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Sent: Saturday, January 02, 2010 10:45 AM
To: EP, RegComments
Cc: jcorman@pasen.gov; mkeller@pahousegop.com
Subject: Proposed title 25, chapter 121 & 123 regulations

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 ENVIRONMENTAL REGULATORY
 BOARD

Dear Environmental Quality Board Members and staff:

I am providing my comments to you regarding the proposed new regulation in title 25 chapters 121 and 123 regarding Outdoor wood-fired boilers (abbreviated OWB).

Comments on Proposed Rulemaking
 Amending Chapters 121 & 123 of PA Code

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Overall I believe these proposed regulations go too far and are to be implemented too fast (upon publishing final version in the bulletin). These regulations would impose a severe hardship on many rural poor people who have limited options. Also these regulations would have the undesirable effect of discouraging one of the best energy alternatives when looked at over on an entire life cycle basis both in terms of minimizing pollution and providing energy security. The voluntary EPA program needs more time to be phased in. The sudden adoption of these regulations as proposed would also impose a severe hardship on many small businesses in a time of serious economic trouble.

I support the provisions of the new regulations to clearly prohibit burning tires, treated wood, plastics and trash in outdoor wood boilers. However, the prohibition of burning coal, sawdust, and other biomass such as corn or crop residues should not be enacted at this time.

The justification for these new (and costly to those rural poor they will target) regulations is based entirely on the non-attainment of the NAAQS PM 2.5 standards in *some* areas of the Commonwealth. Although OWB do produce large quantities of PM per ton of fuel, there is no substantiation of the claim that OWB contribute "significantly" to the non-attainment of air quality goals in selected parts of the state. A casual observation of the facts indicates otherwise. Namely: The non-attainment counties mentioned have relatively few OWB compared to other combustion sources and sources of PM pollution. Areas that have a high number of OWB do not have county wide PM non-attainment problems. There is no documentation or citations quantifying how much of a contribution OWB's actually provide other than it is "significant and growing." Growing slowly in response to high alternative energy costs? Certainly. Significant? A specious claim. This lack of documentation is especially significant since the entire regulation is predicated on the non-attainment of the PM standard and more importantly, the basis for adopting regulations more stringent than the federal requirements. There is *no evidence* that the total elimination of all OWB's would improve ambient air quality in the non-attainment areas at all; let alone be "necessary to achieve and maintain the ambient air quality standards."

Some specific problems and issues with the regulations:

OWB's that are Phase II certified are generally 80 – 100% more expensive than the standard models not 15% that is stated in the proposal.

The stack height requirements are simply ludicrous! You can't just stack on more stovepipe indefinitely! What does this have to do with the PM air quality? A typical two story house may be 30 feet tall. A stack this tall would fall down without guy wires or something to hold it up, creating a hazard. Besides it would creosote up and be a serious maintenance problem. This requirement is clearly beyond the scope of the department and should be left to local municipality ordinance. This regulation is so unreasonable as to cause suspicion that the motives of the department are disingenuous. Besides 500 feet is much too far, especially if the resident owner of the boiler is the only owner of any structure within the radius.

The record keeping requirements are unnecessary and an invasion of privacy. If there is a violation it should be apparent, the recordkeeping is unwarranted. This is not some highly dangerous substance that may fall into a terrorists hands.

As far as the seasonal requirement, there may be a need for farmers etc. to use a OWB during summer for cleaning milk equipment etc. Of course since most OWB's are not operating in the summer there should be no problem with PM 2.5 ambient air quality so there is no need for a summer prohibition.

I urge the department, the IRRC, and the EQB to keep in mind that using wood for fuel has many benefits that must be taken into consideration when weighing the relative merits of any energy related regulations. Wood from our local forests has burned, naturally, without human involvement for thousands, perhaps millions of years, putting PM 2.5 into the atmosphere. But more relevantly, wood is "carbon neutral" containing only "new carbon." It does not put mercury into the atmosphere, doesn't contribute to acid rain, contains very, very, small quantities of sulfur and has extremely low possibilities for environmental damage and pollution when produced, all unlike fossil fuels and other alternatives. These regulations will discourage the use of wood and encourage the burning of more fossil fuel. Greater efficiency and reduced PM emissions is a worthy goal but the industry needs more time to move in that direction. The new Phase II boilers have several severe drawbacks including: double the cost, higher maintenance costs, unproven track records, shorter service life, more frequent loading intervals and less availability.

I strongly urge the EQB to reject these regulations entirely.

Sincerely,
Stephen E. Wacker