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Brian Doyle, Senior Deputy Attorney
Office of the City Attorney
City of San José, California
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Dear Mr. Doyle:

We have recently been made aware of the San José's impending woodsmoke ordinance. Specifically, that the requirement for EPA-certified woodstoves or fireplaces effectively will ban the use of masonry heaters.

Masonry heaters are non-affected facilities under the EPA regulation, and the regulation specifically recognizes their clean-burning potential. Furthermore, the burn rate determination method under EPA-M5 makes it impossible to test a masonry heater by this method.

Recognizing the need for an alternate method for determining masonry heater emissions, the Masonry Heater Association (MHA) has for a number of years worked to accomplish this. This has included a test method development program under Dr. Jaasma at Virginia Polytechnic Institute, the field testing of numerous heater installations by OMNI in Oregon, including EPA audited tests, and a large database of emissions tests by MHA's own test facility, Lopez Labs.

Attached please find our position paper, which details a rationale for exempting masonry heaters from a non-EPA woodstove ban, with supporting arguments, data and references.

I look forward to a response from you in this matter.

Yours truly,

A handwritten signature in black ink, appearing to be 'R. Long'.

Secretary
Masonry Heater Association of N.A.
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