Message

From: Sanchez, Rafael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D26B2AFD849E403FA022A1E14E5DE7FF-SANCHEZ, RAFAEL]
Sent: 10/2/2020 6:03:46 PM
To: John Ackerly [jackerly@forgreenheat.org]
CC: Aldridge, Amanda [Aldridge.Amanda@epa.gov]; Scinta, Robert [scinta.robert@epa.gov]; Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Yellin, Patrick [Yellin.Patrick@epa.gov]
Subject: RE: Can manufacturers sell stoves while they await their EPA certificate?

Hi John,

Thanks for the email. I will contact the manufacturer. If you could forward a copy of the HPBA website, it would help.

The ComfortBilt HP50 is not an EPA certified heater. Per the wood heater rule at 40 CFR 60.5480, no commercial owner is permitted to advertise for sale a heater that hasn't been certified to the 2020 NSPS see below:

§ 60.5480 What activities are prohibited under this subpart?
(a) No person is permitted to advertise for sale, offer for sale, sell or operate an affected residential hydronic heater or forced-air furnace or other central heater that does not have affixed to it a permanent label pursuant to § 60.5478(b) through (d), as applicable.
(b) No person is permitted to advertise for sale, offer for sale, or sell an affected central heater labeled under § 60.5478(d)(1) except for export. No person is permitted to operate an affected central heater in the United States if it is labeled under § 60.5478(d)(1).
(c)(1) No commercial owner is permitted to advertise for sale, offer for sale, or sell an affected central heater permanently labeled under § 60.5478(b) unless:
(i) The affected appliance has been certified to comply with the particulate emission standards pursuant to § 60.5474 as applicable; and...

We list an EPA certified model once we have issued a certificate of compliance and receive and verify the link to the posting of the TR on their website.

Rafael Sanchez, EPA

From: John Ackerly <jackerly@forgreenheat.org>
Sent: Friday, October 2, 2020 1:07 PM
To: Sanchez, Rafael <Sanchez.Rafael@epa.gov>; Scinta, Robert <scinta.robert@epa.gov>; Lischinsky, Robert

<Lischinsky.Robert@epa.gov>
Cc: Aldridge, Amanda <Aldridge.Amanda@epa.gov>
Subject: Can manufacturers sell stoves while they await their EPA certificate?

Dear Rafael,

I hope this finds you well. I understand there is a rash of Covid cases in downtown washington, so I hope you are steering clear.

We recently saw the Comfortbilt model 50 pellet stove being advertised the HPBA newsletter, along with the rest of their line of stoves. However, the Model 50 doesn't yet seem to be approved by the EPA. They list their non-CBI test report on their website, which is good to see. And we presume that unless something is really glaring, the EPA certificate will be issued. And, I presume that there is a chance you could issue a certificate before you post the heater on the database. The law states they have to have your certificate - not that they have to be listed on your database. Can you clarify when a product can be marketed and advertised?

Thank you,

John