

# QUESTIONS AND ANSWERS ON THE SOLID FUEL BURNING DOMESTIC APPLIANCE REGULATION

## **Introduction**

On September 19<sup>th</sup>, 2016 the B.C. Government adopted a new [Solid Fuel Burning Domestic Appliance Regulation](#). On November 1<sup>st</sup>, 2016 the previous [Solid Fuel Burning Domestic Appliance Regulation](#) that has been in place since 1994 will be repealed and replaced with the new SFB DAR. This document answers many of the frequently asked questions about the regulatory change. Information on the regulation presented here is for the convenience of the reader. There is also a [factsheet](#) on the new regulation. The current regulation should be consulted for complete information.

## **General questions**

### **When does the new regulation come into effect?**

The old SFB DAR is repealed and replaced with the new regulation effective November 1<sup>st</sup>, 2016. However certain provisions in the regulation only come into effect at later dates.

### **Why is the provincial government regulating wood heating?**

The main purpose of this regulation is to ensure that NEW wood burning appliances sold in B.C. are as clean-burning as possible. This will reduce air pollution from wood smoke over time. The regulation requires nearly all wood burning appliances sold in B.C. to be certified to meet particulate matter (PM) [emissions standards](#) set by the US Environmental Protection Agency (EPA) in 2015 or equivalent standards set by the Canadian Standards Association (CSA) in 2010.

### **Is the provincial government banning wood heating?**

No. Wood heating continues to be legal throughout the province. In some areas of the province local governments have passed bylaws that restrict wood heat during episodes of poor air quality.

### **Given the known health effects of wood smoke why isn't the government banning wood heating in all urban areas?**

Reducing the wood smoke contribution to air pollution is an important goal that the government has supported with significant resources to the wood stove exchange program as well as developing this new regulation. At the same time the availability of wood heat is important to many British Columbians. The focus of the new regulations is to ensure that new wood burning appliances are as clean burning as possible. Local governments have the power to put additional restrictions on wood heating.

### **Is it going to be illegal to use my old wood stove / fireplace?**

The new regulation does not affect existing wood stoves or fireplaces. You can continue to use those subject to any local bylaws.

### **Why is the government focusing on wood stoves instead of other major sources of pollution such as industry?**

Studies show that, in many communities in B.C., wood smoke from home heating is a significant contributor to air pollution. This includes four B.C. communities that are exceeding national air quality

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standards for fine PM. For that reason efforts to reduce wood smoke are needed. Industrial facilities that emit air pollutants have to meet emission standards specified in their permits.

## **What kind of consultation was done on the changes?**

The Ministry of Environment (MOE) conducted two main rounds of consultation, in 2010 and 2015. Additionally, MOE commissioned a professional polling firm to conduct a [province wide survey of wood heating](#) in British Columbia in 2011. Participants were asked what measures to reduce smoke they would support. 77%, of those who responded supported provincial regulations to only allow clean-burning wood appliances to be sold in B.C. Majority support for this proposed measure was found in every region of B.C., in both urban and rural households, and among burners and non-burners.

## **Are there specific communities who may benefit more than others from the changes?**

Air quality benefits will be most notable in small and medium sized communities where the air quality impacts of wood-heating are most significant. Residents that stand to benefit the most from better air quality resulting from cleaner wood-burning appliances include children, the elderly, and those with pre-existing medical conditions, all of whom tend to be more sensitive to wood smoke and other pollution.

## **Does the new regulation impact the Wood Stove Exchange Program?**

The new SFB DAR will actually benefit the popular provincially funded [Wood Stove Exchange Program](#), by ensuring that replacement appliances are as clean burning as possible.

## **New particulate matter (PM) emissions standards**

### **How much cleaner-burning are wood heaters that meet the new standards?**

The new 2015 EPA standards for wood and pellet stoves require PM emissions to be 40% lower than was allowed under the previous (1992) standards. In 2020 Step 2 of the EPA standards will come into effect. These standards will represent a 73% reduction from 1992 levels. The 2015 EPA standards for boilers and furnaces are the first ever standards for these types of appliances in North America. It is estimated that boilers certified to the 2015 standards are 90% cleaner than uncertified appliances. In 2020 the allowable emissions for new wood boilers will decrease by another 69%. New standards for furnaces come into effect in 2017 and represent the best emissions levels of current furnaces. In 2020 the allowable emissions for furnaces will decline by 84%.

### **How were the emissions standards derived?**

The US EPA, who developed the standards that are referenced in the regulation, reviewed a huge amount of information about current emissions of wood heaters, and potential improvement options for emissions in developing their 2015 standards. MOE reviewed the EPA information and process and is satisfied that the EPA standards are both achievable (so that wood heat remains a viable option) and strict enough to produce significant air quality benefits. The Canadian Standards Association (CSA) developed similar standards to the US EPA standards. Manufacturers may sell appliances in B.C. if the appliances are certified to meet either the EPA or CSA emissions standards.

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## **Why didn't BC develop our own emission standards rather than relying on US EPA standards?**

Referencing existing standards has two main benefits. First of all it greatly simplifies compliance for the hearth industry that builds these wood heat appliances. If B.C. developed our own standard and required testing to that standard that would impose a significant cost on industry. Some companies would probably abandon the B.C. market rather than undertake B.C. specific testing. The second benefit is that it simplifies regulating this sector from the perspective of the B.C. government. Developing a B.C. specific standard, testing method and certification would be a great deal more work for the Ministry. Referencing standards developed by expert organizations like the EPA still requires significant work to determine that the standard is appropriate for B.C., but is much less work than developing a new standard.

## **Do certified wood burning appliances cost more than other types?**

Most of the wood and pellet stoves sold in B.C. are already certified so the new regulation will make little difference to the price of these units. However for boilers and furnaces, certified units are more expensive than some of the uncertified units currently sold in B.C. On the other hand the certified units are more efficient and reduce wood consumption, which saves money over time.

## **Fuel Requirements**

### **What is legal to burn in wood stoves and other wood burning appliances?**

- 1) Untreated, seasoned wood or wood products including cordwood, wood chips, and ends from cutting lumber to length
- 2) Wood pellets and other pelletized biomass fuels
- 3) Manufactured fire logs
- 4) Corn kernels and seed hulls (only occasionally used in B.C.)
- 5) Paper and cardboard for starting fires

### **What is not legal to burn in wood stoves and other wood burning appliances?**

Anything not meeting the definition of solid fuel in the regulation is not legal to use for fuel. Specific examples of fuel that is not legal to burn would include:

- 1) Garbage
- 2) Plastics
- 3) Treated or painted wood
- 4) Demolition debris
- 5) Rubber
- 6) Unseasoned wood products

Burning these fuels is likely to cause toxic emissions and odours. In addition to provincial law, many municipalities in B.C. have rules in place prohibiting the burning of materials such as garbage.

## **Outdoor Wood Boiler Provisions**

### **What are outdoor wood boilers?**

Outdoor wood boilers (OWBs), also known as outdoor wood-fired hydronic heaters, are wood burning appliances that are installed outside a home. They may be installed in their own weatherproof enclosure

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or in an outbuilding such as a shed. An OWB heats water that runs through pipes and is then used to heat houses and other buildings.

## **Why do several provisions in the regulation focus on outdoor wood boilers?**

Outdoor wood boilers can be extremely smoky appliances, emitting 3x to more than 10x the smoke of a regular wood stove. Outdoor wood boilers in B.C. have caused numerous pollution problems for neighbours and surrounding communities. For this reason the new regulation has specific provisions around where new outdoor wood boilers can be installed.

## **What are the regulations for outdoor wood boilers?**

- 1) Starting in March 1, 2017, only boilers emissions that are certified to meet emissions standards set by the US EPA or the CSA are legal to sell in B.C.
- 2) Starting in May 1, 2017, only certified outdoor wood boilers are allowed to be installed anywhere in B.C. and they must be installed 40 metres from property lines.
- 3) In the interim between Nov 1, 2016 and May 1, 2017, the following rules apply:
  - a. Certified boilers can be installed 40 metres or more from property lines.
  - b. Uncertified boilers can be installed if they are 80 metres or more from property lines.
- 4) Pellet boilers, which burn more cleanly than wood boilers, only require a 10 metre setback from property lines.
- 5) Retailers of outdoor boilers will be required to inform purchasers of the installation requirements.
- 6) After November 1, 2026 it will no longer be legal to use uncertified outdoor wood boilers unless they have 80 or more metres setback from property lines.

## **What is the purpose of the setbacks requirements for boiler installations?**

Pollution problems for neighbours and communities are most likely to occur when smoky wood boilers are installed in close proximity to other residences in densely settled areas. The 40 metre setback for new outdoor wood boilers limits their installation to larger lots of roughly two acres or greater (depending on the shape of the lot). In these rural or semi-rural situations pollution issues from boilers are less likely.

## **What are the options for people whose lots aren't big enough to accommodate 40 metre setbacks from property lines?**

Outdoor pellet boilers only require a 10 metre setback from property lines, so may be an option. Indoor appliances do not have a setback limit, so there are a wide variety of other wood heating appliances that can still be used in this situation.

## **Is it fair to stop people from using their outdoor wood boilers?**

The end date of November 1<sup>st</sup>, 2026 only applies to uncertified boilers that have less than 80 metre setback, so the "phase-out" is targeted at the boilers most likely to cause pollution issues. In addition owners of the affected boilers are being given 10 years to find alternatives.

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## **Impact on the hearth industry**

### **How will the regulation affect BC-based wood stove manufacturers?**

There are four B.C. based manufacturers of wood stoves and all their stove models already meet the new EPA standards so they will not be adversely impacted by the proposed changes. In common with all manufacturers of wood heating appliances, B.C. manufacturers will need to develop even cleaner burning appliances to meet the next step of the EPA standards that take effect in 2020.

### **How will the regulation affect retailers of wood heating appliances in BC?**

Retailers of wood heating appliances in B.C. will still be able to legally sell a wide range of wood heating appliances, so are unlikely to be adversely affected. A few retailers in B.C. that have a business based almost exclusively on selling uncertified boilers will be affected; however, these retailers will still be free to sell certified wood and pellet boilers as well as other kind of appliances

## **Compliance and enforcement**

### **How will the regulation be enforced?**

A number of approaches will be taken.

- The first step will be to educate B.C. residents and the hearth industry about the new requirements.
- Compliance audits of retailers in B.C. could be undertaken.
- Complaints of alleged non-compliance could be followed up.
- If there is evidence of non-compliance, enforcement responses will be taken consistent with the Compliance Policy and Procedures Manual ([http://www.env.gov.bc.ca/main/prgs/docs/ce\\_policy\\_and\\_procedure.pdf](http://www.env.gov.bc.ca/main/prgs/docs/ce_policy_and_procedure.pdf)).
- Minor first time violations are often dealt with through advisories or warnings.

### **How do I report a suspected violation of SFBDAR?**

Suspected violations of SFBDAR and other environmental laws in B.C. may be reported to the [RAPP line](#) (Report All Poachers and Polluters) at 1 877 952-7277. Suspected violations can also be reported to [EnvironmentalComplaints@gov.bc.ca](mailto:EnvironmentalComplaints@gov.bc.ca).

### **What are the penalties for not complying with this regulation?**

Tickets range from \$345 for not maintaining records of certification to \$575 for selling an uncertified appliance or operating an outdoor boiler without meeting setback requirements. If convicted of an offence, court-ordered fines may range up to a maximum of \$200,000 for major offences such as selling an uncertified appliance. Administrative penalties are also available for non-compliance with the regulation. Administrative Penalties have maximums of 10,000 to 75,000 depending on the provision.

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**Note:** This information on the Solid Fuel Burning Domestic Appliance Regulation is solely for the convenience of the reader. The current legislation and regulations should be consulted for complete information.