



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
RESEARCH TRIANGLE PARK, NC 27711

OFFICE OF
AIR QUALITY PLANNING
AND STANDARDS

February 15, 2011

Dear Honorable Leader:

The purpose of this letter is to provide you with information about the U.S. Environmental Protection Agency's (EPA) development of revised New Source Performance Standards (NSPS) under the Clean Air Act for new residential wood heaters and to invite you to consult should you believe that your Tribe could be affected by these standards.

The wood heaters that are subject to the existing 1988 standards primarily include wood stoves, but exclude a number of other wood-burning appliances. Technological improvements have resulted in better performance of residential wood heaters; therefore, EPA plans to revise the standards to tighten the emission limits for new wood stoves and add regulations for additional types of new residential wood heaters: new hydronic heaters (a.k.a. wood boilers), new wood-fired forced-air furnaces, new pellet stoves, and new masonry heaters. EPA anticipates proposing the revisions and the new regulations this summer. The proposed federal regulations would not affect existing units, but instead would be focused on improving new units. Manufacturers would comply with the standards primarily by improving combustion and efficiency.

Like the 1988 standards, the national standards EPA plans to propose would require manufacturers of new appliances to design those appliances to meet particulate matter emission limits, have representative model lines tested by independent, accredited labs, and attach EPA labels and hangtags after EPA approval. In a number of communities, residential wood smoke increases particle pollution to levels that cause significant health concerns (e.g., asthma, heart attacks, premature death), especially for elders and children.

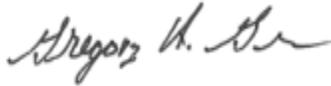
EPA has already had outreach/informational meetings with some tribal representatives to provide opportunities for input prior to development of the proposed rule. We provided information at the July 2010 National Tribal Forum/National Tribal Air Association (NTAA) meeting in Albuquerque, NM and the November 2010 EPA Region 10 Tribal Leaders Summit in Juneau, AK. We also presented information on this proposed rulemaking in the April 2010 issue of Tribal Air News, and during EPA/NTAA Tribal workgroup conference calls (April 2010, July 2010, August 2010). Specifically, we received input from EPA/NTAA Tribal workgroup members on culturally relevant exclusions from the proposed standards.

Because the standards would apply to newly manufactured residential wood heater appliances that could be sold for use within Indian country, the Agency believes it is important to offer consultation with federally recognized tribes. EPA expects the proposed rule to *improve*

environmental protection within Indian country and nationwide. We are prepared to consult with you or your designee should you desire it. If you would like to initiate or decline government-to-government consultation with EPA, please contact Laura McKelvey at mckelvey.laura@epa.gov or (919) 541-5497. Because of our tight schedule to propose regulations this summer, we kindly ask that you notify EPA of your intention regarding consultation by March 10, 2011.

We request your input to assure we develop the best rule possible. We endeavor to conduct our efforts with sensitivity to the needs and culture of your tribe and with attention to the potential impacts of our actions. We look forward to receiving your input.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory H. Green". The signature is fluid and cursive, with a prominent initial "G".

Gregory Green
Director
Outreach and Information Division

cc: Tribal Environmental Staff