

2802

RECEIVED

FEB 18 2010

**From:** George Hazard [GMHazard@pfb.com]  
**Sent:** Thursday, February 11, 2010 3:28 PM  
**To:** EP, RegComments  
**Subject:** Comments on Outdoor Wood Fired Boiler Regs  
**Attachments:** Final\_Comments\_Chapter\_123\_Proposed\_Regs.doc; Hazard, George.vcf

INDEPENDENT REGULATORY  
REVIEW COMMISSION

 is the Pennsylvania Farm Bureau's comments on the proposed Comments on 25  
e CHS. 121 and 123 Outdoor Wood-Fired Boilers 39 Pa.B. 6068.

Please see attachment:

## **Pennsylvania Farm Bureau**

510 S. 31st Street • P.O. Box 8736 • Camp Hill, PA 17001-8736 •

Phone (717) 761-2740 • FAX 731-3575 • [www.pfb.com](http://www.pfb.com)

February 11, 2010

Environmental Quality Board  
Rachel Carson State Office Building  
16<sup>th</sup> Floor  
400 Market Street  
Harrisburg, PA 17105-2301

**RE: Comments on 25 PA. Code CHS. 121 and 123 Outdoor Wood-Fired Boilers 39 Pa.B. 6068**

To Whom It May Concern:

The Pennsylvania Farm Bureau (PFB) would like to thank you for the opportunity to provide comments on the Environmental Quality Board's proposed amendments to Chapters 121 and 123 related to the control of emissions of particulate matter (PM) from operation of outdoor wood-fired boilers (OWBs). The PFB is the Commonwealth's largest farm organization with nearly 46,700 farm and rural member families. We are the state affiliate of the American Farm Bureau Federation (AFBF) whose nationwide membership represents the country's largest general farm organization.

The following are comments on the proposed Chapter 123 (Standards for Contaminants, Particulate Matter Emissions) rulemaking.

Comment 1:

Since the regulations are designed to be strictly an air emission regulation, the department should only set emission standards for the manufacturing of outdoor wood-fired boilers using acceptable fuels. Municipalities have the power and right to adopt their own standard related to the setback requirements of OWB placement and stack heights. Since the Air Quality Act allows municipalities to adopt more stringent standards, this approach will allow the municipality to adopt local ordinances specific to their communities concerns and landscapes as well as handle all nuisance complaints and enforcement with both existing and new units. The State should focus only on air emission standards at the manufacturing level.

Comment 2

Section 123.14 (c) – Setback requirements for Phase 2 outdoor wood-fired boilers – Setback requirements should be set by the municipality with all references removed from the regulations. However in the event that this is not allowed, the proposed language should be changed from 150 feet from nearest property line to 150 feet from nearest neighboring residence. Residences homes and property should be excluded from the setbacks.

Comment 3:

Section 123.14 (d) (2) – Stack height requirements for phase 2 outdoor wood-fired boilers – Stack height for new units should be set by the municipality with all references removed from the regulations. However in the event that this is not allowed, the language should be changed from 2 feet above the highest peak of the highest residence located within 150 feet to 2 feet above the highest peak of the highest “neighboring” residence located within 150 feet. Residences homes and property should be excluded from the stack height requirements.

Comment 4:

Section 123.14 (e) (1) (ii) – Stack height requirements for existing outdoor wood-fired boilers – Again, stack height for existing units should be set by the municipality with all references removed from the regulations. However in the event that this is not allowed the language should be changed from 2 feet above the highest peak of the highest residence located within 500 feet to 2 feet above the highest peak of the highest neighboring residence located within 150 feet. Residences homes and property should be excluded from the stack height requirements.

Comment 5:

Section 123.14 (f) – Allowed Fuels – All wood products from residential or agricultural operations not containing creosote, etc, should be added to the fuels that are allowed to be burnt in outdoor wood-fired boilers. These wood products need to be disposed off and if they are not allowed to be burnt in outdoor wood-fired boilers, they will more than likely be burnt in areas that have no particulate matter emission controls.

Comment 6:

Section 123.14 (g) – Prohibited fuels – This section could be expanded in regards to Comment 5, that wood containing creosote, tires, rubber, plastics, non-paper household products etc. are prohibited to be burnt in outdoor wood-fired boilers.

Again, thank you for the opportunity to comment on these regulations. We hope our comments are taken seriously. Please feel free to contact me at 717-761-2740 ext. 542, [gmhazard@pfb.com](mailto:gmhazard@pfb.com) with any questions or to follow-up on these comments.

Sincerely,



George M. Hazard  
Pennsylvania Farm Bureau  
Natural Resources Director  
Governmental Affairs Division  
510 S. 31<sup>st</sup> Street  
Camp Hill, PA 17001-8736

George Hazard: Natural Resource Director: Pennsylvania Farm Bureau  
510 S. 31<sup>st</sup> Street: PO Box 8736: Camp Hill, PA 17001-8736: [www.pfb.com](http://www.pfb.com):  
[gmhazard@pfb.com](mailto:gmhazard@pfb.com): 717.761.2740

#### STATEMENT OF CONFIDENTIALITY

This electronic mail transmission contains confidential information intended only for the person(s) named. Any use, distribution, copying or disclosure by another person is strictly prohibited.

February 11, 2010

Environmental Quality Board  
Rachel Carson State Office Building  
16<sup>th</sup> Floor  
400 Market Street  
Harrisburg, PA 17105-2301

**RE: Comments on 25 PA. Code CHS. 121 and 123 Outdoor Wood-Fired Boilers 39 Pa.B. 6068**

To Whom It May Concern:

The Pennsylvania Farm Bureau (PFB) would like to thank you for the opportunity to provide comments on the Environmental Quality Board's proposed amendments to Chapters 121 and 123 related to the control of emissions of particulate matter (PM) from operation of outdoor wood-fired boilers (OWBs). The PFB is the Commonwealth's largest farm organization with nearly 46,700 farm and rural member families. We are the state affiliate of the American Farm Bureau Federation (AFBF) whose nationwide membership represents the country's largest general farm organization.

The following are comments on the proposed Chapter 123 (Standards for Contaminants, Particulate Matter Emissions) rulemaking.

Comment 1:

Since the regulations are designed to be strictly an air emission regulation, the department should only set emission standards for the manufacturing of outdoor wood-fired boilers using acceptable fuels. Municipalities have the power and right to adopt their own standard related to the setback requirements of OWB placement and stack heights. Since the Air Quality Act allows municipalities to adopt more stringent standards, this approach will allow the municipality to adopt local ordinances specific to their communities concerns and landscapes as well as handle all nuisance complaints and enforcement with both existing and new units. The State should focus only on air emission standards at the manufacturing level.

Comment 2

Section 123.14 (c) – Setback requirements for Phase 2 outdoor wood-fired boilers – Setback requirements should be set by the municipality with all references removed from the regulations. However in the event that this is not allowed, the proposed language should be changed from 150 feet from nearest property line to 150 feet from nearest neighboring residence. Residences homes and property should be excluded from the setbacks.

Comment 3:

Section 123.14 (d) (2) – Stack height requirements for phase 2 outdoor wood-fired boilers – Stack height for new units should be set by the municipality with all references removed from the regulations. However in the event that this is not allowed, the language should be changed from 2 feet above the highest peak of the highest residence located within 150 feet to 2 feet above the highest peak of the highest "neighboring" residence located within 150 feet. Residences homes and property should be excluded from the stack height requirements.

Comment 4:

Section 123.14 (e) (1) (ii) – Stack height requirements for existing outdoor wood-fired boilers – Again, stack height for existing units should be set by the municipality with all references removed from the regulations. However in the event that this is not allowed the language should be changed from 2 feet above the highest peak of the highest residence located within 500 feet to 2 feet above the highest peak of the highest neighboring residence located within 150 feet. Residences homes and property should be excluded from the stack height requirements.

Comment 5:

Section 123.14 (f) – Allowed Fuels – All wood products from residential or agricultural operations not containing creosote, etc, should be added to the fuels that are allowed to be burnt in outdoor wood-fired boilers. These wood products need to be disposed off and if they are not allowed to be burnt in outdoor wood-fired boilers, they will more than likely be burnt in areas that have no particulate matter emission controls.

Comment 6:

Section 123.14 (g) – Prohibited fuels – This section could be expanded in regards to Comment 5, that wood containing creosote, tires, rubber, plastics, non-paper household products etc. are prohibited to be burnt in outdoor wood-fired boilers.

Again, thank you for the opportunity to comment on these regulations. We hope our comments are taken seriously. Please feel free to contact me at 717-761-2740 ext. 542, [gmhazard@pfb.com](mailto:gmhazard@pfb.com) with any questions or to follow-up on these comments.

Sincerely,



George M. Hazard  
Pennsylvania Farm Bureau  
Natural Resources Director  
Governmental Affairs Division  
510 S. 31<sup>st</sup> Street  
Camp Hill, PA 17001-8736