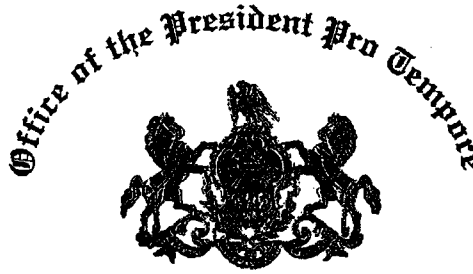


25TH DISTRICT
JOE SCARNATI

SENATE BOX 203025
HARRISBURG, PA 17120-3025
717-787-7084
FAX: 717-772-2755
www.senatorscomat.com



Senate of Pennsylvania

January 6, 2010

DISTRICT OFFICES

WARREN OFFICE:
315 SECOND AVENUE, SUITE 203
WARREN, PA 16365
814-726-7201
FAX: 814-726-7012

BROCKWAY OFFICE:
410 MAIN STREET
BROCKWAY, PA 15824
814-265-2030
FAX: 814-265-2040

WELLSBORO OFFICE:
5 MAIN STREET
WELLSBORO, PA 16901
570-724-5231
FAX: 570-723-5119

TOLL FREE: 1-877-787-7084

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JAN 12 2010

Hon. John Hanger, Chairman
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105-8477

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JAN 11 2010

RE: Proposed Rulemaking – Outdoor Wood-Fired Boilers (#7-444)

ENVIRONMENTAL QUALITY BOARD

Dear Chairman Hanger:

The many constituents who have written to me regarding DEP's proposed regulations for outdoor wood-fired boilers have been almost unanimously opposed to their adoption as a final rule. A number of their concerns need to be addressed before this proposed rulemaking proceeds further.

The retroactive nature of the proposed regulations will impose significant, unforeseen costs on homeowners who, in view of rising utility costs, have invested in these units to heat their homes. Additionally, the stack height requirements (especially for older boilers: 2 feet higher than rooflines within 500 feet) would require many existing installations in rural areas with hilly terrain to be retrofitted with impractical, expensive and unsafe chimney heights and guy wiring.

The estimated cost to achieve compliance under the proposed regulations, will require significant additional expense, denying many rural owners, most of whom are on limited incomes, the ability to heat their homes economically. Additionally, many of these rural owners use these units to heat domestic hot water throughout the year, imposing additional investment and operating costs to have hot water available if use of these units is not permitted in summer months.

Concerns over these outdoor woodburning boilers might be addressed less onerously by limiting the proposed rulemaking to the quality of the fuel used in them and the manner in which they are operated and by eliminating its retroactive application, particularly since older units, as they burn out, will be replaced in the near future with more efficient units. Unquestionably, the proposed rulemaking has underestimated the cost and practicality of implementing these regulations in rural areas.

Sincerely,

Joe Scarnati
State Senator – 25th District

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JAN 11 2010

JBS/cfd

ENVIRONMENTAL QUALITY BOARD