



Fact Sheet

Rule for Woodwaste Burners (40 Code of Federal Regulations Part 49 Section 127)

Federal Air Rules for Indian Reservations in Idaho, Oregon, and Washington

What is the FARR? The Federal Air Rules for Indian Reservations in Idaho, Oregon, and Washington, also called the FARR, is a set of air quality regulations established under the Clean Air Act. The FARR creates rules to manage activities that cause air pollution.

The FARR applies to all residents (both tribal members and non-tribal members) and businesses located within the exterior boundaries of reservations in Idaho, Oregon, and Washington. The ownership status of land on the reservation does not affect how the rules apply.

What will the FARR do? The FARR will protect human health and the environment for 200,000 people on reservations in the Pacific Northwest. The FARR will also:

- Establish federal air quality rules where EPA-approved state or tribal air quality programs do not exist
- Make air quality standards on reservations consistent with standards off of reservations
- Build capacity for tribes to develop tribal air programs.

Fact Sheet Series

The FARR includes 16 rules that address various air quality issues:

- 49.122 Partial Delegation of Administrative Authority to a Tribe
- 49.124 Visible Emissions
- 49.125 Particulate Matter
- 49.126 Fugitive Particulate Matter
- 49.127 Woodwaste Burners
- 49.128 Particulate Matter Emissions from Wood Products Industry Sources
- 49.129 Sulfur Dioxide
- 49.130 Sulfur Content of Fuels
- 49.131 Open Burning
- 49.132 General Open Burning Permits
- 49.133 Agricultural Burning Permits
- 49.134 Forestry and Silvicultural Burning Permits
- 49.135 Emissions Detrimental to Public Health or Welfare
- 49.136 [Reserved]
- 49.137 Air Pollution Episodes
- 49.138 Registration of Air Pollution Sources and Report of Emissions
- 49.139 Rule for Non-Title V Operating Permits

What is the purpose of this rule?

The Rule for Woodwaste Burners phases out the use of woodwaste burners, commonly known as wigwam or teepee burners. Woodwaste burners are used in the wood products industry to dispose wood wastes. The rule also sets limits on the levels of visible emissions from woodwaste burners during the period when the woodwaste burners are being phased out. Visible emissions occur when particulate matter is present in an amount large enough to be seen by the human eye. Particulate matter is a mixture of solid particles and liquid droplets that are in the air.

Why is this rule important?

Woodwaste burners produce large amounts of particulate matter and other air pollutants. Particulate matter can affect human health and public safety. High levels of particulate matter can affect human health by increasing cases of respiratory disease such as asthma and respiratory infection. Public safety can be affected in cases where extremely high levels of visible emissions may block the sight of motorists and equipment operators.

To whom does this rule apply?

This rule is for the Colville Indian Reservation and the Nez Perce Indian Reservation only. After consulting with these tribes, the EPA determined that additional requirements for woodwaste burners were needed on these reservations to improve air quality. Therefore, the Rule for Woodwaste Burners applies to anyone who owns or operates a woodwaste burner within the Colville Indian Reservation and within the Nez Perce Indian Reservation.

What are the requirements of this rule?

This rule sets a deadline for shutting down and dismantling woodwaste burners. The rule also sets limits on the amount of visible emissions that can be produced by woodwaste burners while the use of the burners is being phased out. The rule specifies the method that must be used to show that the visible emissions limits are being met. Finally, owners and operators of woodwaste burners must prepare a plan for shutting down and dismantling their woodwaste burner. The rule allows an extension of the deadline for shutting down the woodwaste burner if another method for disposing the wood waste is not available.

**What are the requirements of this rule?
(continued).**

Woodwaste burners must be shut down and dismantled no later than June 7, 2007. This date is 2 years after the effective date of this rule, which is June 7, 2005.

The woodwaste burner must be dismantled even if the woodwaste burner is not currently being used.

The owner or operator of the woodwaste burner must prepare a plan for shutting down and dismantling the woodwaste burner. This plan must be submitted to the EPA no later than Monday, December 5, 2005. This date is 180 days after the effective date of this rule, which is June 7, 2005. Within 30 days after the woodwaste burner is shut down and dismantled, the owner or operator must notify the EPA that these activities have been completed.

Until the woodwaste burner is shut down, only wood waste that is generated on-site can be burned in the woodwaste burner. While the woodwaste burner is being used, the limit on visible emissions produced by the burner is 20 percent opacity over any consecutive 6 minute period. Percent opacity is the percentage of a background scene that an air pollution source blocks. In this case the air pollution source is the woodwaste burner. Zero percent opacity would mean the smoke from the burner does not block any of the background scene. One hundred percent opacity would mean the smoke from the burner blocks the background scene completely.

The rule specifies the procedure (also called the reference method) that the owner or operator of the

woodwaste burner must use to show that the visible emissions limit is being met. The reference method that the rule specifies is called EPA Reference Method 9. This method is described in 40 *Code of Federal Regulations* (CFR) Part 60 Appendix A

The owner or operator of a woodwaste burner can apply for an extension of the 2-year deadline if no reasonable alternative for disposing wood waste is available. If the EPA finds that no alternative method is available and that the woodwaste burner meets the 20 percent opacity limit for visible emissions, then the EPA may grant a 2-year extension of the deadline. The number of extensions that the EPA may grant is unlimited.

When does this rule take effect?

This rule is effective June 7, 2005. The final rule was published in the *Federal Register* on April 8, 2005 (67 FR 18074).

Where can the public get more information about this rule?

The final rule is available at the EPA Region 10 FARR website www.epa.gov/r10earth/FARR.htm. The FARR website provides additional background information on the rule and implementation of the FARR. The FARR Hotline is available at 1-800-424-4EPA to provide information and respond to questions.