



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF  
ENFORCEMENT AND  
COMPLIANCE ASSURANCE

September 30, 2021

Mr. John Wray  
Lab Technician  
England's Stove Works, Inc.  
589 South Five Forks Road  
Monroe, Virginia 24574

Re: Notice of Proposed Determination to Revoke Certificate of Compliance Number 193-19 for the 15-SSW01, 50-SHSSW01, 50-TRSSW01, 15-W03, 50-SHW03, and 50-TRW03 Wood Heater Models

Dear Mr. Wray:

The United States Environmental Protection Agency (EPA or Agency) is providing England's Stove Works, Inc. (England's) notice of our proposed determination to revoke the above-referenced Certificate of Compliance. Pursuant to the 2015 Wood Heater Rule, the revocation will not take place until England's has an opportunity to request a hearing. To request a hearing, you must submit a written request within 30 calendar days following receipt of this notice, as required under 40 CFR 60.539(a)(1)(iii). Revocation of the above-referenced Certificate of Compliance will become effective if England's does not request a hearing within 30 calendar days. The basis for the proposed determination to revoke certification is discussed below.

In a letter dated August 2, 2021, EPA notified England's that a post-certification review found the certification test submitted for the above-referenced models was not conducted in accordance with the 2015 Wood Heater Rule and the applicable test method. Specifically, the Agency found the following problems/irregularities in the certification test report:

***Primary Identified Problem or Irregularity***

- The certification test did not use test fuel pieces within the allowable moisture range. The American Society for Testing and Materials (ASTM) Test Method E2780, Section 9.4.1.2(1), states that the average fuel moisture content for each test fuel piece used to construct the test fuel cribs (excluding test fuel spacers) must be between 19 and 25 percent dry basis. However, the certification test was conducted using five test fuel pieces with moisture contents between 18.07 and 18.47 percent (Runs 4, 6, and 9).

### ***Additional Problems or Irregularities***

- Missing Information – Conditioning Data.
- Missing Information in the Non-Confidential Business Information (Non-CBI) Test Report – Usable Firebox Dimensions and Volume Calculation Data.
- Missing Information – Particulate Matter (PM) Test Data.
- Missing Information – Test Fuel Density.
- Missing Information – Dual Train Comparison.
- Missing Information – Instructions from the Manufacturer to the Laboratory on the Operation of the Device.
- Failure to Demonstrate and Document Lowest Achievable Burn Rate.
- Failure to Average Additional Test Runs.
- Sampling Train Operation - Not Proportional Sampling (Filter Plugging).

As a result of the above-identified problems/irregularities, EPA found both the certification test and the Certification of Conformity to be invalid. This finding is the basis for the proposed determination to revoke the Certificate of Compliance. In our August 2, 2021 letter, we had provided you with the opportunity to conduct a valid certification test in accordance with the applicable test method. In addition, our August 2 letter provided you with an opportunity to confer with the Agency. As a result, subsequent conference calls were held with my staff on August 6 and August 25. During this period of conferring with EPA, we paused the 10-day timeframe by when you needed to provide notice of your intent to retest and stop the advertisement and sales of the above-referenced wood heater models. Therefore, as we have not received notification of your intention to retest and stop sales since the August 25 call and the time by which you were required to provide such notice has passed, we are now formally notifying England's of our proposed determination and initiating the revocation of the above-referenced Certificate of Compliance. *See* 2015 Wood Heater Rule at 40 C.F.R. § 60.533(l)(1)(ii) and (vii).

As stated above, you may request a hearing within 30 calendar days of receipt of this letter notifying England's of EPA's proposed determination to revoke the Certificate of Compliance. The hearing request must be in writing, must be signed by an authorized representative of England's, and must include a statement setting forth with particularity your objection to the proposed determination. 40 C.F.R. § 60.539(b). The hearing request should be sent to [WoodHeaterReports@epa.gov](mailto:WoodHeaterReports@epa.gov). The subject line of your email should contain "Wood Heater Hearing Request" and the model names. If a hearing is not requested within the required timeframe, revocation of the Certificate of Compliance will become effective 30 calendar days following receipt of this letter.

This response has been coordinated with the Office of Air Quality Planning and Standards and the Office of General Counsel. If you have any questions regarding this letter, please contact Rafael Sanchez of my staff at 202-564-7028 or via email at [WoodHeaterReports@epa.gov](mailto:WoodHeaterReports@epa.gov).

Sincerely,

**ELIZABETH  
VIZARD**

Digitally signed by  
ELIZABETH VIZARD  
Date: 2021.09.30 13:35:53  
-04'00'

For Anthony J. Miller  
Acting Director  
Monitoring, Assistance, and Media Programs Division  
Office of Compliance  
Office of Enforcement and Compliance Assurance

cc:

Richard A. Wayland, OAQPS/AQAD  
Steffan M. Johnson, OAQPS/MTG  
Jacqueline Robles Werner, OC  
Robert Scinta, OC/MAMPD  
Scott Jordan, OGC