

## Environmental Protection Agency

## § 60.537

7 inches) as described in appendix I, section 2.1;

(vi) Have wording, presentation of the graphic data, and typography as presented in appendix I.

(k)(1) Each affected facility offered for sale by a commercial owner must be accompanied by an owner's manual that shall contain the information listed in paragraph (k)(2) of this section (pertaining to installation), and paragraph (k)(3) of this section (pertaining to operation and maintenance) of this section. Such information shall be adequate to enable consumers to achieve optimal emissions performance. Such information shall be consistent with the operating instructions provided by the manufacturer to the laboratory for operating the wood heater during certification testing, except for details of the certification test that would not be relevant to the ultimate purchaser.

(2) Installation information: Requirements for achieving proper draft.

(3) Operation and maintenance information:

(i) Wood loading procedures, recommendations on wood selection, and warnings on what fuels not to use, such as treated wood, colored paper, cardboard, solvents, trash and garbage,

(ii) Fire starting procedures,

(iii) Proper use of air controls,

(iv) Ash removal procedures,

(v) Instructions on gasket replacement,

(vi) For catalytic models, information on the following pertaining to the catalytic combustor: Procedures for achieving and maintaining catalyst activity, maintenance procedures, procedures for determining deterioration or failure, procedures for replacement, and information on how to exercise warranty rights, and

(vii) For catalytic models, the following statement—

This wood heater contains a catalytic combustor, which needs periodic inspection and replacement for proper operation. It is against the law to operate this wood heater in a manner inconsistent with operating instructions in this manual, or if the catalytic element is deactivated or removed.

(4) Any manufacturer using EPA model language contained in appendix I to satisfy any requirement of this paragraph shall be in compliance with

that requirement, provided that the particular model language is printed in full, with only such changes as are necessary to ensure accuracy for the particular model line.

(l) Wood heaters that are affected by this subpart, but that have been owned and operated by a noncommercial owner, are not subject to paragraphs (j) and (k) of this section when offered for resale.

[53 FR 5873, Feb. 26, 1988, as amended at 53 FR 12009, Apr. 12, 1988; 64 FR 7466, Feb. 12, 1999; 65 FR 61764, Oct. 17, 2000]

### § 60.537 Reporting and recordkeeping.

(a)(1) Each manufacturer who holds a certificate of compliance under § 60.533(e) or (h) for a model line shall maintain records containing the information required by this paragraph with respect to that model line. Each manufacturer of a model line certified under § 60.530(c) shall maintain the information required by paragraphs (a)(3) and (a)(5) of this section for that model line.

(2)(i) All documentation pertaining to the certification test used to obtain certification, including the full test report and raw data sheets, laboratory technician notes, calculations, and the test results for all test runs.

(ii) Where a model line is certified under § 60.533(h) and later certified under § 60.533(e), all documentation pertaining to the certification test used to obtain certification in each instance shall be retained.

(3) For parameter inspections conducted pursuant to § 60.533(o)(2), information indicating the extent to which tolerances for components that affect emissions as listed in § 60.533(k)(2) were inspected, and at what frequency, the results of such inspections, remedial actions taken, if any, and any follow-up actions such as additional inspections,

(4) For emissions tests conducted pursuant to § 60.533(o)(3), all test reports, data sheets, laboratory technician notes, calculations, and test results for all test runs, the remedial actions taken, if any, and any follow-up actions such as additional testing,

(5) The number of affected facilities that are sold each year, by certified model line,

**§ 60.538**

**40 CFR Ch. I (7-1-04 Edition)**

(b)(1) Each accredited laboratory shall maintain records consisting of all documentation pertaining to each certification test, including the full test report and raw data sheets, technician notes, calculations, and the test results for all test runs.

(2) [Reserved]

(3) Each accredited laboratory shall report to the Administrator within 24 hours whenever a manufacturer which has notified the laboratory that it intends to apply for alternative certification for a model line fails to submit on schedule a representative unit of that model line for certification testing.

(c) Any wood heater upon which certification tests were performed based upon which certification was granted under §60.533(e) shall be retained (sealed and unaltered) at the manufacturer's facility for as long as the model line in question is manufactured. Any such wood heater shall be made available upon request to the Administrator for inspection and testing.

(d)-(e) [Reserved]

(f) Each manufacturer of an affected facility certified under §60.533 shall submit a report to the Administrator every 2 years following issuance of a certificate of compliance for each model line. This report shall certify that no changes in the design or manufacture of this model line have been made that require recertification under §60.533(k).

(g) Each manufacturer shall maintain records of the model and number of wood heaters exempted under §60.530(f).

(h) Each commercial owner of a wood heater previously owned by a non-commercial owner for his personal use shall maintain records of the name and address of the previous owner.

(i)(1) Unless otherwise specified, all records required under this section shall be maintained by the manufacturer or commercial owner of the affected facility for a period of no less than 5 years.

(2) Unless otherwise specified, all reports to the Administrator required under this subpart shall be made to: Stationary Source Compliance Division (EN-341), U.S. EPA, 1200 Pennsyl-

vania Ave., NW., Washington, DC 20460  
Attention: Wood Heater Program.

(3) A report to the Administrator required under this subpart shall be deemed to have been made when it is properly addressed and mailed, or placed in the possession of a commercial courier service.

[53 FR 5873, Feb. 26, 1988, as amended at 60 FR 33925, June 29, 1995]

**§ 60.538 Prohibitions.**

(a) No person shall operate an affected facility that does not have affixed to it a permanent label pursuant to §60.536 (b), (c), (e), (f)(2), (f)(3), or (g)(2).

(b) No manufacturer shall advertise for sale, offer for sale, or sell an affected facility that—

(1) Does not have affixed to it a permanent label pursuant to §60.536, and

(2) Has not been tested when required by §60.533(n).

(c) On or after July 1, 1990, no commercial owner shall advertise for sale, offer for sale, or sell an affected facility that does not have affixed to it a permanent label pursuant to §60.536 (b), (c), (e), (f)(1), (f)(3), (g)(1) or (g)(2). No person shall advertise for sale, offer for sale, or sell an affected facility labeled under §60.536(f)(1) except for export.

(d)(1) No commercial owner shall advertise for sale, offer for sale or sell an affected facility permanently labeled under §60.536 (b) or (c) unless:

(i) The affected facility has affixed to it a removable label pursuant to §60.536 of this subpart,

(ii) He provides any purchaser or transferee with an owner's manual pursuant to §60.536(k) of this subpart, and

(iii) He provides any purchaser or transferee with a copy of the catalytic combustor warranty (for affected facilities with catalytic combustors).

(2) No commercial owner shall advertise for sale, offer for sale, or sell an affected facility permanently labeled under §60.536 (e), (f)(3), or (g), unless the affected facility has affixed to it a removable label pursuant to §60.536 of this subpart. This prohibition does not apply to wood heaters affected by this subpart that have been previously owned and operated by a noncommercial owner.