

**Air Pollution Control Division**  
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October 22, 2009

**IMPORTANT NOTICE !!**

- “Phase II” Emission Limit for Outdoor Wood-Fired Boilers
  - March 31<sup>st</sup> Deadline for Sales of Phase I Boilers

Dear Outdoor Wood-Fired Boiler Retailer:

I am writing to inform you about Vermont’s new “Phase II” outdoor wood-fired boiler (OWB) regulation that became effective on October 1, 2009. The new regulation includes a “Phase II” particulate matter emission limit that must be met by any OWB, **including outdoor wood pellet or wood/biomass pellet boilers**, sold for use in Vermont **on or after March 31, 2010**.

The prior Vermont regulations on these boilers (§§5-204 and 5-205 of the Air Pollution Control Regulations), which included the “Phase I” emission limit, as well as set back and stack height requirements, have been revised and combined into a single §5-204. The regulation itself and all documents associated with the adoption of this regulation are posted on our website at:

<http://www.anr.state.vt.us/air>

Manufacturers, dealers and (for the first time) purchasers of OWBs all have responsibility for complying with this new regulation. If a manufacturer wishes to distribute or sell an OWB model for use in Vermont on or after March 31, 2010, it must first have a representative boiler of that model tested by an independent consultant to demonstrate that the model meets Vermont’s new “Phase II” particulate matter emission limit (0.32 lbs per million BTUs of heat output). Then, it must submit the test results to the Vermont Air Pollution Control Division (“Air Division”) and obtain a certification from the Air Division that the boiler complies with the emission limit.

OWB manufacturers who wish to distribute or sell boilers for installation in Vermont must also provide information to their dealers stating which of their OWB models are certified for use in Vermont. This information must be sent to dealers by March 1<sup>st</sup> of each year, and when each new OWB model is certified. Manufacturers must send this notification both to their dealers in Vermont and to dealers outside of Vermont who sell or might sell OWBs for installation in Vermont.

As a dealer/retailer of outdoor wood-fired boilers, you have the following responsibilities under Vermont’s new Phase II OWB regulation:

1. *Know which OWB models have been approved by Vermont’s Air Division for use in Vermont.*  
You are responsible and the manufacturer may also be responsible under the regulation if you

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sell an uncertified OWB for installation in Vermont,. Note that “selling” includes, among other things, advertising or offering an uncertified OWB for sale. Please contact the Air Division at (802) 241-3840 or check our web site if you are uncertain whether a specific OWB model has received Vermont certification. **NOTE:** An OWB model that qualifies under the USEPA’s voluntary “Hydronic Heaters Program” is not approved for installation in Vermont unless the manufacturer has also received written certification from the Air Division that the model complies with Vermont’s emission limit (either the Phase I or II limit, as appropriate).

2. *Be familiar with the requirements of §5-204 regarding the proper installation of an OWB.* In summary, Phase I OWBs can still be sold for use in Vermont until the March 31, 2010 compliance date, but must be installed no closer than 200 feet from a neighboring residence. For OWBs that are certified to comply with Vermont’s new Phase II emission limit, the minimum set back distance has been reduced to 100 feet and applies not only to neighbors’ residences, but also to schools or health care facilities (e.g., hospitals, nursing homes, etc.). Typical continuously fed, well designed wood or wood/biomass pellet-fired OWBs are exempt from the regulation until March 31, 2010, but all wood pellet-fired OWBs must be certified by the Air Division as meeting the Phase II limit if you wish to sell them for use in Vermont after that date.
3. *Continue to provide OWB purchasers with the written notice required by §5-204(d)(3) and have them sign and date it.* We have two updated versions of the “Notice to Buyer” form available for your use: one for the sale of Phase I boilers and a separate one for Phase II OWBs. Please remember that a copy of the signed notice must be sent to the Air Division before delivery of the unit to the customer. Carbonless, triplicate forms are available now from the Air Division.

As the Air Division certifies OWB models that comply with the Phase II emission limit, we will be posting a list of those units on our website at: <http://www.vtwoodsmoke.org/certified>. In the near future, the Air Division will be issuing Phase II certifications for those Phase I boiler models that have already been demonstrated to meet the Phase II limit. These include:

- **Central Boiler “E-Classic 2300”**
- **Central Boiler “E-Classic 1400”**
- **Wood Doctor “WD-HE8000”**
- **Pro-Fab “Empyre Pro Series 200”**

The Air Division expects to approve two additional new models soon and other units are under review. These additional boilers, as well as a number of wood pellet-fired boilers, are listed as qualified Phase 2 (“white label”) models on the US EPA’s voluntary program website at: <http://www.epa.gov/woodheaters/models.htm>.

Please contact Philip Etter at (802) 241-3847 or Chris Jones at (802) 241-3851 if you have any questions about this letter or need copies of the “Notice to Buyer” forms.

Sincerely,



Richard A. Valentinetti, Director  
Air Pollution Control Division