



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUL 16 2015

OFFICE OF  
ENFORCEMENT AND  
COMPLIANCE ASSURANCE

John Ackerly  
Alliance for Green Heat  
6930 Carroll Avenue, Suite 407  
Takoma Park, Maryland 20912

RE: Alliance for Green Heat Freedom of Information Act Request dated, June 5, 2015  
(#EPA-HQ-2015-007773)

Dear Mr. Ackerly:

This letter is in response to your Freedom of Information Act (FOIA) request, received by the U.S. Environmental Protection Agency (EPA) on June 5, 2015, in which you requested records relating to particulate matter emissions and efficiency data for ten (10) wood heaters certified under the New Source Performance Standards for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces, and New Residential Masonry Heaters. Specifically, you asked for the following data for each wood heater:

- Summary test sheets (except information that is deemed exempt under FOIA);
- Average weighted grams per hour PM emissions rate;
- Average weighted CSA B415.1 efficiency value;
- Emission results for individual burn categories (categories 1, 2, 3, and 4) for all test runs;
- CSA B415.1 efficiency results for individual burn categories (categories 1, 2, 3, and 4) for all test runs;
- Test method used (Method 28 or ASTM EE2779-10 and 5G or 5H);
- Name of the EPA accredited test laboratory that performed the testing;
- Date of the testing at the EPA accredited test laboratory; and
- Brand name of pellet fuel used during testing as well as the moisture and ash content of the fuel.

The EPA has identified eleven test reports that satisfy the conditions of your request (note, that the Home and Hearth Technology's Mount Vernon E2 was tested by two separate EPA-certified laboratories). EPA is providing the aforementioned records responsive to your request, but is denying your request for average weighted CSA B415.1 efficiency value, CSA B415.1 efficiency results for individual burn categories (categories 1, 2, 3, and 4) for all test runs, and pellet fuel brand name used during testing.

Pursuant to 40 C.F.R. § 2.204(d)(1), your request for the average weighted CSA B415.1 efficiency value, CSA B415.1 efficiency results for individual burn categories for all test runs, and pellet fuel brand name is being initially denied under 5 U.S.C. § 552(b)(4) (Exemption 4),


which states that trade secrets and commercial or financial information are exempt from being released. The manufacturers of the wood heaters have made a claim of confidentiality pertaining to the withheld information. EPA cannot release their data until we proceed with a final confidentiality determination, which will provide the manufacturers with the opportunity to substantiate their confidentiality claims, pursuant to 40 C.F.R. § 2.204(e).

Please respond within ten (10) calendar days to confirm your continued interest in receiving a final confidentiality determination on the withheld information. After you confirm your continued interest, EPA will provide you with a fee estimate if the confidentiality determination fee estimate is greater than \$25.00, upon which time you will be requested to provide a written assurance of payment, pursuant to 40 C.F.R. § 2.107(e). If EPA does not receive a timely confirmation, then EPA will consider your request for the Exemption 4 information to be voluntarily withdrawn and close this file.

The cost for providing this information to you is \$214.50. An itemized invoice covering the charges is enclosed. Please forward your check or money order, made payable to the U.S. Environmental Protection Agency, within 30 days of the date above. Your check should refer to the FOIA number above and should be accompanied by the top portion of the enclosed Bill for Collection. Your prompt payment of the amount indicated would be appreciated.

As noted above, upon your request, the information withheld under Exemption 4 will be sent to the Office of General Counsel for issuance of a final confidentiality determination. Therefore, you do not need to appeal the information withheld pursuant to Exemption 4. EPA would notify you whether the information qualifies for confidential treatment or may be released. To the extent you would like to appeal any other issue, including any non-Exemption 4 withholdings, you may appeal this response to the National Freedom of Information Officer; U.S. EPA; FOIA and Privacy Branch; 1200 Pennsylvania Avenue, N.W. (2822T); Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: [hq.foia@epa.gov](mailto:hq.foia@epa.gov). Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W.; Room 6416J; Washington, DC 20001. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the FOIA number referenced above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Sincerely,

  
Lisa C. Lund, Director  
Office of Compliance

Enclosure

cc: Jernellie Battle OC  
Adam Baumgart-Getz OAQPS  
Amanda Aldridge OAQPS



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**ENVIRONMENTAL PROTECTION AGENCY**  
 Washington, DC 20460

<b>BILL FOR COLLECTION</b>	BILL NO. <b>HQ-FOI- 2015-007773</b>
BUREAU/OFFICE FOR REMITTANCE PAYABLE <b>US EPA, FOIA and Miscellaneous Payments, Cincinnati Finance Center</b>	DATE <b>07/16/2015</b>
ADDRESS FOR MAILING PAYMENT <b>P.O. Box 979078, St. Louis, MO 63197-9000</b>	AMOUNT OF PAYMENT <b>\$ 214.50</b>

**PAYER**

[ Mr. John Ackerly  
 Alliance for Green Heat  
 6930 Carroll Avenue  
 Suite 407 Takoma Park, Maryland 20912  
 ]

DETACH AND RETURN  
 THIS PART OF BILL  
 WITH REMITTANCE

DATE	DESCRIPTION	QUANTITY	UNIT PRICE		AMOUNT	
			COST	PER		
6/30	Search electronic emails and other electronic files	26	\$ 4	15 min	104	00
7/1	Review electronic emails and other electronic files.	22	\$4	15 min	88	00
7/1	Photocopy	150	\$0.15	page	22	50
<b>AMOUNT DUE</b>					<b>214</b>	<b>50</b>

IMPORTANT: A receipt will be issued for all cash remittances and for all other remittances when required by applicable procedures. Failure to receive a receipt for cash payment should be promptly reported to the bureau or office shown above.

EPA Form 2505-4 (9-73) REPLACES FORM DI-1040 WHICH IS OBSOLETE.

ORIGINAL BILLING