

Buying or Selling a Home with a Solid Fuel Burning Device

What's required?

Oregon law requires that all uncertified solid fuel burning devices located at a residential property be removed, destroyed and reported to DEQ when a home is sold. DEQ's [Heat Smart Program](#) provides the forms notifying DEQ that an uncertified device has been decommissioned. The steps in the notification process are:

Step 1 - Responsible party (buyer, seller or contractor) removes and destroys uncertified device

Step 2 - Responsible Party disposes of uncertified device, obtains disposal receipt

Step 3 - Responsible Party notifies DEQ

Step 4 - DEQ processes complete, signed notifications and sends confirmation of notification to responsible party

What is a solid fuel burning device?

A solid fuel burning device is defined in Oregon as a woodstove or other device that that burns wood, coal or other non-gaseous or non-liquid fuels for aesthetic, space-heating or water-heating purposes.

What is a certified device?

A certified solid fuel burning device is one that has passed an emissions performance standards test to limit the amount of smoke the device will make when in use.

Can wood smoke harm my health?

Wintertime residential wood burning is a significant source of air pollution in the form of fine particulate. Fine particulate matter found in smoke can be easily inhaled and reach the deepest part of our lungs and is known to cause or contribute to respiratory disease, asthma attacks, heart problems and premature death. Wood smoke also contains toxic organic compounds known to cause cancer.

Why are uncertified solid fuel burning devices a concern?

Uncertified solid fuel burning devices create about 70 percent more smoke than certified options, burn far less efficiently and

typically require more wood than newer, certified devices. Removing them from service will help to reduce wood smoke across the state.

What types of devices are not required to be certified?

A heating device is exempt from the definition of a solid fuel burning device if it meets the definition of an exempt device found in [Oregon Administrative Rule 340-262](#). Exempt devices do not need to be certified for emissions performance to remain in a home being sold:

- Fireplaces
- Antique stoves
- Central, wood-fired furnaces
- Masonry heaters
- Pellet stoves
- Saunas

How do I determine certification?

If a solid fuel burning device is certified to meet emissions performance standards, it will have either an Oregon DEQ or U.S. Environmental Protection Agency certification label affixed to the back of the device. This label indicates the device has been tested to meet particulate emissions performance standards. Examples of certification labels are provided on the back of this fact sheet. Please note: An Underwriters Laboratory (or UL) safety label is not the same as a certification label.

Is there a list of certified devices?

No. Oregon DEQ relies on the DEQ or U.S. EPA certification label on the back of a device to determine certification. If the device in question does not have a permanent DEQ or EPA certification label, it must be removed, destroyed, disposed of and reported to DEQ when the home is sold.

The device does not have an emissions certification label. Can I get it certified?

No. Certification is completed by manufacturers when introducing a new model line. To meet certification requirements, devices must have pollution control systems built into them and be tested by an independent third party to assure

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they meet emissions performance standards.

Who is responsible for removing an uncertified woodstove or insert?

The home seller is responsible for decommissioning an uncertified device before the home is sold, unless the seller and buyer agree in writing that the buyer will accept responsibility. In cases where the buyer takes responsibility, they have 30 days after the close of sale to meet the removal, destruction and disposal requirements.

Do solid fuel burning devices in out buildings need to be certified?

Yes. Oregon law requires the removal, destruction, disposal and reporting to DEQ of all uncertified devices from a residential property being sold, regardless of where they are located. This includes garages and workshops.

Can I sell or give away an uncertified device?

No. It's against the law to sell, offer to sell or give away a new or used uncertified solid fuel burning device in Oregon.

Can I remove and destroy it myself?

Yes. You can choose to remove and destroy an uncertified solid fuel burning device yourself, or hire someone to do it for you. DEQ provides a list of places to dispose of uncertified devices on the Heat Smart Program web page.

I've removed an uncertified device. What now?

Once an uncertified device has been removed, it must be destroyed and disposed of, and reported to DEQ.

How do I destroy and dispose of an uncertified solid fuel burning device?

An uncertified solid fuel burning device is considered destroyed when it is demolished to the extent that it cannot be restored or reused as a heating device. DEQ suggests permanently removing the door and hinges, cutting holes in the top and sides at least four inches in diameter, and taking your uncertified device to a [scrap metal dealer or recycler for disposal](#). Be sure to obtain a receipt from the contractor or business that disposes of your stove and keep it for your records. You will need to reference the disposal receipt when notifying DEQ.

How do I notify DEQ of a destroyed device?

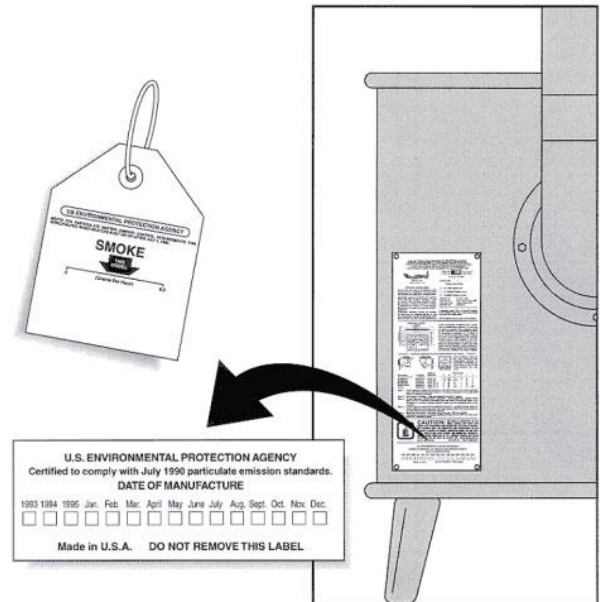
To notify DEQ that an uncertified device has been removed, destroyed, and disposed of, please submit an Uncertified Woodstove Removal Notification form to DEQ. Notification forms are available on [DEQ's Heat Smart Program](#) web page. When a removal notification form is submitted online, DEQ will provide an Uncertified Solid Fuel Burning Device Removal Notification

Confirmation. Please save a copy of the DEQ Confirmation for your records.

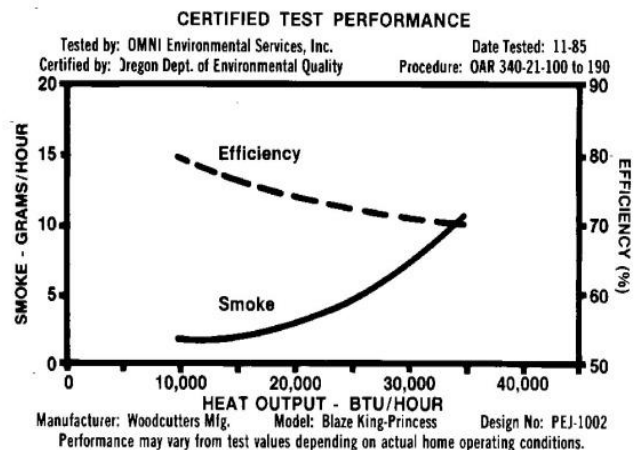
Are there penalties for noncompliance?

Yes. Fines start at \$750 for noncompliance. In addition, the mortgage company may delay the home sale without proof of compliance.

Example: U.S. EPA certification label



Example: Oregon DEQ certification label



Where can I get more information?

For more information and access to the online notification forms, please visit DEQ's Heat Smart Program at: <http://www.oregon.gov/deq/Residential/Pages/heatsmart.aspx>.

Alternative formats

Alternative formats of this document can be made available. For more information call 503-229-5696, Portland, or call toll-free in Oregon at 1-800-452-4011, ext. 5696. Hearing-impaired persons may call 711.