

RULE 400.5 NATURAL GAS-FIRED WATER HEATERS, SMALL BOILERS AND  
PROCESS HEATERS  
(Adopted 11/26/2019)

A. Applicability

- A.1 This rule limits emissions of oxides of nitrogen (NO<sub>x</sub>) from natural gas-fired Water Heaters, Small Boilers and Process Heaters.
- A.2 This rule shall apply to any new natural gas-fired Water Heaters, Small Boilers and Process Heaters with a heat input rating of 75,000 British Thermal Units (Btu) per hour and less than 5 million Btu per hour, unless exempted pursuant to Section D of this rule.
- A.3 Boilers, Process Heaters and Steam Generators that are subject to the provisions of this rule shall not be subject to Rule 400.

B. Definitions

The following definitions apply for all terms applicable to this Rule. If a term is not defined within this Rule, then the definitions provided in Rule 101, Definitions, shall apply.

- B.1 Recreational Vehicles: A motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designated for human habitation for recreational, emergency, or other occupancy.
- B.2 Water Heater: A device that heats water at a thermostatically-controlled temperature for delivery on demand. Water is heated by the combustion of gaseous fuel and withdrawn for use external to the vessel at pressures not exceeding 160 psig. The device includes the apparatus by which heat is generated and all controls and equipment necessary to prevent water temperatures from exceeding 210 °F.

C. Requirements

No person shall sell, offer for sale, supply, or install any natural gas-fired water heater, boiler or process heater subject to this rule with oxides of nitrogen (NO<sub>x</sub>) emissions in excess of 20 ppm @ 3 percent oxygen.

D. Exemptions

- D.1 The provisions of this rule shall not apply to the following:
  - D.1.a Water heaters, boilers and process heaters using any fuel other than natural gas.

## D.1.b Water heaters used in recreational vehicles.

## E. Compliance Schedule

Effective March 31, 2020, no person shall offer for sale, sell or install any natural gas-fired water heater, boiler or process heater, which does not comply with the requirements of Section C.

## F. Certification Requirement

F.2 A manufacturer shall submit to the ICAPCD an approved South Coast Air Quality Management District (SCAQMD) certification obtained from an independent testing laboratory. Any model of natural gas-fired water heater, boiler or process heater certified as complying with the SCAQMD Rule 1146.1 or Rule 1146.2 shall be acceptable as proof of compliance with Section E of this rule. A certification of a model to San Joaquin Air Quality Management District Rules 4307 or 4308 will also be accepted.

## F.2 Certification Report

A manufacturer of any water heater, boiler or process heater subject to Section E shall submit to the Imperial County Air Pollution Control District (ICAPCD) at least 30 days prior to sale, a statement that the unit is in compliance with the provisions of Section C. The statement shall be signed and dated, and shall attest to the accuracy of all information. The statement shall include the brand name, model number, the heat input capacity rating as it appears on the rating plate.

## F.2.a Compliance Statement

A statement that the water heater is in compliance with Section C of this rule. The statement shall be signed by the manufacturer and dated, and shall attest to the accuracy of all statements.

## F.2.b General Information

Name and address of the manufacturer, brand name of the water heater, Model number (as it appears on the water heater rating plate), description of each model water heater being certified, and a copy of the letter from SCAQMD certifying the water heater, small boiler or process heater model.

G. Manufacturer's Labeling

A manufacturer shall display the model number of the water heater, boiler or process heater on the permanent rating plate of each unit. The manufacturer shall also display the certification status on the unit.

H. Enforcement

The APCO may periodically inspect distributors, retailers, and installers of water heaters located in the District and conduct such tests as are deemed necessary to insure compliance with the provisions of this rule. Testing shall be conducted according to the SCAQMC Protocol for Nitrogen Oxides Emissions Compliance Testing for Natural Gas-Fired Water Heaters and Small Boilers, dated March 1995 (amended January 1998).

I. Records Retention

A manufacturer shall keep certification reports, test reports, and certification statements for as long as the water heater, boiler or process heater model is offered for sale, sold, or installed within the ICAPCD, or for a minimum of three calendar years, whichever is longer.