

Frequently Asked Questions Regulation 6, Rule 3 Wood-Burning Devices Updated – February 2020

When is burning wood prohibited?

Answer: As of November 2019, a wood-burning ban can be called any time of the year, not just in the winter, whenever particulate matter pollution levels are forecast to be unhealthy. All wood burning, including manufactured logs and pellets, is prohibited during a wood-burning ban. Recreational fires, such as campfires and bonfires, are also included. BBQs are okay to use.

Each day by 2 p.m., the Air District will issue an air quality forecast for the next day. If air quality is forecast to be unhealthy due to fine particulate matter pollution, a Spare the Air Alert wood-burning ban will be called, and burning will be banned the entire next day (from midnight to midnight) for a full 24 hours.

How can I find out if a Spare the Air wood-burning ban is in effect?

Answer: To find out whether a Spare the Air Alert is in effect:

- Check the Spare the Air status box on the right side of this page.
- Visit the [Spare the Air website](#)
- Download the Spare the Air app for [iPhone](#) or [Android](#) and check the status on your smartphone
- Sign up for Air Alert notifications by [phone](#), [text](#), or [email](#)
- Connect with Spare the Air on [Facebook](#), [Twitter](#), and [YouTube](#).
- Call 1.800.HELP.AIR

Does the wood smoke rule affect the sale or installation of outdoor fireplaces, firepits and chimineas?

Answer: Outdoor wood-burning devices are not covered in *Regulation 6, Rule 3: Wood-burning Devices*. Newly installed **outdoor** wood-burning devices do not have to be EPA-certified or pellet-fueled devices. However, *Regulation 5: Open Burning* prohibits the use of outdoor wood-burning devices (including fireplaces, firepits, and chimineas) and other recreational fires during a Spare the Air related wood-burning ban.

How are Violation Notices (monetary fines) issued?

Answer: An Air District Notice of Violation (NOV) for a residence or business that violates the wood smoke regulation can be issued *only* if an Air District inspector personally observes and documents the violation. First time violators will be issued an NOV and \$100 fine. Violators may have a one-time only opportunity to take the Air District's Wood Smoke Awareness Written Test in lieu of paying the fine. Those who are found in violation a second time are issued a NOV citation and are subject to an unavoidable \$500 fine. Repeat violators who subsequently continue to burn in violation of the regulation will face increasing financial penalties.

Which devices can I install in my home?

Answer: The current rule requires that newly installed indoor wood-burning devices must be EPA-certified. A list of approved wood-burning devices for installation can be found on the [EPA-Certified Wood Heater Database](#) web page. However, EPA-certified devices are still prohibited from operation during a Spare the Air related wood-burning ban.



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The Air District encourages households that are seeking to install new heating devices to choose cleaner and more efficient heating non-wood burning devices, such as electric heating devices to help reduce fine particulate emissions in the Bay Area.

Which devices can I install in new building construction?

Answer: New building construction can not include the installation of wood-burning devices, including fireplaces, EPA-certified wood stoves or inserts, or pellet-fueled devices. Installation of non-wood burning devices, such as gas-fueled or electric devices will be allowed. Gas-fueled and electric heating devices are not subject to burn bans when *Spare the Air Alerts* are issued.

What are the regulatory requirements for remodeling a fireplace or chimney?

Answer: All fireplace or chimney remodels that are undergoing a substantial change costing more than \$15,000 and that require a local building permit will require the installation of an EPA-certified wood-burning device.

What are the requirements for landlords?

Answer: As of November 1, 2018, rental properties in areas with natural gas service must provide a permanently installed form of heat that does not burn solid fuel. These properties no longer qualify for a sole source of heat exemption.

Are there excessive smoke prohibitions in the regulation?

Answer: The wood smoke rule places year-round restrictions on excessive smoke. Excessive smoke is subject to financial penalty. When burning is allowed, residents must burn only clean, dry wood that has been properly seasoned in short, hot fires with plenty of air to prevent excessive smoke.

What do I do if I suspect somebody is burning inappropriate materials in their fireplace, such as garbage or plastic?

Answer: Burning garbage is strictly prohibited within the Bay Area any time of the year. Doing so releases many harmful pollutants. If you suspect somebody is burning illegal materials, please file a complaint online on the Air District's [Air Quality Complaints](#) web page.