

CHAPTER 65: AIR QUALITY/TRANSPORTATION

65.1. AIR QUALITY CONTROL

65.1.1. Purpose

The purpose of this section is to implement the Goals and Policies of the Air Quality Subelement for the purpose of attaining and maintaining applicable state and federal air quality standards and TRPA thresholds.

65.1.2. Applicability

This section applies to direct sources of air pollution in the Tahoe region, including certain motor vehicles registered in the region, combustion heaters installed in the region, open burning, stationary sources of air pollution, and idling combustion engines.

65.1.3. Vehicle Inspection and Maintenance Program

TRPA adopted an inspection/maintenance program for certain vehicles registered in the carbon-monoxide (CO) non-attainment area as a CO control measure in the 1992 Air Quality Plan. The California Air Resources Board included this provision in its official State Implementation Plan (SIP). To avoid duplication of effort in implementation of an inspection/maintenance program, TRPA shall work with the affected state agencies to plan for the application of state inspection/maintenance programs to the Tahoe region. Before TRPA requests the states to implement an inspection/ maintenance program in the Tahoe region, TRPA shall determine what the expected benefits from such a program are based on the latest available scientific information.

65.1.4. Combustion Appliances

The following air quality standards shall be met by combustion appliances.

A. Gas Heaters

The following standards apply to natural gas or propane-fired water heaters or central furnaces to be installed in the region.

1. Emission Standards

Natural gas or propane-fired water heaters or central furnaces installed in the region shall meet the following emission standards:

- a. Water heaters shall not emit greater than 40 nanograms of nitrogen oxide (as NO₂) per joule of heat output. Water heaters installed in mobile homes shall not emit greater than 50 nanograms of nitrogen oxide (as NO₂) per joule (80 lb per billion btu) of heat output;
- b. Central furnaces shall not emit greater than 40 nanograms of nitrogen oxide (as NO₂) per joule of useful heat delivered to the heated space; and
- c. Central furnaces with rated input of 175,000 btu or greater, combination units with a cooling rate of greater than 65,000 btu per hour, and water heaters with a rated heat input of 75,000 btu or

CHAPTER 65: AIR QUALITY/TRANSPORTATION

65.1 Air Quality Control

65.1.4 Combustion Appliances

greater, shall be reviewed under the standards contained in subsection 65.1.6.

2. List of Approved Heaters

TRPA shall maintain a list of gas heaters that are in compliance with the air quality standards in subparagraph 65.1.4.A.1. The list shall include the names and model numbers of the heaters. A heater certified by the South Coast Air Quality Management District of California under SCHEMED Rules 1111 and 1121 shall be considered in compliance with subparagraph 65.1.4.A.1.

3. Exemptions

The requirements of subparagraph 65.1.4.A shall not apply to the following:

- a. Decorative gas appliances certified under American National Standards Institute (ANSI) Standard Z21.50;
- b. Gas central furnaces installed in mobile homes or gas heaters installed in recreational vehicles and
- c. Wall mounted gas heaters, other than water heaters, that are not central furnaces as defined in Chapter 90: *Definitions*.

B. Wood Heaters

The sale of wood heaters which do not meet the emission standards of this subsection is prohibited in the Tahoe region. New or replacement wood heaters to be installed in the region shall meet the requirements of this subsection. Coal shall not be used as a fuel source.

1. Emission Standards

Wood heaters installed in the region shall meet the following emission standards for total suspended particulates of smoke emissions:

- a. Catalytic wood heaters shall not cause emissions of greater than 4.1 grams per hour;
- b. Non-catalytic wood heaters shall not cause emissions of greater than 7.5 grams per hour; and
- c. Wood heaters certified to meet the above standards by the U.S. EPA under 40 CFR Part 60 or the Oregon Woodstove Certification Program, shall be deemed in compliance with the above standards. Pellet fueled wood heaters labeled as exempt from 40 CFR Part 60 shall be deemed in compliance with the above standards.

2. Limitations

Wood heaters shall be sized appropriately for the space they are designed to serve. Multi-residential projects of five or more units, tourist accommodations, commercial, recreation and public service projects shall be limited to one wood heater per project area.

CHAPTER 65: AIR QUALITY/TRANSPORTATION

65.1 Air Quality Control

65.1.5 Open Burning

3. Wood Heater Retrofit Program

Prior to any sale, transfer or conveyance of any building, all existing wood heaters in the building, excluding legally existing open fireplaces that are not primary heat sources, shall be in conformance with the emission standards contained in subparagraph 65.1.4.B.1.

- a. Compliance with this section shall be evidenced by a statement of the seller made under penalty of perjury on a form provided by TRPA that all existing wood heaters in the building, excluding legally existing open fireplaces that are not primary heat sources, either conform to the emission standards in subparagraph 65.1.4.B.1 or have been replaced with conforming units, or that the structure does not contain any existing wood heaters. The statement shall be submitted to TRPA prior to the sale, transfer, or conveyance.
- b. A statement of wood heater conformance shall be required for any subsequent sales, transfers, or conveyances.

C. Other Combustion Appliances

Combustion appliances not specifically limited by subparagraph 65.1.4.A or 65.1.4.B shall be reviewed under the standards contained in subsection 65.1.6.

65.1.5. Open Burning

The regulations set forth in this subsection shall supplement applicable federal, state, county, and local regulations. Open burning, for the purposes of this Code, shall not include recreational fires.

A. Performance Standards

Open burning activities shall meet all standards and time requirements specified by local governmental agencies and applicable fire protection and air pollution control agencies.

B. Specific Standards

Notwithstanding the provisions of subparagraph 65.1.5.A, the following specific standards shall apply to open burning in the Tahoe region:

1. Prescribed Burning

Prescribed burning may be permitted pursuant to the provisions of Section 61.2.

2. Disposal

Open burning for any purpose related to the disposal of petroleum wastes, tires, garbage, tar, wood waste, residential rubbish and any other similar materials, including burning of automobile wreckage, is prohibited.