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Mahoning Outdoor Furnace, Inc. **RECEIVED**

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ENVIRONMENTAL QUALITY BOARD

February 8, 2010

Environmental Quality Board  
P O Box 8477  
Harrisburg, PA 17105-8477

Members of the Board,

This letter is in response to the proposed rule regarding outdoor wood-fired boilers. My company, Mahoning Outdoor Furnace (MOF) has been manufacturing outdoor furnaces in PA since the late 1980's. We have also been an active participant for several years in meetings and discussions with US EPA and several state agencies in the development of a voluntary program designed to reduce particulate emissions from OWBs. This EPA program was initiated in January 2007. MOF continues to support this voluntary program and has been working on units to meet the proposed national standard. Our hope is that a national standard will be passed and it will not be necessary for each state to impose a separate set of standards. The benefits of a national standard would be uniformity across the country, and eliminate the need to test a unit to meet each states' regulations.

The following are the concerns we have with the rule as it is currently written.

1. The chimney height requirements for phase 2 units is much higher than necessary. We think the stack height should be a function of the furnace's performance and changing the height will affect how the furnace operates. For example, if you bought a new car and decided to change the exhaust system, the car would not operate as efficiently as before. The stack height for phase 2 units should not be regulated by any agency. When a furnace has passed the tests for emissions it should be able to operate as it was designed. Requiring additional chimney heights above and beyond the chimney heights mandated by the EPA certification, could negatively impact the emissions performance of the product and jeopardize the manufacturer's certification with both EPA and state regulators. The test standard deemed to be the most correct to regulate our product by the regulatory and technical communities was a performance standard, **not design standard.**
2. The stack height for existing units is also problematic. We feel that requiring people with existing units to extend their stack at least 2 feet above the peak of the highest residence located within 500 feet of their OWB is very complicated and expensive in our state. The terrain can make it next to impossible. Instead of imposing this expense on all residents of our state with a furnace, why can't you just handle the problem units on a

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case by case basis. There are hundreds of furnaces being used properly that are causing no problems and these homeowners shouldn't have to pay for those owners who are not following proper operating procedures.

3. Prohibiting the use of OWBs between the dates of May 1 and September 30 should be revised to include only non-compliant units. If someone invests in a phase 2 unit, they should be able to heat their hot water and swimming pool or hot tub if they so desire. These units are going to be a larger investment for homeowners and they should be able to use them as much as they need. The product's certification should govern the ability of the product to be used year round. When adopting the test methodology and model rule to regulate the OWB product category, full year usage of the product was carefully considered and included in both the test method and the model rule adopted by EPA to regulate emissions from the OWB product.

4. The proposed setback requirements for the phase 2 units is a minimum of 150 feet from the nearest property line. This provision as proposed is illogical for clean burning EPA certified OWB equipment and is a hold over from regulatory efforts to deal with dirty first generation equipment. I feel this is an unnecessary distance for these units and should be shortened or eliminated. As stated above, these units are so much cleaner, they should not have to be regulated in such a way as to keep people from being able to use them. These furnaces will save people money on heating and give them control over their costs, the state should not be trying to make things harder for people in these tough times.

5. I am also very concerned with the time period you are giving manufacturer's to get into compliance. The typical time period for enactment of regulations, after the adoption of emissions regulations, is two to three years and is usually done in a phased-in manner. This is done so as not to damage the manufacturing community and allow for the development of the new emission reduction technologies and for the implementation of that technology into a full range of products. Typically a range of products consists of two to three products, in some cases more, depending on the various markets a company serves. In our company's case, we have been working on the development of new clean burning low emissions technology that we are planning to utilize in a range of two to three products, and that we are currently performing Beta field testing on over this winter. This field test work is as important, if not more important than the EPA certification testing, because it informs us about issues related to overall performance in different user settings, key component durability, user reaction to the new technology, and the functionality and reliability of the new electronic control technologies employed to regulate the operation of our new generation of products. Without the time to properly execute each of these critical steps in development and the lead time necessary to introduce the new products into the new manufacturing processes, we feel that we would

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be unnecessarily exposing our company, it's employees and our customers to the risks of a poorly realized product that has been rushed to market. This unnecessary haste can be neither good for the environment or for the economic health and well-being of our company and it's employees. My companies' reputation is one of the reasons we have been in business for so long and I cannot jeopardize our good name and business to sale a furnace that is so completely different from our current model, without knowing that it is a great product that will stand the test of time. It will also take time and money to change our plant over to the new manufacturing process. If you prohibit the sale of our current unit before I have a compliant unit to sale, I will be out of business and thirty or more residents of your state will be out of a job.

I hope you will consider the objections I have stated and we can come to a reasonable compromise. I would be happy to further discuss this with you if it helps resolve these issues.

Thank you in advance for your time.

A handwritten signature in black ink, appearing to read "Robin Weaver", followed by a long horizontal line extending to the right.

Robin Weaver  
Mahoning Outdoor Furnace