

4. RESPONSE TO OUTSTANDING INQUIRY NO. CSC-03(98): REGULATIONS REGARDING FIREPLACES/WOODSTOVES
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### **COMMITTEE RECOMMENDATIONS**

**That Council receive this report for information.**

### **DOCUMENTATION**

1. Medical Officer of Health report dated 11 February 1998 is immediately attached.

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON  
 MUNICIPALITÉ RÉGIONALE D'OTTAWA-CARLETON

REPORT  
RAPPORT

Our File/N/Réf.           **03-07-98-0171**  
 Your File/V/Réf.

DATE                       11 February 1998

TO/DEST.                 Co-ordinator,  
 Community Services Committee

FROM/EXP.               Medical Officer of Health

SUBJECT/OBJET         **RESPONSE TO OUTSTANDING INQUIRY NO. CSC-03(98):  
 REGULATIONS REGARDING FIREPLACES/WOOD STOVES**

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**DEPARTMENTAL RECOMMENDATION**

**That the Community Services Committee and Council receive this report for information.**

**BACKGROUND**

At the Community Services Committee of 22 January, 1998, Chair A. Munter made the following inquiry:

**Concerns have been brought to my attention regarding the burning (in fireplaces and wood stoves) of materials that might endanger public health, particularly of those with asthma or other respiratory problems. What provincial, regional or municipal regulations exist to prevent this? Are such regulations adequate? If not, how should they be improved?**

Responsibility for ensuring the proper installation of wood stoves resides with the local municipality under the Ontario Building Code. The local building inspector would inspect and approve a wood stove for use.

The Ontario Ministry of the Environment, under the authority of the Environment Protection Act, R.S.O. 1990 c. E. 19 and Regulation 346 R.R.O. 1990 as amended O.Reg 795/94 respecting General Air Pollution are responsible for ensuring the proper operation of "fuel burning equipment", which includes wood stoves.

Section 3 of Regulation 346 exempts fuel burning equipment used for comfort heating, such as furnaces and wood stoves, from the requirement for a Certificate of Approval. Therefore, there are no specific operating standards attached to the operation of the stove. Section 10 of

Regulation 346 prohibits the burning of any material except the fuel for which the equipment was designed. This would prohibit the burning of material such as garbage, oily rags and chemicals in a wood stove. Section 6 of Regulation 346 prohibits the emission of air contaminants to a degree or extent that would:

- a) cause discomfort to persons;
- b) cause loss of enjoyment of normal use of property;
- c) interfere with normal conduct of business; or
- d) cause damage to property.

Responsibility for the enforcement of the provisions of the regulation rests with the Ministry of the Environment.

From a public health perspective, the burning of any fossil fuel will release some contaminants into the air but in the outdoor environment they would not constitute a public health hazard unless they accumulate to a level where the air quality index would indicate the necessity for an air quality advisory to be issued. Individuals with asthma or other respiratory problems are certainly more sensitive to air pollutants, but individual sensitivity does not constitute a “public health hazard” under the meaning of the Health Protection and Promotion Act, R.S.O. 1990 c. H.7. Consequently, the Medical Officer of Health would not have the legal authority to intervene in a situation where normal operation of a heating device was causing an individual distress. If the operator of a wood stove was burning materials which resulted in the emission of toxic chemicals which were hazardous to the general public, the Medical Officer of Health could issue an appropriate order to eliminate the hazard. The Ministry of Environment could also be asked to intervene in this situation.

## CONCLUSIONS

It is my opinion that existing legislation is adequate to protect the public health, acknowledging that general standards of operation may not always be sufficient to protect individuals with heightened sensitivities.

*Approved by*  
*Dr. Robert Cushman, MD, MBA, FRCPC*