtain party status through the submittal of an initial alternative rule to the proposed rule. The submittal of an alternative proposal must be accompanied by twenty (20) copies of the initial alternative proposed rule and all other associated documents as required by the Commissions procedural rules and must be filed with the Office of the Commission by the date specified for party status requests. Initial alternative rules must also be filed with the Division staff person and with each of the Assistant Attorneys General.

Air Quality Control Commission	Gary Finiol	Mike Elliott
OED-OPPI-A5	APCD-MS-B1	Attorney Generals Office
4300 Cherry Ck Dr. S.	4300 Cherry Ck. Dr. S.	1525 Sherman St. 5 <sup>th</sup> Fl.
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Requests received beyond the above stated deadline shall only be considered upon a written motion for good cause shown. The Commission reserves the right to deny party status to anyone that does not comply with the Commissions procedural rules.

**STATUS CONFERENCE:**

A status conference will be held **April 27, 2006, at 1:00 p.m.** to ascertain and discuss the issues involved, and to ensure that parties are making all necessary efforts to discuss and resolve such issues prior to the submission of prehearing statements. Attendance at this status conference is mandatory for anyone who has requested party status.

**PREHEARING CONFERENCE/PREHEARING STATEMENTS:**

Attendance at the prehearing conference is also mandatory for all parties to this hearing. A prehearing conference will be held **May 18, 2006** at **1:00 p.m.** in the Commission Offices at 4300 Cherry Creek Drive South, Denver. All parties must submit an original and twenty (20) copies of a preliminary prehearing statement to the Commission Office by 5:00 p.m., **May 12, 2006**. In addition, copies of these documents must be mailed or hand-delivered by that date to all persons who have requested party status. A copy of the prehearing statement must also be delivered to the Division point of contact, and each of the Assistant Attorneys General identified above by 5:00 p.m. **May 12, 2006**. Any revisions to the prehearing statement must be submitted with an original and twenty (20) copies to the Administrator of the Commission at the prehearing conference. Any exhibit included in the prehearing statements will be mailed to individual Commissioners for review prior to the hearing, provided the party files twenty (20) copies of such exhibit. Rebuttals to the prehearing statement may be submitted to the Commission office and all other parties by 5:00 p.m., **May 25, 2006**.

**STATUTORY AUTHORITY FOR THE COMMISSION'S ACTIONS:**

The rule-making authority of the Commission can be found in sections 25-7-105(1)(b), 25-7-106(1), 25-7-106.3, 25-7-109, 25-7-110, C.R.S. The rule-making hearing will be conducted in accord with sections 24-4-103 and 25-7-110, and 25-7-401, C.R.S., as amended, the Procedural Rules of the Commission and as otherwise stated in this notice. This list of statutory authority is not intended as an exhaustive list of the Commission's statutory authority to act in this matter.

Dated this 17th day of February, 2006, at Denver, Colorado

COLORADO AIR QUALITY CONTROL COMMISSION

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Douglas A. Lempke, Administrator

## REGULATION NO. 4

### Concerning the Sale AND INSTALLATION OF WOOD-BURNING APPLIANCES and the Use of Certain WOOD-BURNING Appliances During High Pollution Days

#### I. DEFINITIONS

A. Unless otherwise required by the context, as used in this Regulation:

1. "Accredited Laboratory" means an independent testing laboratory THAT has obtained accreditation pursuant to the Federal Regulations 40 CFR Part 60 Subpart AAA (2004).
2. "Approved Masonry Heater" means a MASONRY HEATER as defined in Section I.A.12 THAT has complied with all requirements of Section IV.
3. "Approved Pellet Stove" means a PELLET STOVE as defined in Section I. A.18, THAT has complied with all the requirements of Section III.
4. "Boiler" means a domestic WOOD-BURNING appliance used primarily for heating space where the appliance is located, by the distribution through pipes of a gas or fluid heated in the appliance. This appliance must be tested and listed as a boiler under accepted U.S. or Canadian safety testing codes.
5. "BURN-DOWN time" shall mean that period of time not to exceed three hours following the declaration of a high pollution day required for the cessation of combustion within any WOOD-BURNING stove, pellet stove, masonry heater or WOOD-BURNING fireplace pursuant to this Regulation.
6. REPEALED.

7. "Cookstove" means a domestic WOOD-BURNING appliance that is designed primarily for cooking food and that has the following characteristics:
  - a. An oven, with a volume of 1 cubic foot or greater, and an oven rack:
  - b. A device for measuring oven temperatures;



- c. A flame path that is routed around the oven;
  - d. A shaker grate;
  - e. An ash pan;
  - f. An ash clean-out door below the oven; and
  - g. The absence of a fan or heat channels to dissipate heat from the appliance.
8. "Dealer" means a person who sells wood-BURNING stoves, pellet stoves, WOOD-BURNING FIREPLACES or masonry heaters on a regular basis.

8.5 "EXEMPT DEVICE" MEANS A WOOD-BURNING DEVICE THAT DOES NOT MEET THE DEFINITION OF A WOOD-BURNING STOVE BY EPA STANDARDS (AS CONTAINED IN 40 CFR PART 60 SUBPART AAA) AND IS NOT A FIREPLACE, MASONRY HEATER, NOR PELLETT STOVE AS DEFINED IN THIS REGULATION.

9. "Furnace" means a domestic WOOD-BURNING appliance that is designed to be located outside of ordinary living areas and is used for heating spaces other than the space where the appliance is located by the distribution through ducts of air heated in the appliance. The appliance must be tested and listed as a furnace under accepted U.S. or Canadian safety testing codes.
10. "High pollution day" means those periods of time declared by Colorado Department of PUBLIC Health AND ENVIRONMENT as provided for in Section 25-7-106.3(1), C.R.S.
11. "Manufacturer" means a person who constructs a WOOD-BURNING stove or pellet stove or is engaged in the business of

designing and constructing masonry HEATERS OR WOOD-BURNING FIREPLACES.

12. "Masonry Heater" means an appliance designed for or capable of burning wood, capable of and intended for domestic space heating or domestic water heating, THAT meets the following criteria:
  - a. a factory-built or site-built WOOD-BURNING appliance WITH A CORE constructed primarily of manufacturer-built, supplied or specified masonry materials (i.e., stone, cemented aggregate, clay, tile, or other non-combustible non-metallic solid materials) THAT weighs at least 800 kg;
  - b. The firebox effluent of the masonry heater travels horizontally and/or downward through one or more heat absorbing masonry duct(s) for a distance at least the length of the largest single internal firebox dimension before leaving the masonry heater;  
For the purposes of this subparagraph:
    - i. Horizontal or downward travel distance is defined as the net horizontal and/or downward internal duct length, measured from the top of the uppermost firebox door opening(s) to the exit of the masonry heater as traveled by any effluent on a single pathway through duct channel(s) within the heater (or average of net internal duct lengths for multiple pathways of different lengths, if applicable). Net internal duct length is measured from center of the



internal side or top surface of a duct, horizontally or vertically to the center of the opposite side or the bottom surface of the same duct, and summed for multiple ducts or directions on a single pathway, if applicable. For duct channel(s) traversing horizontal angles of less than ninety degrees from vertical, only the net actual horizontal distance traveled is included in the total duct length.

- ii. The largest single internal firebox dimension is defined as the longest of either the length or the width of the firebox hearth and the height of the firebox, measured from the hearth to the top of the uppermost firebox door opening(s).
- c. The appliance has one or more air-controlling door(s) for fuel-loading THAT are designed to be closed during the combustion of fuel loads, and THAT control the entry of combustion air (beyond simple spark arresting screen(s)) to one or more inlet(s) as prescribed by the masonry heater manufacturer;
- d. The appliance is assembled in conformance with the underwriters' laboratories-listed and/or manufacturer's specifications for its assembly and, if the core is constructed with a substantial proportion of materials not supplied by the manufacturer, is certified by a representative of the manufacturer to be substantially in conformance with those specifications.

- E. The appliance has a label permanently affixed to the appliance identifying its manufacturer and model.
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- 13. "Method 5G" AND "METHOD 5H" ARE test methods for determination of particulate emissions from wood-BURNING heaters from dilution tunnel sampling and stack locations as described in 40 CFR, Part 60, Subpart AAA, Appendix A (2004).
  - 14. "Method 28" is a test method designed to establish certification test conditions and the particulate matter weighted emission values, as described in 40 CFR Part 60 Subpart AAA, Appendix A (2004).
    - 15. "Method 28A" is a test method to measure air to fuel ratios and minimum achievable burn rates as described in 40 CFR, Part 60 Subpart AAA, Appendix A (2004).
    - 16. "Model" means a group of wood-BURNING stoves, pellet stoves, WOOD-BURNING FIREPLACES or masonry heaters THAT are identical to one another regarding design, emissions, and heating performance.
    - REPEALED 18. "Pellet Stove" means a heater which meets the following criteria: (1) the manufacturer makes no reference to burning cordwood in advertising or other literature, (2) the unit is safety listed for pellet fuel only, (3) the unit's operating and instruction manual must state the use of cordwood is prohibited by federal law, and (4) the unit must be manufactured and sold including a hopper and auger combination as integral parts.
    - 19. "Phase II Certified wood-BURNING stove" means a wood-burning stove THAT meets the emission standards set forth in Section II.A.
    - 20. "Primary source of heat" shall mean one or more residential wood-burning stoves, pellet stoves, masonry heaters or WOOD-BURNING fireplaces THAT provide more than half the annual heating demands for the residence.

21. "Standard method" means the applicable testing procedures and criteria set forth in the Federal Regulations 40 CFR Part 60 Subpart AAA, Appendix A.
- 21.5 "WOOD-BURNING APPLIANCE" MEANS ANY STOVE, FIREPLACE, MASONRY HEATER, FURNACE, FIRE PIT, FIXTURE OR DEVICE USED, OR INTENDED FOR USE, TO BURN ONLY CLEAN, DRY, UNTREATED WOOD.
22. "Wood-burning fireplace" means an appliance. WITH AN OPEN HEARTH (I.E. DEVOID OF WOOD-BURNING INSERTS, GAS LOGS, OR ELECTRIC DEVICES), IS NOT A MASONRY HEATER, MAY OR MAY NOT BE EQUIPPED WITH AIR-CONTROLLING DOORS, IS PRIMARILY CONSTRUCTED OF MASONRY MATERIALS (BRICK, STONE OR CERAMIC) AND IS INSTALLED IN A DWELLING OR BUILDING FOR THE PURPOSE OF BURNING WOOD.
23. "Wood burning stove" means an appliance, PRIMARILY CONSTRUCTED OF METAL, designed for or capable of burning wood, including a fireplace insert, capable of and intended for domestic space heating or domestic water heating that meets all of the following criteria:
- a. An air-to-fuel ratio in the combustion chamber averaging less than 35-to-1 as determined by EPA method 28A .
  - b. A useable firebox volume of less than 20 cubic feet.
  - c. A minimum burn rate of less than 5 Kilograms per hour.
  - d. A maximum weight of 800 kilograms.
  - e. THE APPLIANCE HAS A LABEL PERMANENTLY AFFIXED TO THE APPLIANCE IDENTIFYING ITS MANUFACTURER AND MODEL.

II. LIMITATIONS ON THE SALE AND INSTALLATION OF WOOD-BURNING STOVES.

- A. No person shall advertise to sell, offer to sell, SELL, OR INSTALL A WOOD-BURNING STOVE IN COLORADO unless it has been tested, certified, and labeled for emission performance in accordance with criteria and procedures specified in the Federal Regulations 40 CFR Part 60, Subpart AAA (2004) and meets the emission standards set forth in Subsection 60.532(b)(1) or (2).
- B. The certification requirement shall apply to:
1. Advertisements for sale and offers for sale communicated by any means to any person in Colorado, including, but not limited to, offers to sell or advertisements for sale THAT are mailed to any person in Colorado.
  2. Any sale occurring in Colorado, including, but not limited to, sales in which a new wood-BURNING stove is shipped, delivered, or transported to any person in Colorado by a person located either inside or outside Colorado and to both the initial sale and any subsequent resale of a new wood-burning stove.
- C. Exemptions
1. EXEMPT DEVICES, AS DEFINED IN SECTION I.A.8.5 OF THIS REGULATION.
  2. Boilers
  3. Furnaces

#### 4. Cookstoves

- D. On and after January 1, 1993, no person shall sell or install a used wood-burning device within those portions of the counties of Adams, Arapahoe, Boulder, Denver, Douglas, and Jefferson which are located in the AIR program area, as such area is defined in Section 42-4-307(8), C.R.S., unless it meets the requirements set forth in Section II.A.

### III. APPROVAL PROCEDURE FOR PELLET STOVES

- A. No person shall advertise to sell, offer to sell, sell, or install a pellet stove unless it has been designated as an approved pellet stove in accordance with this Section III.
- B. On or after August 1, 1992, a manufacturer of a pellet stove who wishes to have a particular model line designated as an approved pellet stove, shall submit to the Division for their review, the following information:
1. test results showing an air to fuel ratio of 35:1 or greater, using METHOD 28A.
  2. test results using METHOD 5H, OR METHOD 5G corrected to METHOD 5H, THAT have been conducted under minimum burn conditions, (category 1), METHOD 28.
  3. a one page letter signed by the laboratory president, verifying the information required in III.B.1. and 2.

- C. All tests conducted II.B shall be performed by an accredited laboratory.
- D. Within twenty (20) working days after receipt of an application for approval, the Division shall notify the applicant if the application is complete. Within thirty (30) working days after receipt of a complete application, the Division shall notify the applicant whether the application satisfies all requirements for approval.
- E. If the Division denies approval, the Division shall notify the applicant in writing of the opportunity for a hearing before the Commission pursuant to Section 24-4-104 (9), C.R.S.
- F. The Division shall grant approval if all information required by Section III A is submitted and the test results in Section III.B.2 DEMONSTRATE PARTICULATE EMISSIONS DO NOT EXCEED 4.1 GRAMS PER HOUR.

IV. LIMITATIONS ON THE INSTALLATION AND SALE OF MASONRY HEATERS – APPROVAL PROCEDURES

- A. No person shall advertise to sell, offer to sell, sell, or install a masonry heater IN COLORADO unless it has been designated as an approved masonry heater in accordance with this Section IV.
- B. A manufacturer or builder of a masonry heater who wishes to have a model or design designated as an approved masonry HEATER SHALL SUBMIT AN APPLICATION AND TEST RESULTS THAT COMPLY WITH THE REQUIREMENTS OF APPENDIX A.
- C. TESTS PERFORMED ON MASONRY HEATERS SHALL COMPLY WITH THE PARTICULATES EMISSION TESTING PROTOCOL SET OUT IN APPENDIX A AND SHALL BE

PERFORMED BY AN ACCREDITED LABORATORY. THE APPLICATION SHALL INCLUDE a letter SIGNED by the laboratory president verifying: (1) the information required in APPENDIX A, AND (2) that the methods used were conducted according to procedures CONTAINED IN APPENDIX A.

- D. Within twenty (20) working days after receipt of an application for approval, the Division shall notify the applicant if the application is complete. Within thirty (30) working days after receipt of a complete application, the Division shall notify the applicant whether the application satisfies all requirements for approval.
- E. If the Division denies approval, the Division shall notify the applicant in writing of the opportunity for a hearing before the Commission pursuant to Section 24-4-104 (9) C.R.S.
- F. The Division shall grant approval if all information required by Section IV AND APPENDIX A is submitted, AND THE TESTED APPLIANCE:
  - 1. is a masonry heater, and 2. test results do not exceed 6.0 grams OF PARTICULATE EMISSIONS PER KILOGRAM OF FUEL.
- G. The Division may grant approval for a masonry heater model THAT has not been tested IF THE UNTESTED MODEL has substantially the same core construction as AN approved MODEL, and is substantially similar to the approved model in firebox and duct design, combustion function and probable emissions performance. THE APPLICANT MUST DEMONSTRATE THAT THE UNTESTED MODEL COMPLIES WITH THE CRITERIA AND PARAMETERS SET OUT IN APPENDIX A FOR EVALUATING SUCH SIMILARITY. THE APPLICATION MUST INCLUDE ALL INFORMATION REQUIRED BY APPENDIX A.
- H. APPROVED MASONRY HEATERS SHALL BE LABELED AND EQUIPPED AS PROVIDED IN APPENDIX A.

## V. ENFORCEMENT

- A. The Division may enter and inspect the property or premises of any manufacturer, or dealer, for the purpose of investigating any actual, suspected, or potential violation of this regulation; and may, at reasonable times, have access to and copy any document, inspect any wood-BURNING stove, wood-BURNING stove component, pellet stove, masonry heater, WOOD-BURNING FIREPLACE or testing equipment, or test the emissions of any wood-BURNING stove, WOOD-BURNING FIREPLACE, pellet stove or masonry heater possessed by any manufacturer, or dealer, for the purpose of ascertaining compliance or noncompliance with this regulation.
- B. The Division shall also enforce the provisions of this regulation through all means authorized by Part 1 of Title 25, C.R.S.

## VI. LIST OF APPROVED WOOD-BURNING APPLIANCES

The Division shall request each dealer to make available to consumers a list of PHASE II certified WOOD-BURNING STOVES, exempt devices, approved pellet stoves and approved masonry heaters to be compiled by the Division.

## VII. HIGH POLLUTION DAYS

### A. Applicability

Limitations on the use of WOOD-BURNING APPLIANCES shall be applicable only in those portions of the counties of Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas and Jefferson are located in the AIR program area, as such area is defined in Section



42-4-304(20)(a), C.R.S. but not including those areas above seven thousand feet elevation.

- B. Provisions of this section may be enforced by the appropriate local agency. Local agencies are encouraged to develop suitable enforcement programs and enter into an agreement with the State to promote more effective enforcement of this regulation. Approval of a wood-BURNING stove, pellet stove or masonry heater model pursuant to this REGULATION does not constitute authorization not to comply with requirements of any local ordinance or resolution relating to the installation or use of any wood-burning appliance.
- C. This section shall not apply within any municipality THAT had an ordinance mandating restricted use of WOOD-BURNING stoves, pellet stoves, masonry heaters and WOOD-BURNING fireplaces on high pollution days in effect on January 1, 1990.
  - 1. All such exempt areas shall be required to submit a yearly report to the commission no later than June 30, PROVIDING information concerning the enforcement actions pursuant to their ordinance for the previous heating season.

D. Prohibitions of use

No person shall operate a WOOD-BURNING APPLIANCE during a high pollution DAY UNLESS THE APPLIANCE IS EXEMPT PURSUANT TO SECTION VII.E. A burn-down time shall be allowed for the burn-down of existing fires prior to the initiation of enforcement action. THE USE OF ANY FUEL OTHER THAN CLEAN, DRY, UNTREATED WOOD IN ANY WOOD-BURNING APPLIANCE SHALL NOT CONSTITUTE GROUNDS FOR ALLOWING ITS USAGE ON A HIGH POLLUTION DAY.

E. Exemptions

1. Persons utilizing their WOOD-BURNING stove, pellet stove, masonry heater or WOOD-BURNING fireplace as a primary source of heat.
2. Persons operating a Phase II certified WOOD-BURNING stove OR EPA PHASE II WOOD-BURNING FIREPLACE INSERT.
3. Persons operating an approved pellet stove or approved pellet-burning fireplace insert.
4. Persons operating an approved masonry heater.

VIII. REQUIREMENTS FOR INSTALLATION OF FIREPLACES

- A. On and after the effective date of this regulation no person shall install any fireplace in any dwelling in the area defined in Section VIII.A. unless it is one of the following:
1. a gas appliance.
  2. an electric device.
  3. a fireplace insert that meets the requirements set forth in Section II.A.
  4. an approved pellet burning fireplace insert.
  - 5.
  5. any other clean burning device approved by the Commission which meets the emission standard set forth in Section II.A.
- B. This section shall not apply to any municipality or a county which has a provision in effect on January 1, 1993 which is substantially equivalent of this section as determined by the Commission.

**/X. IMPLEMENTATION OF LOCAL CONTROL STRATEGIES**

The local jurisdictions listed below shall implement and enforce the indicated ordinances and resolutions, as they exist on January 1, 1993. This ordinance limits woodburning on high pollution days as determined by the Colorado Department of PUBLIC HEALTH AND ENVIRONMENT. In addition, each shall implement and enforce any ordinance adopted in accordance with this regulation. The indicated ordinances or resolutions may be amended in the sole discretion of the respective governing body, provided that they shall be submitted immediately to the Colorado Air Quality Control Commission and the United States Environmental Protection Agency as revisions to the State Implementation Plan. The listed ordinances and resolutions shall remain in full force and effect until such time as the jurisdiction obtains full approval of a State Implementation Plan revision.

<b>Community</b>	<b>HPD Ordinance Number</b>	<b>Date Enacted</b>	<b>Construc- tion Ordinance</b>	<b>Date Enacted</b>
Arvada	2451	11/87		
Aurora	87-118	4/86	92/47	5/92
Boulder	5007	10/86	5445	4/92
Broomfield	794	11/88		
Denver	Chapter 4.24	10/86	Chapter 4.24	5/90
Douglas County			R-991-128	11/91
Englewood	31	9/92	39	10/92
Federal Heights	565	1/88		
Glendale	2	1/88	15	10/92
Greenwood	17	6/88	9	3/92

Community	HPD Ordinance Number	Date Enacted	Construc- tion Ordinance	Date Enacted
Village				
Jefferson County	R-CC89-873	12/89	R-CC90-617	1/91
Lafayette	24	11/88		7/93
Lakewood	113	12/86	61	10/92
Littleton	17	12/88	26	8/92
Longmont	1	1/89		
Mountain View	5	1/91		
Sheridan	22	11/88	1	1/93
Thornton	2120	10/91	2194	10/92
Westminster	6/14	11/87	20	12/92

X. REFERENCES

Written statements of the basis and purpose of this regulation and revisions as well as all other material referenced in this Regulation is hereby incorporated by reference by the Air Quality Control Commission and made a part of the Colorado Air Quality Control Commission Regulations. Materials incorporated by reference are those REFERENCED and do not include later amendments. The material incorporated by reference is available for public inspection during regular business hours at the Office of the Commission, located at 4300 Cherry Creek Drive South, Denver, Colorado 80222, or may be examined at any state publications depository library. Parties wishing to inspect these materials should contact the Technical Secretary of the Commission, located at the Office of the Commission.

REGULATION NO. 4

*Concerning the Sale AND INSTALLATION OF  
WOOD-BURNING APPLIANCES and the Use of Certain  
WOOD-BURNING Appliances During High Pollution Days*

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Revised and readopted: 2/16/95

Effective: 4/30/95

## REGULATION NO. 4 - ADOPTION CHRONOLOGY

To set a standard test methodology, an emission standard developed, establish a certification fee, and develop an emission label -

Adopted: June 27, 1985

Effective: July 30, 1985

Revised to raise the certification fee-

Adopted: September 18, 1986

Effective: October 30, 1986

Revised to establish a definition for new woodstoves and exemptions from the woodstove certification program -

Adopted: May 19, 1988

Effective: June 30, 1988

Revised to establish a woodstove certification program -

Adopted: May 17, 1990

Effective: June 30, 1990

Revised to make locally adopted ordinances state enforceable -

Adopted: June 24, 1993

Effective: August 30, 1993

Revised to include provisions for pellet stoves -

Adopted: August 20, 1992

Effective: September 30, 1992

Revised to include provisions for masonry heaters -

Adopted: April 21, 1994

Effective: June 30, 1994

Revised Section X to meet requirements for incorporation by reference -

Adopted: February 16, 1995

Effective: April 30, 1995