

From: Jason Hanna [jhanna@Langan.com]  
 Sent: Monday, January 04, 2010 6:15 PM  
 To: EP, RegComments  
 Subject: Public Comment to Proposed Rulemaking: [?25 PA 700 DE CHS. 121 AND 123?] Outdoor Wood-Fired Boilers; [39 Pa.B. 6068]; [Saturday, October 17, 2009]

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INDEPENDENT REGULATORY  
REVIEW COMMISSION

I understand public comments are being accepted by January 4, 2010 on this proposal. I offer my public comments below:

With respect to proposed language to Section 123.104(e)(1)(ii) <excerpt below>, I offer the following comments in bold:

1. **Stack height requirements should be based on the boilers location relative to neighboring residences, and not a residence located on the property with the boiler.**
2. **Clarification is needed with regard to the requirement of the stack height extending at least 2 feet above the highest peak of the highest residence located within 500 feet of the boiler. What if a residence is within 500 feet <horizontally> but is located atop a hill that is 300 feet higher in elevation than the wood boiler? Obviously a stack cannot safely be extended to this height. Elevation and topography obviously plays a significant role considering most of these boilers are located in areas with undulating topography.**
3. **Extending the stack height above the manufacturer's recommendations may very well create a fire hazard.**
4. **The cost recovery for existing boiler stack retrofits does not suggest that significant costs will be incurred by existing operators should several 4-ft lengths be needed (in some cases 6 or more extensions with lateral braces for safety).**
5. **I recommend that for existing boilers, the stack height requirements be the same as for the Phase 2 boilers (higher than the peak of the nearest neighboring residence located within 150 feet (not 500 feet)).**

(e) *Stack height requirements for existing outdoor wood-fired boilers.* A person may not use or operate an outdoor wood-fired boiler that was installed before \_\_\_\_\_ (*Editor's Note: The blank refers to the effective date of adoption of this proposed rulemaking.*) unless the boiler has a permanently attached stack.

(1) The stack must meet both of the following height requirements:

(i) Extend a minimum of 10 feet above the ground.

(ii) Extend at least 2 feet above the highest peak of the highest residence located within 500 feet of the outdoor wood-fired boiler.

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