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From: Jeff Kuhns [rhc50wacker@yahoo.com]
Sent: Monday, January 04, 2010 8:30 AM
To: EP, RegComments
Cc: rfairchi@pahousegop.com; Ed.Zygmunt@mail.house.gov; Paul.Macknosky@mail.house.gov
Subject: Outdoor Wood Burner Comments
Attachments: Outdoor Wood-Fired Burners - Kuhns.pdf

To Whom it may concern;

Please see attach letter and add to the public comment files relating to Outdoor Wood-Fired Boilers.

Also there are a few more questions I would like comments/answers on;

1. Who will regulate those wood burners/fireplaces (not the outdoor wood-fired burners) in houses throughout the Commonwealth that produce the same smoke or environmental hazards?
2. Since wood is the only form of heat some houses use, Are you going to pay for a new heating system to be installed? As well as the fuel to power them?
2. Do these new proposed rulemakings also apply to those wood burners/fireplaces in houses throughout the Commonwealth?
3. Does the chimney/stack height apply to those in the Commonwealth who use wood burners / fireplaces in their houses as a form of heat? Or are you just applying the new rules to those who made an investment in outdoor wood-fire burners?
4. Isn't the goal of the Federal Government (for the United States) to get away from foreign oil use? Or the amount that we use? Or do the Federal and State agencies get a cut of the profits from the oil companies? and since the public has found cheaper ways to heat is this cutting into their pocketbooks? so now they will make new rules to eliminate that problem.
5. Why are the state level agencies getting involved with making rules that the local municipalities can handle? Is there a need to secure jobs at the state level? Or is this part of the stimulis plan?
6. Who will be the "police" (enforcement agencies) on this rule? What will this cost the Commonwealth to operate? Remember budget last year was hard to pass because of cuts.... is this something that will cost the taxpayers even more money to regulate stupid rules?
7. What are the fines for violators?
8. Are you paying for the removal of current systems and buying back the furnace or is that a loss to the taxpayer for an investment they thought would help them in tough economic times?
9. How many hours were spent working on this project that could have been spent in offices like "Veteran Affairs" (cut from the budget)? Or don't you care about our veterans anymore?
10. Does DCNR / Foresters in the Commonwealth support these rulings? Isn't it true that bad trees (i.e. hollow, dead, weather damaged) hinder the growth of good trees? Will this effect our woodlands by not using the bad and allowing it to just disease the good trees?

11. And finally where do I apply for heating assistance if this takes effect? I currently save my family budget over \$2000.00/yr, so yes I am very concerned about something that makes no sense in the big picture.

Respectfully Submitted,
Jeff Kuhns
979 Middle Rd
Middleburg, PA 17842

November 24, 2009

To: Environmental Quality Board

Subject: Proposed Rulemaking [25 PA.CODE CHS. 121 AND 123]
Outdoor Wood-Fired Boilers
[39 Pa.B.6068]

After reading and reviewing this 12 page proposal there are several serious concerns I would like to bring to your attention. While I do understand the concerns the EQB has with certain nuisance OWB's and the number of complaints from individuals living next to one of these nuisance OWB's, I don't see the seriousness or feel the necessity for the EQB to regulate all OWB's within this Commonwealth. The number of complaints you receive verses the number of OWB's in this Commonwealth has to be less than 1% (please correct me if I'm wrong). I feel this is the job of the local municipalities. Here in Central PA most municipalities have already banned the sale of OWB's within borough limits and the townships already have restrictions and/or guidelines as to where and how future OWB's may be installed. If the EQB deems it necessary to be involved with this issue, then I ask that you give identification to, and pass legislation to regulate only those OWB's considered, after thorough testing and of which you have already received numerous complaints, to be nuisance OWB's. Furthermore, with the economy being what it is, why would the EQB put this burden on themselves (with DEP already making cut backs), on the manufacturers (there are at least 5 in this Commonwealth), on the distributors and dealers (there are hundreds in this Commonwealth), and on the owners themselves who purchased an OWB in good moral judgment and will now be subject to thousands of dollars in expenses raising their stack heights (if even possible because of terrain) or will have to sell their OWB to someone living outside this Commonwealth, if that's even possible.

Whether the PA EQB gets involved or not, Federal Regulation within the next several years will most likely mandate all manufacturers of OWB's to be phase 2 compliant, just as it did years ago with the auto and trucking industry. This problem will take care of itself just as the automobile industry did. The old OWB's will die out and the new phase 2 units will be purchased (and by the way, no government agency has ever banned the sale of used autos in this country because they don't meet current regulations). If the EQB wants to help the PA economy and not negatively affect it, here are some important factors in this proposal which need changing:

1. Only OWB's deemed as nuisance OWB's should be required to raise their stack height, and that height should be determined by their bordering neighbors chimney height.
2. There should be no requirements for phase 2 stack heights. The stack height of the phase 2 OWB is an integrated part of the OWB, altering this would negatively affect the performance of the OWB.
3. Used OWB's should be allowable for resale inside this Commonwealth even after phase 2 regulations have passed, or the EQB should seek government funding to help those individuals who wish to upgrade from their current OWB to a phase 2 unit (similar to the federal cash for clunkers law). As the proposal now stands, if you purchased an OWB in 2009 for \$10,000, and you cannot raise your stack height to the standards in this proposal because of terrain, your \$10,000 investment is now useless and you cannot sell it inside this Commonwealth. No just government agency within the United States should ever pass such an unjust law without proper restitution to the people.
4. The proposed setback requirements for phase 2 units should be cut in half from 150' to 75'. The EQB needs to take a closer look at just how little smoke .32 pound PM per million BTU heat output is.
5. Pennsylvania terrain varies greatly. Any seasonal prohibitions should be left up to the local municipalities.
6. Any registration of any appliance sold in the United States is strictly between the manufacturer and the buyer. No government agency should ever pass any type of legislation which would require the purchaser or the seller to register their OWB appliance, firearm, etc. with any Federal, State, or Local government agency, or for them to have to forfeit these records upon request to the agency.

I understand the underlying reasons and situations leading up to this proposal, the pros and cons. I also understand that Pennsylvania is part of a Democratic nation, which is why I ask the EQB to take into consideration the concerns in this letter.

Thank you.

Sincerely,



Jeffrey Kuhns

570-765-8210 Cell