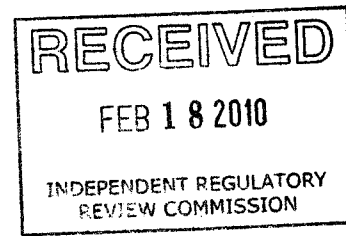


**From:** Air Freedom [freedomofair@yahoo.com]  
**Sent:** Wednesday, February 10, 2010 10:43 AM  
**To:** EP, RegComments  
**Subject:** Outdoor Wood Boiler Comments



February 10, 2010

To Whom It May Concern:

**I had commented earlier to your request in late in 2009 regarding Outdoor Wood Boilers. I was sending my comments to Rep. Causer in your state, and simply CCed the comments to your agency. Unknowingly, I was unaware you would even read them as they were directed to him.**

**I do stand behind those comments, however they were addressed to the Congressman and not to your agency. If you must remove my previous comments to make room for the following, please do so as the below comments are what I want your agency's representative to see:**

I am writing to your agency and the leaders of your state to give my support in the regulation of Outdoor Wood Boilers. I am simply writing this to you to help educate you and your decision making bodies in the proper education of Outdoor Wood Boilers.

I am not going to personally bore you with the details of my own individual case, as I am looking at the bigger picture for the safety and well being for everyone in your state and around the United States. But the bottom line is I do what I do because I was victimized by an OWB in my state. I went through the proper channels of contacting the local, county, state, and federal government only to have my case thrown back at me with none of the agencies wanting to take responsibility for enforcing the laws already on the books.

Eventually, for the fear of health and well-being, my family and I were forced to either live with smoke or move. We chose to flee our residence for cleaner and fresher air elsewhere. I pose to you, how is that right? The public government agencies put in place to protect our health and well-being refused to help.

If you turn your backs on this now, residents in your state will have no-one to ask for help when wrong has been done to them. Sure you could leave this to the individual governments at the local level, but many times they don't have the resources or abilities to properly enforce these rules. How would a small government be able to have the man-power of finances to measure particulates emitted from and OWB? They don't but the state does.....

### **Why OWBs need regulation**

There are common misconceptions often associated with OWB usage and ownership. I am going to point at a few examples in a concise manner. The points I am making can be further researched as there is an abundance of actual raw data and research backing my claims. I have compiled these points from nearly 4 plus years of research on the subject.

Please feel free to further research what is below by visiting the website at the end of this message.

**1) Traditional chimneys are above the roof line.** An OWB stands anywhere from 4 feet to 8 feet tall. Therefore, when the device releases emissions into the air, they are not released above the roof line. Also, not

many houses are built 8 feet tall. Stack additions can be added to an OWB in an effort to raise the height above the roof line. However, in many cases the height of the stack is irrelevant if the distance from one property to another is too close.

**2) Chimneys are not free-standing.** Chimneys for fireplaces in homes usually extend through the home or are at least attached to a side wall of the residence. On the contrary, the stack of an OWB is free-standing and not as tall as a chimney. The smoke from a chimney of a home has the ability to disperse more easily because a roof surrounds the chimney allowing the smoke to deflect off that surface. A free-standing stack of an OWB does not have a surface around it to assist in preventing the smoke from drifting downward. Therefore, the flow of smoke from an OWB is less controlled and more likely to disperse into lower areas where most people breathe in oxygen.

**3) OWBs are designed to burn continuously and smolder.** The way an OWB is engineered and designed is to run a continual cycle of forced air into a residence or building. The result of this is a continual smoldering of smoke during the entire time of operation.

**4) People tend to burn wood inside residences.** Not many people will disagree that it is not smart to burn anything other than wood in a fireplace. Household items such as trash and debris contain chemicals and wastes that are hazardous, yet some owners of OWBs think that "a foul isn't a foul if the referee doesn't see it." Some, not all, owners of OWBs, abuse their OWB by using it as a burning pit. Items disposed in OWBs include trade wastes, garbage, animal carcasses, wet unseasoned wood, newspapers, and any other undesirable burning item. Without any regulation this **WILL** continue to happen no matter what phase OWB is being used.

**5) The amount of pollution created by an OWB is far superior to any other heating device.** Many studies have proven that OWBs create far more pollution than any other traditional heating source. (Please see the research and studies page on the website listed below)

**6) Removal and disposal of ashes and creosote.** Often with a chimney, owners hire professional cleaners to clean and remove the ashes from their chimney. Not many owners take it upon themselves to clean and dispose of the burnt remains of ashes in their fireplace. With an OWB, typically the owner removes the ashes from the unit. The OWB manufacturers say to store ashes "in a metal container" until time of disposal. The problem with this is when the container becomes full, where are the ashes supposed to be disposed? In the case of an OWB owner who doesn't hire a professional to remove the ashes, the disposal of ashes and creosote often comes with a one way trip to the countryside.

**7) Buying an OWB really won't save money, it only shifts the funds.** Saving money is the crutch that OWB manufacturers, dealers, and owners all use for support. Simply, let's break down the mathematics of this logic. On average an OWB will cost a buyer anywhere in the price range of **\$6,000 to the upwards of \$12,000** just to simply buy the unit. This does not include the costs of installation and preparations that are needed to get the unit fully operational.

Most recently an article in Vermont stated:

**"While the old models might have cost \$5,000, "for the new ones we sell, you're looking at \$11,000 to \$12,000," said Gary Hale of Appalachian Supply in St. Johnsbury."**

If at minimum your state does not require Phase 2 OWBs to be sold, how many Phase 2 OWBs do you think realistically will be sold if a buyer can save nearly \$6,000 – \$7,000 by buying an older "dirtier" model?

The other thing to factor is that OWB uses a large of electricity to function. An OWB can be in operation (depending on

location) for upwards of 9 months of the year. An OWB requires about as much electricity as an air conditioner or traditional furnace. Now imagine paying your electric bill with an appliance running for 6-9 months of the year, some year round. The equivalent would be like paying your highest air conditioning bill in July or August for 6-9 months straight.

So once again how is that "saving" money? You are simply paying the electric company instead of the gas or oil company.

**8) The efficiency of an OWB is about 30%.** On average the efficiency of an OWB is about 30% in heating a residence or building. The manufacturers state that OWBs should be used as a "supplement" to heating and not a primary source of heating. Often, when people are sold an OWB, they are not told to use their boiler as a supplement because the sellers would not be able to sell any and make money. In comparison, a traditional gas or electric furnace has about 99% efficiency for heating. Would you spend a significant amount of money on anything that is 30% efficient? Would you buy a car that works 30% of the time? Would you buy a computer that works 30% of the time? The other factor to consider is the high efficiency ratings that OWB sellers claim were achieved in a controlled environment in a laboratory, without any room for "human factors" Human factors such as burning trash, untreated wood, etc.

**9) OWBs are not eco-friendly.** OWB manufacturers claim that by using natural gas to heat homes, we as consumers are depleting the supply of natural gas. This may be true, but how is chopping down all of the trees in our wooded areas good for the environment? In good faith we are assuming that all owners of OWBs, not to mention that some do not, replant a tree every single time they cut down one for use in their OWB. If the concept of people using OWBs to heat their homes continues to grow, what trees will remain for our future generations?

**10) OWBs use electricity.** OWBs use electricity to function. Well, wait a second, if your electricity goes out then you can't heat your house? The answer is **YES**--that you would not be able to heat it. A traditional fireplace burns without any electrical assistance or it can be used to burn gas. Either way, if you lose power to your home, you can use a gas or traditional fireplace for heat. With only an OWB, where will your heat source come from?

**11) OWBs should be used as a supplement to heating, not the primary source.** As briefly mentioned in #8 above, this is just another fact sellers neglect to mention to consumers. Most, if not all, OWB manufacturers say this in their respective owner's manuals. This is just very well buried in the small or fine print of their manuals. This means that like a fireplace, OWBs should be used to supplement heating costs. Meaning, in no circumstance should an OWB be the only source of heating for a home or building. Expanding from #10, if this is the only source of heating, when the electricity goes out, how does one heat their home or building? Simply, they don't.....

Specifically in PA

Specifically, in your state there is already case law on the books regarding OWBs. The following case involves two neighbors feuding over an OWB, with the civil court shutting down the OWB. This case was passed 12 years ago in 1998

<http://burningissues.org/penn-court.htm>

Secondly, the case below was an owner of an OWB trying to file suit against a local government for enforcing its zoning policy pertaining to an OWB:

[http://www.aopc.org/OpPosting/CWealth/out/90CD08\\_6-11-08.pdf](http://www.aopc.org/OpPosting/CWealth/out/90CD08_6-11-08.pdf)

In the case above, this is an example of WHY leaving it to local authorities would only hinder all parties

involved. This would hinder the owner of the OWB, the local government, the judicial system, and at the expense of tax-payers funds at the local and state levels.

## Conclusion

In closing, I hope that the decision makers in your state do give this subject justice and not just listen to those who benefit solely by the sales of OWBs. After, reading the comments already posted on this regulation, **even the HPBA**, agrees that "some" regulation is needed addressing this issue. I of course disagree with their proposed regulations, but they are at least openly admitting regulation is needed. It is buried quite well in the 150 plus page document they sent to you.

Also you should be aware that in 2009 the Iowa Attorney General's Office contacted all manufacturers of OWBs warning and notifying them of deceptive and fraudulent practices in selling their products in their state. This is a quote directly from the letter (which can be accessed on the website below):

**"It has become to our attention that at least some manufacturers or sellers of outdoor wood boilers may have misrepresented the extent to which use of a particular outdoor complies with emission standards for air pollutant contaminants....."**

**"Please be aware that misrepresentations, deception, or unfair practices in connection with advertisements or representations made regarding other features or alleged benefits of these products are also actionable under the Consumer Fraud Act"**

Additionally, some manufacturers send "form letters" to owners of OWBs stating the horrible politicians are taking away their only source of heating. The thing that should be stated is: If everyone who already owned an OWB "did as the were supposed to" why would it be necessary to worry about having their boilers shut down? **I do not know how much more proof is needed to show how deceitful the OWB industry is.** The only worry about one thing and that is making a profit.

See news article below for further proof of their greed at the expense of the health of others:

<http://www.wdaz.com/event/article/id/1287/>

:

Finally, the truth and facts are readily available to you about OWBs. David R. Brown, whom I noticed another person did send his report to you, was threatened by the OWB industry because he exposed the truth about their products. Mr. Brown also firmly does not support Phase 2 model OWBs either as he still has measure them and found them to be dangerous to human health. I ask you to please visit my website located at:

<http://freedomofair.webs.com>

Sincerely,

Freedom of Air