

**Fairbanks North Star Borough Code**  
**Chapter 21.28 PM<sub>2.5</sub> Air Quality Control Program**

**21.28.010 Definitions.**

In this chapter, the following definitions apply:

“Advisory” means a notice issued by the FNSB air quality division when the division determines, using available data, that a PM<sub>2.5</sub> concentration of 25 µg/m<sup>3</sup> has occurred, or will likely occur.

“Air quality alert” means an advisory, alert or episode concerning air quality whether issued by the Fairbanks North Star Borough or the state of Alaska.

“Air quality control zone” means the area of the borough currently contained in the EPA designated nonattainment area, which uses the nonattainment area southern, western and eastern boundaries as modified by their respective intersection with the following northern boundary described as: beginning at the intersection of Isberg Road with Chena Ridge Road on the western boundary of the EPA designated nonattainment area, then following Chena Ridge Road back to Chena Pump Road and continuing north on the Parks Highway to Sheep Creek Road, then Sheep Creek Road to Miller Hill Road, then north on Miller Hill Road, then east on Yankovich, then north from Yankovich Road along the east boundary of the Large Animal Research Station to a point just north of its intersection with Nottingham Drive and follows the ridge crest across Nottingham Estates to approximately the point where Swallow Drive intersects Dalton Trail to north on Dalton Trail to the crest of the Farmer’s Loop Ridge, then follow the geographic crest of Farmer’s Loop Ridge to its intersection with the New Steese Highway, then southeast on Bennet Road, and along Steel Creek Road to the intersection of Chena Hot Springs Road, and Chena Hot Springs Road to the eastern boundary of the EPA designated nonattainment area.

“Alert” means a notice issued by the FNSB air quality division when the division determines, using available data, that a PM<sub>2.5</sub> violation of the 35 µg/m<sup>3</sup> has occurred or will likely occur.

“Appliance” means a device or apparatus that is manufactured and designed to utilize energy and which does not require a stationary source air quality permit from the state of Alaska under 18 AAC 50.

“Clean wood” means natural wood that has not been painted, varnished, or coated with a similar material, has not been treated with preservatives, and does not contain resins or glues as in plywood or other composite wood products.

“Construction and demolition debris” means a conglomeration of materials from construction, repair, remodeling or demolition of buildings and structures containing any prohibited fuels.

“Cook stove” means a wood burning appliance that is designed primarily for cooking food and that has the following characteristics:

1. An oven, with a volume of 0.028 cubic meters (one cubic foot) or greater, and an oven rack;

2. A device for measuring oven temperatures;
3. A flame path that is routed around the oven;
4. A shaker grate;
5. An ash pan;
6. An ash clean-out door below the oven; and
7. The absence of a fan or heat channels to dissipate heat from the device.

“Division” means the Fairbanks North Star Borough air quality division.

“Episode” means when conditions reach or are predicted to reach advisory or alert status.

“Fireplace” means an assembly consisting of a hearth and open fire chamber of noncombustible factory-built or masonry materials and provided with a chimney, for use with solid fuels, which cannot be operated with an air to fuel ratio of less than 35 to one.

“Fireplace insert” means a solid fuel burning appliance similar in function and performance to a freestanding wood burning stove, which is made from cast iron or steel designed to be installed in an existing masonry or prefabricated fireplace.

“Forecast” means a description of the current dispersion conditions described as good, fair, or poor and including the expected PM<sub>2.5</sub> concentrations expressed in micrograms per cubic meter.

“Heating appliances” means, but is not limited to: oil furnaces, gas furnaces, wood stoves, coal stoves, wood-fired hydronic heaters, wood-fired furnaces, coal-fired hydronic heaters, coal-fired furnaces, masonry heaters, pellet stoves, cook stoves, and fireplaces.

“Hydronic” means having to do with a system moving heat from one location to another by means of the circulation of a heat transfer liquid through piping or tubing.

“Hydronic heater” means a fuel burning appliance designed to (1) burn wood or other solid fuels and (2) heat building space and/or domestic hot water via the distribution, typically through pipes, of a fluid heated in the appliance.

“Masonry heater” means a wood burning appliance that complies with the guidelines of ASTM E1602-08, Standard Guide for Construction of Masonry Heaters, and:

1. Is designed and intended for operation only in a closed combustion chamber configuration; and

2. Has enough thermal storage capacity to maintain no less than 50.0 percent of the maximum masonry-mass temperature for at least four hours after the maximum masonry-mass temperature has been reached; and
3. The masonry heater design and installation has been confirmed and documented by a qualified person or entity approved by the borough.

“Nonattainment area” is the area depicted on the map attached to the ordinance codified in this chapter and is further defined as follows:

Township Range Delineated Boundary for the Fairbanks Nonattainment Area  
MTRS F001N001 – All Sections, MTRS F001N001E – Sections 2-11, 14-23, 26-34,  
MTRS F001N002 – Sections 1-5, 8-17, 20-29, 32-36, MTRS F001S001E – Sections 1, 3-30, 32-36, MTRS F001S001W – Sections 1-30, MTRS F001S002E – Sections 6-8, 17-20, 29-36, MTRS F001S002W – Sections 1-5, 8-17, 20-29, 32-33, MTRS F001S003E – Sections 31-32, MTRS F002N001E – Sections 31-35, MTRS F002N001 – Sections 28, 31-36, MTRS F002N002 – Sections 32-33, 36, MTRS F002S001E – Sections 1-2, MTRS F002S002E – Sections 1-17, 21-24, MTRS F002S003E – Sections 5-8, 18.

“Opacity” means the reduction in transmitted light through a column of smoke as measured by an observer certified in using EPA Reference Method 9 as defined by federal law.

“Particulate matter” or “PM” means total particulate matter including PM<sub>10</sub> and PM<sub>2.5</sub> (condensable and noncondensable fraction) and is a complex airborne mixture of extremely small particles and liquid droplets that are made up of a number of components, including acids, organic chemicals, metals, soil, or dust.

“Pellet fuel burning appliance” or “pellet stove” means a closed combustion, vented pellet burning appliance with automatic components creating an active air flow system, sold with the hopper and auger combination as integral parts, and designed, warranted, safety listed, and advertised by the manufacturer specifically to be fueled by pellets of sawdust, wood products and other biomass materials while prohibiting the use of cordwood.

“PM<sub>2.5</sub>” means particulate matter comprised of particles that have diameters of two and one-half microns or less.

“Sale” means the transfer of ownership or control.

“Solid fuel burning appliance” means any appliance, unless specifically excluded from this definition, designed to produce heat by burning nongaseous and nonliquid fuels. This definition includes, but is not limited to:

1. Wood stoves;
2. Coal stoves;
3. Wood-fired hydronic heaters;

4. Wood-fired furnaces;
5. Coal-fired hydronic heaters;
6. Coal-fired furnaces; and
7. Fireplace inserts.

The following appliances are specifically excluded from this definition:

1. Masonry heaters;
2. Pellet fuel burning appliances;
3. Cook stoves; and
4. Fireplaces.

*Borough effective: 3/2/2015; EPA approval: 9/8/2017, 82 FR 42457; EPA effective: 10/10/2017*

**21.28.020 Borough listed appliances.** A solid fuel burning appliance shall be listed by the borough if:

A. The solid fuel burning appliance is certified by the U.S. Environmental Protection Agency as meeting the federal emissions rate of 2.5 grams of PM<sub>2.5</sub> per hour or less or for hydronic heaters, meets Phase II qualifications and has an emission rating of 0.10 pounds per million BTU or less. For purposes of this section, “certified” means that the solid fuel burning appliance meets emission performance standards when tested by an accredited independent laboratory and labeled according to procedures specified by the EPA in 40 CFR 60 Subpart AAA; or

B. The solid fuel burning appliance is tested, including by use of a handheld or other portable device, by an accredited independent laboratory, or other qualified person or entity approved by the borough, establishing that it meets an emissions rate of 2.5 grams of PM<sub>2.5</sub> per hour or less or for hydronic heaters the appliance has an emission rating of 0.10 pounds per million BTU or less.

*Borough effective: 1/15/2016; EPA approval: 9/8/2017, 82 FR 42457; EPA effective: 10/10/2017*

**21.28.030 Prohibited acts. Revised 9/16**

A. Installation of Certain Solid Fuel Burning Appliances in the Nonattainment Area. Within the nonattainment area no person shall install or allow the installation of a solid fuel burning appliance unless it is listed by the borough as qualifying under this chapter and the installation complies with all other requirements imposed in this chapter. It is a separate violation to fail to remove a solid fuel burning appliance installed in violation of this chapter.

B. No person who has been convicted of or pled no contest to two or more violations of this chapter involving visible emissions or emissions crossing property lines shall, in the air quality control zone, operate, use or keep installed a hydronic heater unless the hydronic heater is:

1. Borough listed or was listed at the time of installation,
2. A closed combustion system with automatic components that feed solid fuel, including wood pellets, into a firebox where the combustion is enhanced by an active airflow system, or
3. Connected to a thermal mass system that is certified by the contractor or installer as sufficient to allow the hydronic heater to burn at maximum capacity minimizing on/off cycling. The division may require an owner to provide documentation supporting the certification.

This prohibition shall be effective 90 days after the second conviction or entry or a no contest plea.

All persons owning and selling their property within the air quality control zone with an installed non-EPA certified solid fuel burning appliance that will not be removed before sale must provide a written disclosure to the buyer prior to closing, and a copy to the division no later than 10 days after the recording of the sale.

C. Visible Emissions Standard in the Air Quality Control Zone.

1. Standard. No person shall cause, permit, or allow particulate emissions from a nonmobile source in the air quality control zone to create opacity greater than 20 percent for a period or periods aggregating more than 10 minutes in any hour except during the first 30 minutes after the initial firing when the opacity limit shall be less than 50 percent.
2. Procedures and Enforcement. When ambient weather and light conditions permit, methods and procedures specified by the EPA in 40 CFR 60 Appendix A Reference Method 9 (Visual determination of the Opacity of Emissions From Stationary Sources), or an alternative technology that replaces Method 9, when the technology is available and the choice is feasible, upon request of the person being investigated, shall be used to determine compliance with this section. Smoke visible from a chimney, flue or exhaust duct in excess of the opacity standard for a period in excess of 30 minutes shall constitute prima facie evidence of unlawful operation of an applicable solid fuel burning appliance.

D. PM<sub>2.5</sub> Emissions Crossing Property Lines. No person shall cause or permit particulate emissions from a nonmobile source to impact the resident(s) of a neighboring property through the creation of an emissions plume that:

1. Crosses a property line;
2. Is observable using EPA Method 22 (40 CFR 60 Appendix A); and
3. Is 25 µg/m<sup>3</sup> greater than the surrounding immediate vicinity background PM<sub>2.5</sub> level using methods defined by the borough division of air quality. For purposes of this subsection, the surrounding “immediate vicinity” means land within an area measured 1,200 feet in all directions from the boundaries of the emitting property.

E. Borough-Wide Installation Requirements for Hydronic Heaters.

1. Setback. Unless permitted by a variance, installing an approved pellet fuel burning appliance, or replacing an existing hydronic heater with a listed appliance, no person shall install or allow the installation of a hydronic heater located less than:
  - a. Three hundred thirty feet from the closest property line; or
  - b. Six hundred sixty feet from a school, clinic, hospital, or senior housing unit.
2. Any hydronic heater installed in violation of this section shall be immediately remedied or made inoperable and removed as soon as practicable; however, in no case shall the time of removal be longer than 180 days after notice from the division of a violation.

F. Prohibited Fuels. No person shall burn in the borough any fuel, except coal in an appliance designed to use coal, which is not listed in the manufacturer’s owner’s manual as an acceptable fuel for that device or any of the following items in a solid fuel burning appliance:

1. Any wood that does not meet the definition of clean wood or has more than 20 percent moisture content;
2. Garbage;
3. Tires;
4. Materials containing plastic or rubber;
5. Waste petroleum products;
6. Paints and paint thinners;
7. Chemicals;
8. Glossy or colored papers;

9. Construction and demolition debris;

10. Plywood;

11. Particleboard;

12. Saltwater driftwood;

13. Manure;

14. Animal carcasses;

15. Asphalt products;

16. Flooring products.

G. Sales or Leasing of Solid Fuel Burning Appliances.

1. No person shall sell or lease a solid fuel burning appliance or barrel stove kit in the borough that does not meet the emissions limits established in FNSBC 21.28.020(A) unless the buyer signs an affidavit, on a form prescribed by the borough, that the appliance will not be installed or used in the air quality control zone. This section does not apply to appliances or stoves that transfer pursuant to a sale of property;

2. No person shall commercially sell or offer for sale or lease a solid fuel burning appliance in the borough unless the commercial seller or dealer provides the prospective buyer or lessee, prior to any sales or lease agreement, with a written notice, prepared or approved by the division, that includes, but is not limited to, the following:

a. The fuel restrictions imposed in this chapter;

b. Proper installation, property location, operation, and maintenance of the appliance;

c. An advisory statement noting that operation of solid fuel burning appliances may not be appropriate in some areas due to terrain, meteorological conditions, or other relevant conditions that render the operation of the appliance a public nuisance or health hazard even though it is otherwise legally installed and operated;

3. The written notice required in this section shall be signed and dated by the prospective buyer or lessee prior to purchase or lease to indicate receipt of the notification requirements of this section;

4. The commercial dealer or seller shall mail or otherwise provide a copy of the notice, any required affidavit, to the division within 30 days of the sale. All commercial dealers or sellers shall also include with the notice documentation showing whether the appliance sold or leased meets the borough's emissions standard.

~~H. Nuisance. No person within the Fairbanks North Star Borough shall cause or allow particulate emissions from a nonmobile source that are injurious to human life or to property or that unreasonably interfere with the comfortable enjoyment of life or property. No person within the Fairbanks North Star Borough shall operate a solid fuel or waste oil burning appliance in a manner so as to create a public or private nuisance. A violation of a provision of this chapter is hereby declared to be a nuisance.~~

I. Other Laws. Nothing in this section precludes other local jurisdictions from having more restrictive codes.

*Borough effective: 10/1/2016; EPA approval: 9/8/2017, 82 FR 42457; EPA effective: 10/10/2017*

~~J. Penalties. Upon first conviction of an offense in this chapter, the penalty(ies)/fine(s) set forth in FNSBC Title 1 regarding violations of the PM<sub>2.5</sub> air quality control program may be satisfied by completion within 60 days of a borough approved class covering PM<sub>2.5</sub> health concerns, nonattainment, importance of dry wood and proper operation of solid fuel burning appliances. The borough may on its own initiative file notice of satisfaction of attendance requirements with the court, or the defendant may file a certificate of completion with the court within the applicable time frame.~~

*EPA Note: Paragraph J approved but not incorporated by reference. Borough effective: 10/1/2016; EPA approval: 9/8/2017, 82 FR 42457; EPA effective: 10/10/2017*

**~~21.28.040 Enhanced voluntary removal, replacement and repair program.~~** The Fairbanks North Star Borough shall, to the extent funds are available and appropriated by the assembly, offer an enhanced removal, replacement and repair program to help offset the costs of removing, replacing or repairing a solid fuel burning appliance (SFBA) or fireplace. This program shall be subject to the following eligibility requirements, conditions, and criteria:

~~A. General Requirements.~~

~~1. Application. An application approved by the division and signed by all property owner(s) must be submitted along with any documentation required by the division. Applications for either the removal of a solid fuel burning appliance or replacement with an appliance designed to use natural gas, propane or home heating oil shall include a signed recordable document restricting future installations of solid fuel burning appliances and requiring appropriate notice to purchasers in the seller's disclosure statement. Applicants must fully comply with the division's inspection process which shall verify the existence of a qualifying SFBA or fireplace.~~



~~2. Priority Ranking. Applications may be prioritized and may be limited by the division in its discretion based on geographical location, the overall air quality benefit and the type of SFBA or fireplace being removed, replaced or repaired.~~

~~3. Eligibility. The program is limited to properties within the air quality control zone boundary in which a qualifying SFBA or fireplace is installed. If an application is approved for the program, the applicant will be given up to 90 days to meet all of the requirements. Applicants must have no delinquent property tax or penalty or interest owing at the time of application and at completion of the program requirements.~~

~~4. Additional Requirements. In addition to the general requirements set forth in this section, applicants must also meet the following requirements:~~

~~a. Fully comply with the inspection process required by the division that shall ensure that the existence of the qualifying appliance to be removed, replaced or repaired is properly documented.~~

~~b. Removal of appliance.~~

~~c. Delivery of appliance to an authorized decommission station.~~

~~d. Certificate of destruction delivered to the division, if applicable.~~

~~e. Final installation of a qualified appliance visually verified.~~

~~f. All aspects of this section may be performed by borough approved personnel or a borough approved vendor.~~

~~5. Payments. Applicants will be eligible for reimbursements or, at the option of the applicant, payment may be made directly to a borough approved vendor. Reimbursements and payments shall be available as follows:~~

~~a. Replacement of a hydronic heater:~~

~~i. With either an EPA certified wood or pellet stove with an emission rate less than or equal to two grams of PM<sub>2.5</sub> per hour, or an EPA phase II certified pellet burning hydronic heater with an emission rate equal to or less than 0.1 pounds per million BTU, up to \$10,000 for purchase and installation of the appliance.~~

~~ii. With an appliance designed to use home heating oil (excluding waste oil) or a masonry heater (including parts, labor and any costs associated with upgrading the chimney to the extent required by the manufacturer of the appliance for proper installation), up to \$12,000 for purchase and installation of the appliance.~~

~~iii. With an appliance designed to use natural gas, propane, hot water district heat, or electricity, up to \$14,000 for purchase and installation of the appliance.~~

~~b. Replacement of a non-borough listed SFBA or fireplace:~~

~~i. With either an EPA certified wood stove, or fireplace insert that has an emission rate less than or equal to two grams of PM<sub>2.5</sub> per hour, or in the case of an EPA certified wood stove, PM<sub>2.5</sub> emissions must be reduced by 50 percent and emit two grams of PM<sub>2.5</sub> per hour or less, up to \$4,000 for purchase and installation of the appliance.~~

~~ii. With an appliance designed to use pellets, up to \$5,000 for purchase and installation of the appliance.~~

~~iii. With an appliance designed to use home heating oil (excluding waste oil), hot water district heat, electricity, or a masonry heater (including parts, labor and any costs associated with upgrading the chimney to the extent required by the manufacturer of the appliance for proper installation), up to \$6,000 for the purchase and installation of the appliance.~~

~~iv. With an appliance designed to use natural gas or propane, up to \$10,000 per purchase and installation of the appliance. Multiple non-borough listed solid fuel burning appliances or fireplaces, or combinations thereof, may be replaced with a single heating device that meets the requirements above, except for those that are fired by solid fuels. Payment will be based on the number of devices removed, up to a maximum of three, and may not exceed the replacement cost.~~

~~c. Removal of a SFBA (limited to a one-time participation in this program per property).~~

<b>Cash Payment</b>
<del>\$5,000 if removing hydronic heater</del>
<del>\$2,000 if removing other SFBA</del>

~~d. Repair Program.~~

~~i. The repair program will pay for the:~~

~~(A) Replacement of a wood stove's catalytic converter that has exceeded its life span through the one-time payment of up to \$750.00.~~

~~(B) Replacement of any emissions-reducing component of an EPA-certified wood stove up to the maximum amount of \$750.00.~~

~~ii. In addition to the general requirements set forth in this section, applicants must fully comply with any inspection process required by the division, which may be performed by a borough-approved vendor.~~

*EPA Note: 21.28.040 approved but not incorporated by reference. Borough effective: 1/15/2016; EPA approval: 9/8/2017, 82 FR 42457; EPA effective: 10/10/2017*

### **21.28.050 Forecasting exceedances and restrictions in the air quality control zone during an alert.**

A. During the winter months of October through March, the borough shall issue a daily PM<sub>2.5</sub> forecast by 4:30 p.m. When the PM<sub>2.5</sub> concentration reaches the onset level for an episode and is expected to remain at that level for 12 hours or more, an alert or advisory will be declared. An alert or advisory may apply to the air quality control zone as a whole, or to one or more sub-areas designated by the division. Once an alert or advisory is declared, PM<sub>2.5</sub> control measures set forth in this section shall be implemented and continued until the alert or advisory is cancelled. There are three levels of episodes: Stage 1, 2 and 3. The obligations imposed in this subsection do not require, absent specific funding for that purpose, any actions to be taken outside of the borough's normal business days and hours of operation.

B. The division will notify local media to ensure the declared alert or advisory is broadcast. The division shall also use social media and methods of direct communication such as text messages as feasible. Information within the notification will contain the PM<sub>2.5</sub> forecast, stage level for areas, and actions required to reduce sources of PM<sub>2.5</sub>. The obligations imposed in this subsection do not require, absent specific funding for that purpose, any actions to be taken outside of the borough's normal business days and hours of operation.

C. Stage 1: Voluntary Restrictions in the Air Quality Control Zone During an Advisory.

1. A Stage 1 air advisory is implemented when concentrations exceed or are forecasted to exceed 25 µg/m<sup>3</sup>.

2. Residents shall be requested to voluntarily stop operation of solid fuel, pellet, and waste oil burning appliances, as well as masonry heaters and all outdoor burning that includes recreational fires such as bonfires, campfires and the use of fire pits, nonpermitted incinerators and burn barrels in the air quality control zone.

D. Stage 2: Required Restrictions in the Air Quality Control Zone During an Alert.

1. A Stage 2 air alert is implemented when concentrations exceed or are forecasted to exceed 35 µg/m<sup>3</sup>.
2. Burning is permitted in all EPA-certified solid fuel burning appliances, and EPA Phase II qualified hydronic heaters with an annual average emission rating of 2.5 grams or less, masonry heaters, pellet fuel burning appliances, cook stoves, and fireplaces. No fuel source may be added to the combustions chamber or firebox of any solid fuel burning appliance or waste oil burning appliance not listed above. Residents should rely instead on their home's alternate, cleaner source of heat (such as a gas or fuel oil fired furnace or boiler or electric baseboard heaters) until the Stage 2 air alert is cancelled.
3. If a building owner or other person with a property or managerial interest in the building has an approved "no other adequate source of heat" designation, the building owner is exempted from complying with the Stage 2 air alert restrictions for that building.
4. Outdoor burning is prohibited including nonpermitted incinerators and burn barrels. This does not include recreational fires such as bonfires, campfires or ceremonial fires and the use of fire pits.
5. These restrictions shall not apply during a power failure.

E. Stage 3: Required Restrictions in the Air Quality Control Zone During an Alert.

1. A Stage 3 air alert is implemented when concentrations exceed or are forecasted to exceed 55 µg/m<sup>3</sup>.
2. No fuel source may be added to the combustions chamber or firebox of any solid fuel burning appliances, masonry heaters, pellet fuel burning appliances, cook stoves, fireplaces, or waste oil burning appliances. No waste oil may be added to a waste oil burning appliance. Residents should rely instead on their home's alternate, cleaner source of heat (such as a furnace, boiler or electric baseboard heaters) until the Stage 3 air alert is cancelled.
3. If a building owner or other person with a property or managerial interest in the building has an approved "no other adequate source of heat" designation the building owner is exempted from complying with the Stage 3 air alert restrictions for that building.
4. Outdoor burning is prohibited including nonpermitted incinerators and burn barrels. This does not include recreational fires such as bonfires, campfires or ceremonial fires and the use of fire pits.
5. These restrictions shall not apply during a power failure or to EPA-certified solid fuel burning appliances, EPA Phase II qualified hydronic heaters with an annual average emission rating of 2.5 grams or less, masonry heaters or pellet fuel burning appliances when the

temperature is below -15 Fahrenheit as recorded at the Fairbanks International Airport.

*Borough effective: 6/26/2015; EPA approval: 9/8/2017, 82 FR 42457; EPA effective: 10/10/2017*

**21.28.060 No other adequate source of heat determination. Revised 8/16**

A. A building owner or other person with a property or managerial interest in a building located within the air quality control zone may obtain a “no other adequate source of heat” determination from the division if:

1. The building owner(s) or other person with a property or managerial interest in the building applies with the division on a form developed by the division;
2. The building owner(s) or other person with a property or managerial interest in the building files an affidavit with the application that the subject structure must be heated and the structure has no adequate heating source without using a solid fuel or waste oil burning appliance or that economic hardships require the applicant’s use of a solid fuel or waste oil burning appliance or complying with a restriction would result in damage to property including damage to the appliance itself and its heating system components; and
3. The building was constructed on or before December 31, 2016.

B. There shall be no fee for applying for or obtaining a determination.

C. It shall be a violation to submit a false affidavit for a “no other adequate source of heat” determination.

D. If the “no other adequate source of heat” appliance does not meet the standards set in this chapter, the division shall provide the applicant with information concerning the borough’s voluntary removal, replacement and repair program.

E. Applications denied by the division may be appealed to the air pollution control commission within 30 days of the decision.

*Borough effective: 8/12/2016; EPA approval: 9/8/2017, 82 FR 42457; EPA effective: 10/10/2017*

**~~21.28.070 Voluntary burn cessation program.~~**

~~The Fairbanks North Star Borough will, to the extent funds are available and appropriated by the assembly, establish a program to encourage, incentivize, and facilitate the voluntary cessation of the use of wood burning appliances (i.e., wood stoves, wood-fired hydronic heaters, wood-fired furnaces, fireplaces, fireplace inserts, masonry heaters or pellet fuel burning appliances) in the air quality control zone during air quality alerts. It is recognized that it will be difficult or impossible for some households to participate in this program (e.g., those that heat solely with wood or for which wood is a necessary supplement during periods of cold weather). Therefore, this program is intended for households that are able to use space heating alternatives with significantly lower PM<sub>2.5</sub> emissions, including those fueled by gas, oil, electricity, propane or district heat, but not~~

~~wood or pellet stoves or other wood burning appliances. This program will at a minimum consist of the following components:~~

~~A. The borough may contract with an agency that will provide services to promote the program. This agency must have the standing, experience, and capability to carry out a campaign to advertise, reach out, and attract a large number of participants in the nonattainment area who are willing to cease the use of a wood burning appliance during air quality alerts.~~

~~B. Facilitation of this program by the borough will include, but not be limited to, the provision of notice of air quality alerts to individual households by methods such as electronic mail messages, text messages, automated phone calls, notices to radio and television stations, and information posted on electronic reader or display boards located throughout the borough in locations best suited to notify residents of air quality alerts.~~

~~C. Private contributions, including goods and/or services, will be sought for all appropriate elements of the program. In general this will focus on the provision of materials, equipment, and certain one-time services, but not to fund borough staff positions.~~

EPA Note: 21.28.070 approved but not incorporated by reference. Borough effective:4/24/2015; EPA approval: 9/8/2017, 82 FR 42457; EPA effective: 10/10/2017