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Tate, Michele

From: Total Energy Solutions LLC [gototalenergy@gmail.com]
Sent: Tuesday, October 27, 2009 5:32 PM
To: EP, RegComments
Subject: Outdoor Wood Boiler Legislation

DEP Board,

In your document Titled Draft OWB Annex A for EQB 09-15-09 it states under 121.1 Definitions:

Outdoor wood-fired boiler

(B) The manufacturer specifies for outdoor installation or installed in structures not normally intended for habitation by humans or domestic animals, including structures like garages and sheds.

To me that means that every residential and commercial wood boiler would fall under this definition since boiler rooms in a commercial setting are not normally intended for habitation by humans or domestic animals. I think the intent was for residential since the draft states structures like garages and shed which normally indicate non-commercial but the wording can be taken either way.

In the following section you will notice I CAPITALIZED the words HIGHEST RESIDENCE which again leads me to believe that this legislation is addressing the residential OWB's but on the other hand you could have a commercial boiler in a commercial building located close to residential housing.

**CHAPTER 123. STANDARDS FOR CONTAMINANTS
PARTICULATE MATTER EMISSIONS**

[Editor's note: Section 123.14 is new and printed in regular type to enhance readability.] § 123.14.
Outdoor wood-fired boilers.

(d) Stack height requirements for Phase 2 outdoor wood-fired boilers. A person may not install, use or operate a Phase 2 outdoor wood-fired boiler in this Commonwealth unless the boiler has a permanently attached stack. The stack must meet both of the following height requirements:

- (1) Extend a minimum of 10 feet above the ground.
- (2) Extend at least two feet above the highest peak of the HIGHEST RESIDENCE located within 150 feet of the outdoor wood-fired boiler.

(e) Stack height requirements for existing outdoor wood-fired boilers. A person may not use or operate an outdoor wood-fired boiler that was installed before _____ [Editor's note: The blank refers to the effective date of adoption of this proposed rulemaking.] unless the boiler has a permanently attached stack.

- (1) The stack must meet both of the following height requirements:
 - (i) Extend a minimum of 10 feet above the ground.
 - (ii) Extend at least two feet above the highest peak of the highest residence located within 500 feet of the outdoor wood-fired boiler.

1. Is this legislation designed to address outdoor wood boilers that are used only to supply hot water/heat to households and residences?
2. Does this legislation apply to commercial wood/biomass boilers?
3. If the answer to question # 2 was YES then what is your definition of a commercial wood/biomass boiler?