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Tate, Michele

From: harryfox@zitomedia.net
Sent: Wednesday, October 28, 2009 1:19 PM
To: EP, RegComments
Subject: Proposed Rulemaking Code CHS 121 & 123 - OWB

To Whom It May Concern,

I am completely opposed to proposed rule making 25 PA Code CHS. 121 & 123 regarding Outdoor Wood-fired boilers. This rule making is not in the best interest of the rural residents of Pennsylvania and we should not be subject to rules that result from pollution issues in the more urban areas of this state.

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The rule making is severely flawed and below are just a few examples of those flaws:

1. First and foremost, the proposed rule is a state wide ruling which takes the "one size fits all" approach and simply does not make sense for a rural area such as Potter and McKean County as compared to Philadelphia, Harrisburg, Pittsburgh and the like. Regulations regarding outdoor wood burners and such should be left to the local governing bodies - townships and boroughs.
2. This rule making has NO provisions to grandfather existing installations, thereby adding financial burdens to Pennsylvania residents, many of whom are in counties with the highest unemployment rates in the state.
3. One requirement calls NEW outdoor wood burner installations to have a permanently attached stack which must extend a minimum of 10 feet above the ground and at least 2 feet above the highest peak of the highest residence located within 150 feet of the outdoor wood burner. Again, another example of "does not make sense in rural PA". Quite frankly, why can't I put it at whatever height I see fit on my property when I don't even have any neighbors! If you have an EXISTING outdoor wood burner, the regulation says you must not operate your furnace unless you have a permanent stack that extends at least 10 feet above the ground and 2 feet above the highest peak of the highest residence located within 500 FEET of the outdoor furnace. This lack of "grandfathering" shows absolutely NO regard for the financial dire straights of many in the rural areas of PA..
4. Another requirement states that outdoor wood burners cannot be installed within 150 feet of the nearest property line. For starters, that will make outdoor wood burners an impossibility for many people (just think of someone who has a one acre lot surrounded by State land - installation with the required minimums may simply not be an option)- and there are no neighbors at all, just property lines!
5. It is ESTIMATED that costs to upgrade the outdoor wood burners to these new standards will increase the unit pricing by 15% - again, poor rule making in these economic times. Notably, the ruling calls out the counties that were designated by the EPA as not reaching the fine particulate specifications...those counties were Allegheny, Armstrong, Berks, Beaver, Bucks, Cambria, Chester, Cumberland, Dauphin, Delaware, Green, Indiana, Lancaster, Lawrence, Lebanon, Lehigh, Montgomery, Northampton, Washington, Westmoreland and York. THOSE counties are primarily SOUTH of route 80 and are the metropolitan counties or very close to the metropolitan areas...NOT rural PA.
6. The regulation specifies the fuels that users will be allowed to burn including only the following (clean wood, wood pellets, home heating oil, natural gas or propane) - all other materials are prohibited - we have more to worry about from drilling operations waste water here than coal burning in someone's outdoor furnace.
7. The proposed paperwork requirements placed on sales and distribution of outdoor wood furnaces is overly burdensome considering that these are not large operations, but are instead, small business owners.