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Tate, Michele

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From: Joseph P. Elm [jpelm1@consolidated.net] on behalf of jpelm1@consolidated.net
Sent: Thursday, November 26, 2009 12:17 PM
To: EP, RegComments
Subject: DEP Proposed rulemaking 25 PA. CODE Chs. 121 and 123 - Outdoor Wood-Fired Boilers

INDEPENDENT REGULATORY
REVIEW COMMISSION

Dear Sir or Madam

I have chosen to heat my home with an outdoor wood furnace for a number of good reasons:

- With the ever changing price of home heating oil, heating with wood is an economical option – a furnace owner that heats with wood in an outdoor furnace can save thousands of dollars a year on home heating costs
- Heating with wood is consistent with the independent practices of Americans from as far back as colonial times.
- Heating with an outdoor wood furnace eliminates the risks of house fires, chimney fires, and carbon monoxide poisoning associated with an indoor heating system because the appliance is located outside. Every year thousands of homes are damaged or destroyed by fires caused by indoor heating devices
- Unlike heating with oil, coal, or natural gas, heating with wood results in no net increase in global warming gas emissions.

The proposed regulation for “outdoor wood-fired boilers” has the potential to impact my ability to continue utilizing my existing appliance. I am strongly opposed to:

- Excessive chimney height requirements for existing and new furnace installations that are not based upon science.
- Excessive chimney height requirements are costly, time consuming, and may prevent a large number of owners from being able to comply.
- Seasonal prohibition between May 1 and September 30. A statewide seasonal restriction for rural owners, people with their own wood lots, farming operations, and greenhouse operations is unreasonable
- Opacity requirement for residential sized appliances because opacity is a subjective visual observations

Furthermore, it is unreasonable and unfair to single out operators of outdoor wood fired appliances and place more restrictions upon them than on operators of indoor wood fired stoves and fireplaces

While it is accepted that furnace owners creating verifiable nuisances need to increase their chimney to alleviate complaints, it is unreasonable for the PA DEP to retroactively impose restrictions on my existing outdoor wood furnace, which was purchased, installed, and operated in good faith prior to the drafting of the regulation.

I am opposed to the excessive and retroactive requirements of the proposed regulation. If passed as currently written, I believe that the regulation will adversely impact my rights and the rights of existing outdoor wood furnace owners the use these appliances in a responsible manner. I am supportive of a state law requiring existing furnace owners to comply with proper fuel use requirements, and for reasonable regulations regarding new installations.

Sincerely

12/4/2009

10/25

Joseph P. Elm
675 Sandy Hill Road
Valencia, PA 16059

724-443-6389
Jpelm1@consolidated.net