

**KERN COUNTY AIR POLLUTION CONTROL DISTRICT
DAVID L. JONES, APCO**



May 21, 2010

David Kelly
Clear Skies Unlimited
30521 Coplaza Street
Lake Elsinore, CA 92530

SUBJECT: Compliance Determination of the HearthCAT™ Fireplace Technology retrofit device in consideration of KCAPCD Rule 416.1

Dear Mr. Kelly:

The Kern County Air Pollution Control District (KCAPCD) staff received and reviewed your May 18, 2010 email inquiry regarding use of the HearthCAT™ Fireplace Technology (HearthCAT™) in wood burning fireplaces within the jurisdiction of the KCAPCD.

Please note that KCAPCD Rule 416.1, Wood Burning Heaters and Wood Burning Fireplaces, does not require retrofitting existing or newly installed wood burning fireplaces. However, voluntarily reducing emissions through the retrofit of existing and newly installed wood burning fireplaces would be welcome in the KCAPCD. Although a retrofit device such as the HearthCAT™ could be beneficial to air quality in the Eastern Kern region, KCAPCD cannot endorse any specific product in public information materials.

Be aware that provisions of KCAPCD Rule 416.1 do not allow installation of a wood burning fireplace in a new residential subdivision which will consist of 10 or more dwellings. A copy of Rule 416.1 is attached for your reference. Additionally, and as you are likely aware, there may be other State and local building code standards that apply to installation and use of such a product.

If you have any questions or need additional information, please contact me at (661) 862- 5250.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Jones", is written over a white background.

David L. Jones
Air Pollution Control Officer

DLJ: JC: dm
Enclosure