

Tate, Michele

2802

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**From:** KTG [drkirkphd@gmail.com]  
**Sent:** Saturday, October 24, 2009 12:47 PM  
**To:** EP, RegComments  
**Subject:** Objecting to Draft OWB Annex A for EQB 9-15-09

2009 OCT 30 PM 3:16

INDEPENDENT REGULATORY  
REVIEW COMMISSION

To Whom It May Concern,

Please accept my objections to the draft as written and any and all similar proposals that might exist.

The basis of my objection is:

1. The proposed rule, regulation or law voids the authority of local municipalities in regulating the use of such appliances.
2. The proposed rule uses language and bulk property dimensions that limit the use of these appliances to all but the most rurally isolated and largest land parcels extant. For example the requirement that the boiler be located 150' from any property line disallows outdoor boiler installation at any house on a 1 acre. Or a house located close to a road.
3. Section 123.14 e, adding new stack height requirements on existing non-phase 2 boilers smacks of ex post facto lawmaking and should be stricken down.

Thank you,  
Kirk Thomas  
856 RT 66  
New Bethlehem, PA  
16242