



May 27, 2010

Mr. David Kelly
Clear Skies Unlimited
30521 Coplasa Street
Lake Elsinore, CA 92530

Dear Mr. Kelly:

The Placer County Air Pollution Control District (District) has received your May 18, 2010 inquiry regarding the HearthCAT™ Fireplace Technology (HearthCat™) in retro-fit applications. The District has reviewed the information you provided and hereby responds to your request for a written “official position of statement” regarding the HearthCAT™ Technology.

As a matter of policy, the District does not make specific product endorsements. The District will however provide you with compliance information in regards to the District’s Rule 225 Wood Burning Appliances.

Effective January 1, 2009, Rule 225 prohibits the sale, advertisement, or installation of a wood burning appliance that does not meet the requirements of Section 302.2.3. The District has determined that the HearthCAT™ installed as a component of a wood burning fireplace as a new installation after January 1, 2009 does not qualify as one of the appliances specified in this section. Therefore, it is illegal to install, sell, or advertise a fireplace with HearthCAT™ Technology within Placer County. A copy of Rule 225 can be found by entering the following link into your web browser:
<http://www.placer.ca.gov/Departments/Air/~media/apc/documents/rules/Rule225WoodBurningAppliances.ashx>.

Rule 225 does not prohibit the installation of emission reducing retrofit devices into already installed wood burning appliances therefore it would be legal to install HearthCAT™ Technology as retrofit devices into these appliances. Compliance determination with Rule 225 also does not guarantee conformity with any other Federal, State, or local regulation that may affect or prohibit the installation of HearthCAT™ Technology into already existing appliances. The District encourages Clear Skies Unlimited to check with these agencies, including the Placer County Building Department prior to any installations.

In regards to the HearthCAT’s™ participation in the District’s Burn Bright Burn Right Wood Stove Replacement Program, this technology will not be eligible for voucher incentives. Only EPA Phase II Certified appliances, gas stoves, and pellet stoves are eligible for incentive funding.

If you have any further questions, feel free to contact me at (530) 745-2339.

Sincerely,

Heather Kuklo
Program Manager
Placer County Air Pollution Control District

cc: Yu-Shuo Chang, Senior Planner