



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

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August 6, 2010

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Mr. Arthur Coccodrilli
Chairman
Independent Regulatory Review Commission
14th Floor, Harrisstown 2
333 Market Street
Harrisburg, PA 17101

Dear Chairman Coccodrilli:

We are writing today to offer comments on the final-form rulemaking regarding Outdoor Wood-Fired Boilers (Regulation 7-444; IRRC 2802). In general, we would like to state unequivocally, that we are opposed to the adoption of these regulations, and would urge the Independent Regulatory Review Commission (IRRC) to disapprove these final-form regulations. We have heard from a significant number of constituents objecting to these regulations, specifically citing their potential economic impact, as well as their impingement on personal freedoms, essentially, limiting a taxpayer's ability to make an independent choice on how to heat their home.

On March 15, 2010, the Independent Regulatory Commission (IRRC) reviewed the proposed Outdoor Wood-Fired Boiler regulations presented by the Department of Environmental Protection and offered to the department extensive comments. In those comments the IRRC offered the following:

"Given the number of legitimate points raised by opponents and proponents of the rulemaking, the different effects it will have on rural citizens of the Commonwealth compared to urban citizens of the Commonwealth, and the amount of interest expressed by members of the General assembly, we suggest the regulation of OWB's on a statewide scale is a policy decision of such a substantial nature that it requires legislative review. Striking an appropriate balance between regulation and non-regulation on a statewide scale is an issue that should be addressed by the General Assembly. Since regulations have the full force and effect of law, we believe that any decisions pertaining to the use of OWB's should be made by the elected officials of the legislative branch of government that represent all geographic regions of the Commonwealth."

While the department contends that the final-form regulation has been significantly revised from the proposed version, we believe the department has completely failed to recognize the fact that these regulations are beyond the boundaries of traditional regulatory authority.

We firmly believe, the decision to regulate the use of these systems, should be made by the legislature, or at the very least be within the purview of local governments to decide. Given the IRRC's previous comments, and those of many other residents of this Commonwealth, we strongly urge the IRRC to disapprove the final-form regulation addressing Outdoor Wood-Fired Boilers.

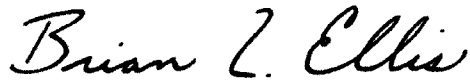
We appreciate the opportunity to offer this input to the Commission. If you should require any additional information or have any question please contact us.



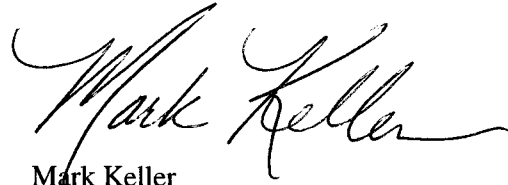
Scott E. Hutchinson
PA State Representative
64th District – Venango & Butler Counties



Martin Causer



Brian Ellis



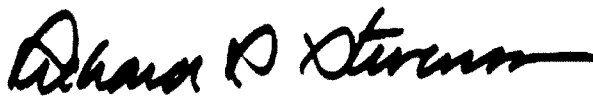
Mark Keller



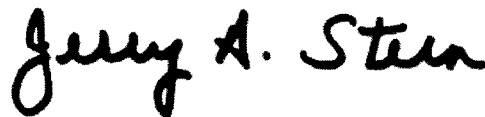
Russ Fairchild



C. Adam Harris



Richard R. Stevenson



Jerry Stern



Gordon Denlinger



Seth Grove



Ron Marsico



Stan Saylor



Gary Day



Robert Godshall



Todd Rock



Rosemarie Swanger



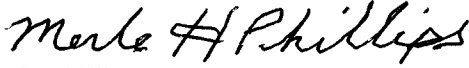
Michael Turzai



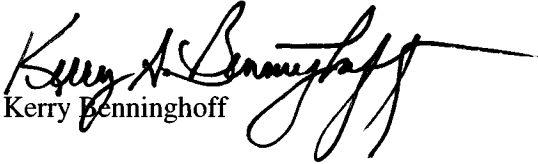
Kathy Rapp



Matt Gabler



Merle Phillips



Kerry Benninghoff



Dick Hess



Jeffrey Pyle



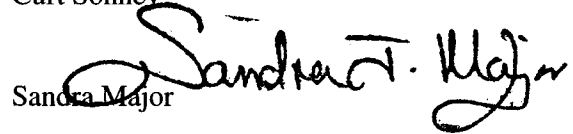
Bradley Roae



Paul Clymer

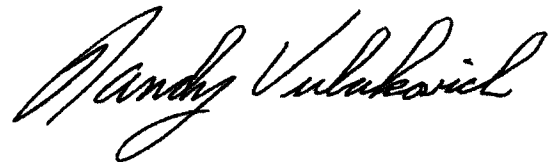


Curt Sonney



Sandra Major

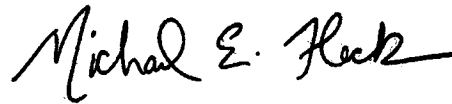
Dave Reed



Randy Vulakovich



Jim Marshall



Mike Fleck