

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OF PENNSYLVANIA

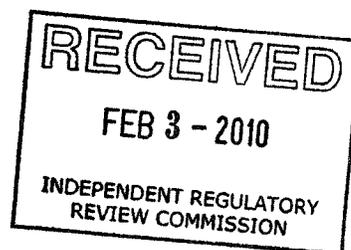
* * * * *

IN RE: OUTDOOR WOOD FIRE BOILERS

* * * * *

HEARING: Wednesday, January, 13, 2010
6:05 p.m.

LOCATION: Coudersport High School
698 Dwight Street
Coudersport, PA 16915



Reporter: Rhonda K. Thorpe

Any reproduction of this transcript
is prohibited without authorization
by the certifying agency

WITNESSES: Donald Jackson, Katherine Fox, Joyce Cline, Harry Fox, Fred McDermott, Jerome Sorg, Louis Karija, Mike Tumas, Otto Deutschlander, Representative Martin Causer, Representative Curtis Sonney, Gary Buchsen, Representative Kathy Rapp, Representative Matt Gabler, Representative Bradley Roae, Thomas R. Hall, Fred Forsythe, Ron Patt, Deb Payne, Eric Johnston, Lisa Johnston, Mark Howard, Charles Smith, Stanley Goodwin, Joe Dugan, Jim Airgoot, Dan Gregory, Aaron Alasmire, Rob Elliott, Lowell Watts, John Jordan, Alan Davenport, John Sherer, Leonard Snyder, Grace Osborne, Jeff McElroy, June Buckler, John Kraft, Joan Bradley, Jackie Dugan, John Knox, Coralee Wenzel, Richard Matz, Mark Topchak, Troy Stimaker, Harry Goodwin, Doug Frederick, Dan Thompson, Brenda Baker, Robert Burnham, Jack Johnson, Scott Button, James Pemberton, Nancy Dickinson, Lanny Dickinson, Jerry McCaslin, Carl Altenheim, Paul Buchson, Doug Morley, Shawn McKune, Fred Frank, Gareth Gockley, Graham Postlewait.

A P P E A R A N C E S

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REPRESENTATIVE SCOTT E. HUTCHINSON, Chair
Environmental Resources and Energy Committee
302 Seneca Street
Oil City, PA 16301

I N D E X

1		
2		
3	OPENING REMARKS	
4	By Chair Hutchinson	11 - 16
5	TESTIMONY	
6	By Mr. Jackson	16 - 22
7	TESTIMONY	
8	By Ms. Fox	22 - 29
9	TESTIMONY	
10	By Ms. Cline	30 - 33
11	TESTIMONY	
12	By Mr. Fox	33 - 35
13	TESTIMONY	
14	By Mr. McDermott	35 - 37
15	TESTIMONY	
16	By Mr. Sorg	38 - 47
17	TESTIMONY	
18	By Mr. Karija	47 - 50
19	TESTIMONY	
20	By Mr. Tumas	50 - 53
21	TESTIMONY	
22	By Mr. Deutschlander	53 - 55
23	TESTIMONY	
24	By Representative Causer	56 - 61
25		

I N D E X (CONTINUED)

1		
2		
3	TESTIMONY	
4	By Representative Sonney	61 - 66
5	TESTIMONY	
6	By Mr. Buchsen	66 - 67
7	TESTIMONY	
8	By Representative Rapp	67 - 70
9	TESTIMONY	
10	By Representative Gabler	70 - 72
11	TESTIMONY	
12	By Representative Roae	73 - 75
13	TESTIMONY	
14	By Mr. Hall	76 - 82
15	TESTIMONY	
16	By Mr. Forsythe	82 - 83
17	TESTIMONY	
18	By Mr. Patt	83 - 87
19	TESTIMONY	
20	By Ms. Payne	87 - 90
21	TESTIMONY	
22	By Mr. Johnston	90 - 91
23	TESTIMONY	
24	By Ms. Johnston	91
25		

I N D E X (CONTINUED)

1		
2		
3	TESTIMONY	
4	By Mr. Howard	92 - 94
5	TESTIMONY	
6	By Mr. Smith	95
7	TESTIMONY	
8	By Mr. Goodwin	95 - 97
9	TESTIMONY	
10	By Mr. Dugan	97 - 98
11	TESTIMONY	
12	By Mr. Airgoot	98
13	TESTIMONY	
14	By Mr. Gregory	98 - 99
15	TESTIMONY	
16	By Mr. Alassmire	99
17	TESTIMONY	
18	By Mr. Elliott	99
19	TESTIMONY	
20	By Mr. Watts	99 - 100
21	TESTIMONY	
22	By Mr. Jordan	100
23	TESTIMONY	
24	By Mr. Davenport	101 - 102
25		

I N D E X (CONTINUED)

1		
2		
3	TESTIMONY	
4	By Mr. Sherer	102 - 103
5	TESTIMONY	
6	By Mr. Snyder	103
7	TESTIMONY	
8	By Ms. Osborne	103
9	TESTIMONY	
10	By Mr. McElroy	103 - 104
11	TESTIMONY	
12	By Ms. Buckler	104
13	TESTIMONY	
14	By Mr. Kraft	104
15	TESTIMONY	
16	By Ms. Bradley	104 - 105
17	TESTIMONY	
18	By Ms. Dugan	105
19	TESTIMONY	
20	By Mr. Knox	105
21	TESTIMONY	
22	By Ms. Wenzel	106
23	TESTIMONY	
24	By Mr. Matz	106
25		

I N D E X (CONTINUED)

1		
2		
3	TESTIMONY	
4	By Mr. Topchak	106 - 107
5	TESTIMONY	
6	By Mr. Stimaker	107
7	TESTIMONY	
8	By Mr. Goodwin	107
9	TESTIMONY	
10	By Mr. Frederick	107
11	TESTIMONY	
12	By Mr. Thompson	107 - 108
13	TESTIMONY	
14	By Ms. Baker	108
15	TESTIMONY	
16	By Mr. Burnham	108
17	TESTIMONY	
18	By Mr. Johnson	108 - 109
19	TESTIMONY	
20	By Mr. Button	109
21	TESTIMONY	
22	By Mr. Pemberton	109
23	TESTIMONY	
24	By Ms. Dickinson	109
25		

I N D E X (CONTINUED)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

TESTIMONY

By Mr. Dickinson

109

TESTIMONY

By Mr. McCaslin

109 - 111

TESTIMONY

By Mr. Altenheim

111 - 112

TESTIMONY

By Mr. Buchson

112

TESTIMONY

By Mr. Morley

112

TESTIMONY

By Mr. McKune

113

TESTIMONY

By Mr. Frank

113

TESTIMONY

By Mr. Gockley

113 - 114

TESTIMONY

By Mr. Postlewait

114

CLOSING REMARKS

By Chair Hutchinson

114 - 115

E X H I B I T S

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

<u>Number</u>	<u>Description</u>	<u>Page</u> <u>Offered</u>
---------------	--------------------	-------------------------------

NONE OFFERED

P R O C E E D I N G S

1

2

3

CHAIR:

4

Thank you. I have an opening statement, a little bit long and boring, but we'll try and work our way through this. We'll be setting some ground rules. Good evening. Welcome to the Environmental Quality Board's public hearing on proposed regulations regarding the Outdoor Wood-Fired Boilers. My name is Scott Hutchinson. I am a State Representative and I serve the 64th Legislative District, which is comprised of Venango County and a portion of Butler County.

14

I also serve in my capacity in the House of Representatives as the Chairman of the House of Environmental Resources and Energy Committee, from the minority party. And as such, because of that position, I am an official member of the State Environmental Quality Board. So now, as an official member, I would like to call this meeting to order at 6:05 p.m.

22

The purpose of this hearing is for the EQB to formally accept testimony on the proposed regulations concerning outdoor wood-fired boilers. In addition to this hearing, the EQB held public hearings

25

1 on this proposal on November 30th in Harrisburg,
2 December 1st in Wilkes Barre, December 2nd in
3 Cranberry Township and December 3rd in Williamsport.
4 I'm going to add right here that the fact is due to
5 the overwhelming public asking for an additional
6 hearing as well as the work of several of the members
7 of the House of Representatives who are in front of
8 me, we asked for an additional hearing. We thought it
9 was important that those of us here in rural
10 Pennsylvania had our voices heard on this important
11 regulation. So we asked for this additional hearing
12 and it was granted and that's why we're here this
13 evening.

14 I also want you to know on a personal
15 note that I have been, as a member of the EQB, one of
16 the strongest voices against these regulations up to
17 this point and that is why I wanted an additional
18 hearing to be held. And you'll see, as I mentioned,
19 the rest of these ground rules for this evening, that
20 may not be as apparent later on because today I'm here
21 just to accept testimony. But I do want to make that
22 clear from the beginning that I am one of the leading
23 voices against these regulations, but I'm here to
24 collect your thoughts to bolster my case and to prove
25 to the rest of the Board that these regulations are a

1 big step in the wrong direction.

2 This proposed rulemaking was adopted by
3 the EQB on September 15, 2009 and adds requirements to
4 the 25th PA Code Chapter 123 for the operation of
5 outdoor wood-fired boilers, also commonly referred to
6 as outdoor wood-fired furnaces, outdoor wood-burning
7 appliances or outdoor hydronic heaters. Unlike indoor
8 wood stoves that are regulated by the U.S.
9 Environmental Protection Agency, no federal standards
10 exist for OWBs. The majority of OWB models are not
11 equipped with air pollution controls and therefore
12 generate air pollution in greater quantities than
13 indoor wood stoves.

14 In lieu of federal standards, the EPA
15 initiated a voluntary program that encourages
16 manufacturers of OWBs to improve air quality through
17 developing and distributing cleaner-burning, more
18 efficient OWBs. Phase One of this program was in
19 place from January 2007 through October 15, 2008 and
20 included EPA certification of OWB models that were
21 demonstrated to be 70 percent cleaner-burning than
22 unqualified models by meeting a particulate matter
23 emission standard of 0.6 pounds per million of BTU
24 heat input.

25 On May 28, 2009, the Department presented the

1 draft proposed rulemaking to the Air Quality Technical
2 Advisory Committee, who unanimously concurred with the
3 Department's recommendation to seek EQB approval of
4 the proposed rulemaking.

5 Now the ground rules for today's hearing.

6 In order to give everyone an equal opportunity to
7 comment on this proposal, I'd like to establish the
8 following ground rules: Number one, I will first call
9 upon the witnesses who have pre-registered to testify
10 at this hearing. After hearing from those witnesses,
11 I will provide any other interested parties with the
12 opportunity to testify as time allows; number two,
13 testimony is limited to ten minutes for each witness;
14 number three, organizations are requested to designate
15 one witness to present testimony on behalf of the
16 entire organization.

17 Number four, each witness is asked to
18 submit three written copies of his or her testimony to
19 aid in the transcription of this hearing. Please hand
20 the copies to me as you come up or to the gentleman
21 over here who will be assisting in that endeavor;
22 number five --- this is important --- please state
23 your name, address and affiliation, which will be for
24 the official record prior to presenting your
25 testimony. The EQB would appreciate your help by

1 spelling names and terms that may not be generally
2 familiar so that the transcript can be as accurate as
3 possible.

4 Number six, because the purpose of a
5 hearing is to receive comments on the proposal, EQB or
6 DEP staff may question witnesses. However, the
7 witness may not question the EQB or DEP staff. So as
8 I said earlier, this is a chance for you to give your
9 input. And it's really, it's not a two-way street.

10 In addition to the oral testimony presented at
11 today's hearing, interested persons may also submit
12 written comments on this proposal. All comments must
13 be received by the EQB on or before February 12, 2010.
14 Comments should be addressed to the Environmental
15 Quality Board, P.O. Box 8477, Harrisburg, PA 17105.
16 Comments may also be emailed.

17 All testimony received at this hearing as
18 well as written comments received prior to February
19 12, 2010 will be considered by the EQB and will be
20 included in any comment response document prepared by
21 the Department and reviewed by the EQB prior to the
22 EQB taking its final action on this regulation.
23 Anyone interested in receiving a copy of the
24 transcript of today's hearing may contact the EQB for
25 further information. Okay.

1 Now I would now like to call the first
2 witness and that would be Mr. Donald Jackson. As I
3 said, there is a microphone over here if you could
4 come up to the mike. It is important that the
5 stenographer see you when you're addressing. And
6 please start by stating your name and we'll go from
7 there. Mr. Jackson?

8 MR. JACKSON:

9 Yeah. My name's Donald Jackson. I'm a
10 resident of Potter County. My address is 296 North
11 Ayers Hill Road, Coudersport, Pennsylvania. I'd like
12 to welcome everybody from downstate to Potter County.
13 You'll find that we have a hostile environment here
14 and I'm not talking about what's in this room, I'm
15 talking about outside. The temperature here is 10 to
16 20 degrees colder than Southern Pennsylvania as a rule
17 and this makes our choice of fuel for heating our
18 homes very important. Natural gas is not available
19 where I live out in the country.

20 By the way, I live next to the family
21 farm, which has been in the family for well over 100
22 years. The house I live in was built by my great-
23 grandfather who was a Civil War veteran. So I have a
24 lot of ties back to this area although I worked out of
25 the area many years.

1 Okay. Getting back to natural gas not
2 being available, that leaves propane and fuel oil as
3 the only two options if I don't use wood. Fuel oil is
4 out of the question for me as I do not want to support
5 foreign imported oil. Propane is expensive. I do not
6 have scientific data to use for argument against the
7 proposed ruling that DEP has written for OWBs. I do
8 have observations based on using an OWB since 1990
9 when I installed a Hardy Manufactured OWB.

10 I used the Hardy OWB for 14 years and
11 then I changed to a Heatmore. The Heatmore is
12 designed, it burns hotter by preheated the air being
13 blown into the firebox, which burns up most of the
14 smoke. The PM 2.5 referred in the ruling is wood
15 smoke. That's all it is, wood smoke. The ruling
16 calls it PM 2.5. Its particle matter 2.5 microns. In
17 no place do they call it wood smoke. People have been
18 living with wood smoke for a long time and all wood
19 fires produce PM 2.5.

20 The EPA requirements for wood stoves used
21 inside homes set standards in 1990 for manufacturers
22 to reduce the smoke emitted to the atmosphere. Most
23 of the stoves, fireplaces, fireplace inserts, et
24 cetera have not been replaced with these new models
25 which meet the EPA requirements. So if you're

1 attacking an outside wood-burning boiler using
2 standards for a wood stove EPA forced on the
3 manufacturers, there's no way to force a homeowner to
4 sell their old Fisher stove and buy a new one to meet
5 these standards. So we have two different things
6 here. You got a comparison to what might be and it
7 isn't.

8 They use the term premature death quite
9 often in this ruling that the DEP has written. The
10 anti-smoking people have statistics showing how much
11 your life expectancy is shortened by cigarette use.
12 How much shorter is my life now that I have used an
13 outside wood burner for 20 years? I'm 71 years old.
14 This should be a concern of mine. I'm not afraid of
15 wood smoke. My grandmother used wood for heating as
16 well as cooking and baking for her entire life. And
17 this is the house I live in now. She died in 1958 at
18 the age of 94. How much longer might she have lived
19 if the EPA and DEP had not existed --- or if they had
20 existed at that time?

21 And getting back to the premature death
22 thing, most everybody has a bottle of water, a plastic
23 bottle. And the plastic contains --- and I don't know
24 how to pronounce it --- B-I-S-P-H-O-L-A BPA and that
25 leeches into the water and that can cause premature

1 death by drinking bottled water and everybody does
2 that. Another thing is cell phones; they create an
3 electromagnetic field and I read that that can be
4 harmful to people. It could cause premature death.

5 My nearest neighbor is approximately a
6 quarter mile away. I have had no complaints about my
7 outside wood-burning boilers. Controlled burning is
8 prescribed right now for the Scotia Barrens down in
9 Centre County for State Forest and State game lands
10 and this may be the first of many. And this is going
11 to be used to reduce the understory that can cause a
12 wildfire. And there also is a good tool for
13 propagating oak forest. This is said to be good by a
14 forest ecologist at Penn State. Her name is Margot
15 Kaye. So you can check with her. Now, these fires
16 will produce more smoke than all the outside wood-
17 burning boilers s in the state. But this is a state
18 mandated thing to prevent wildfires. And I won't
19 disagree with it. I think it's a good thing.

20 Getting back to saying that I don't think
21 wood smoke is a bad thing, there was a study conducted
22 by Philip R.S. Johnson in 2006 up in New York State to
23 measure the amount of particulates wood smoke PM 2.5
24 that are emitted to the atmosphere. And they use the
25 Hardy manufactured outside wood boiler, which, like I

1 said, I did own one of those for 14 years. And other
2 makes of outside wood burners may burn more thoroughly
3 and thus less smoke is produced. But yet, I believe
4 the DEP used this study as a basis for writing this
5 particular rule.

6 The proposed ruling was initiated due to
7 complaints from neighbors of OWB users. I got this
8 from talking to one of the writers of this ruling. I
9 asked him why they had to write this. Was it a
10 federal mandate? He said, no, it was because of the
11 complaints.

12 And if it's a health issue, the outside
13 wood boiler user should be obligated to take steps to
14 ensure that his neighbor is not endangered by the
15 smoke. In other words, if they have asthma or
16 emphysema or a heart condition, I really think that
17 just a good neighbor, they should either remove that
18 outside wood boiler or put a stack on it to direct the
19 smoke safely away from their neighbors. So I don't
20 disagree with the content of this ruling as far as the
21 need in certain instances.

22 But how many complaints are just nuisance
23 complaints? People don't want to have any wood smoke
24 around. In the 1970s, I was working down at Three-
25 Mile Island and there was a lot of new homes built in

1 the Elizabethtown area out in the country so people
2 could get out there and have fresh air. And that was
3 great until spring came and those farmers spread that
4 manure on the fields before they planted their crops.
5 And they sued those farmers or tried to and the
6 farmers are still spreading manure.

7 All right. My take on this, the downside
8 of this proposed ruling is it's going to increase
9 heating costs especially for people on a fixed income
10 like myself. It's going to increase a fire hazard
11 because people are going to have wood burning stoves
12 inside and everyone knows that a major cause of homes
13 burning. It's going to increase dependency on foreign
14 oil, which I definitely don't want to see. It's going
15 to make us use less of our renewable resource, as
16 firewood, which the wood from my stove comes from
17 either timber culled from the woods to make the more
18 profitable trees grow better or the tops of trees
19 after the logs have been taken off.

20 If a new heating system is required to be
21 installed in a house LIHEAP, which is another
22 government mandated program, it would be need by many
23 residents just to offset the cost of putting in a new
24 heating system. And of course, it would increase
25 unemployment in the logging industry.

1 One other thing as an afterthought, coal
2 as a fuel is not addressed in this ruling at all. I
3 don't know why, but they're attacking the smoke coming
4 from wood. My own personal thoughts here are Al Gore's
5 private jet probably makes more pollution than my
6 outside wood burner in smoke.

7 And finally, there is a letter signed by
8 quite a number of members of the House of
9 Representatives that says let the local authorities
10 handle the problem. And my last word is if it ain't
11 broke, don't fix it.

12 CHAIR:

13 Okay. I might need to refer to it for
14 the Representatives. Now, I'm going to call Katherine
15 Fox from Coudersport, Pennsylvania.

16 MS. FOX:

17 Thank you. First, I'd like to thank the
18 Representatives who made this meeting happen tonight.
19 I think it's pretty important that people in this room
20 and this community get a chance to speak, so thank
21 you.

22 And I hope that you three people all hear
23 what we say and this isn't just simply another meeting
24 to placate people by saying, oh, you had a chance to
25 speak. Don't ignore us. Hear us.

1 As you probably know, and if you didn't
2 before tonight, this is extremely rural Pennsylvania.
3 It's also an extremely economically depressed area.
4 I'm a single mother. I have two daughters and I've
5 lived in a home that had an outdoor wood burner and
6 one that does not. It's a huge money saver for me to
7 have an outdoor wood burner.

8 The outdoor wood burner that's in the
9 home that I live in today didn't replace one inside
10 stove. It replaced three that were burning constantly
11 that were inside. So it's a lot more time and effort
12 that goes into that and it was also, it's a fire
13 hazard. Every time you bring it into the home, it's a
14 fire hazard. So mine outside is convenient. It works
15 for my work schedule. It works when I'm out of town
16 that I can have someone take care of it. And it's an
17 affordable way to heat my home.

18 Like Mr. Jackson, I live in the middle of
19 nowhere. Propane is an option to have that, but again
20 it's very expensive. But natural gas, like I had in
21 town with my home was not an option. It was also
22 extremely expensive when I had it.

23 I have several issues with the proposed
24 rulemaking. First and foremost, the State seems to be
25 taking a one-size-fits-all approach. And I can

1 absolutely assure you that counties like Potter,
2 McKean, Cameron, it just simply doesn't work for rural
3 Pennsylvania. We don't need the same rules that they
4 need for Philadelphia, Harrisburg and Pittsburgh.

5 I sympathize with those folks who have a
6 neighbor who has an outdoor wood burner and their
7 house is covered in smoke, but I don't think that
8 implementing rules for everybody because of the poor
9 performance of a few is the way to go. I believe
10 that's a tactic that's used for kindergarten and grade
11 school children.

12 I took the liberty of taking a couple of
13 pictures and I've attached them here for people to
14 take a look at of my outdoor wood burner. I think it
15 was about 10 degrees the day I went out and took
16 these. And the stack on my outdoor burner, there's no
17 smoke coming out. You can't see any smoke. I took a
18 picture of the temperature gauge. You can see it's
19 operating about 170 degrees. It's burning. And then,
20 I went out to about 12 feet from my garage and wiped
21 my hand across the window and took a picture of my
22 hand which was clean. And I can assure you I do not
23 wash the outside of my garage windows, especially in
24 the winter.

25 In the proposed ruling, there is a case

1 that calls on the stack heights. So I have a single
2 store home and based on the ruling it would say that I
3 have to take my stack height and make sure it's two
4 feet above my home. The outdoor wood burner is based
5 so that I know where the wind blows. It blows
6 downwind from me. But in those events and times when
7 the wood smoke is going to blow, the wind is going the
8 opposite directions, it's going to go through the
9 windows.

10 So it's away from my home, 12 feet away.
11 I have no dirt on my garage from my outdoor wood
12 burner, but yet the State wants me to go waste my
13 money to put a stack up higher that will be a safety
14 hazard. It's going to cost me money to put it in.
15 It's going to cost me money to have it maintained.
16 And good winds coming down through that valley are
17 going to knock it out regardless of the guide-wires
18 that I have to put in place. It's going to have to
19 have somebody in a bucket truck come clean that thing
20 out. They can't stand on our roof and do it and clean
21 it out like you would a chimney, burning an inside
22 wood stove.

23 One of the other requirements says that
24 because I have an existing outdoor wood burner I can't
25 operate my furnace unless I have a permanent stack

1 that's two feet above my highest neighbor's location.

2 So my parents are within about 500 feet of my house
3 and there may be times when I would light my furnace
4 and the smoke would go down and smoke dad's house up,
5 but I can't make it do that. Yet the proposed ruling
6 will say I got to be two feet higher than their home.
7 They have a two-story home, I have a single story
8 home, raising the stack height even higher costing me
9 even more money. It seems like the State is trying to
10 protect me from myself and quite frankly, I'm quite
11 capable of doing that on my own.

12 One of the other requirements says you
13 can't be within 150 feet of the nearest property line.
14 In this area, I live in the largest land area school
15 district in the State of Pennsylvania in the Austin
16 School District. We have less than one child per
17 square mile, grades K through 12 or about 190 kids
18 these days. So it's very, very rural. A lot of the
19 ground in that school district, over 50 percent in
20 order to be honest, is owned by the State of
21 Pennsylvania, who I don't notice having fire sales to
22 sell off land to people. Yet there are people who
23 many have long, narrow lots where 150 feet from the
24 nearest property line is impossible. There are many
25 people who would have to take out or stop burning

1 their outdoor wood burner because ---. And there may
2 not be homes for miles, but they don't have 150 feet
3 clearance from the property line. It's unrealistic
4 and doesn't make sense for rural Pennsylvania.

5 Another short-sightedness in this
6 proposed ruling, there is no grandfather clause.
7 They're not thinking about people who may have saved
8 up a whole lot of money for a whole long time to be
9 able to buy this to be able to save money down the
10 road. So lacking a grandfather clause is like saving
11 my old Mustang saying hey, guess what? We just put
12 new rules in place. You can't drive it, you can't
13 trade it in and no one's going to want to buy it from
14 you. You're stuck with it unless you upgrade the
15 emissions on that car to meet the new standards we
16 just passed yesterday. It doesn't make any sense.

17 At I started reading this ruling, I
18 started calling some of the outdoor wood manufacturers
19 and said, hey guys, has anybody called you up and
20 asked you to participate in this rulemaking? Because
21 when I read the rulemaking, I noticed that the
22 Department worked with the Air Quality Technical
23 Advisory Committee. They consulted with the Citizens
24 Advisory Counsel, the Small Business Compliance
25 Advisory Committee and the Agricultural Advisory

1 Board. Yet, I have been talking with some of the
2 manufacturers. They actually reached out and said,
3 hey, we'd like to participate, let us talk and they
4 were ignored. So you have some smart people who have
5 dealt with this across the entire nation and nobody
6 wanted to hear from them. Again, it's short-
7 sightedness and doesn't make any sense.

8 I notice that rural PA doesn't seem to
9 have air quality issues when there were some failures
10 that were acknowledged in 2006. And the rulemaking
11 has said the citizens of the Commonwealth will benefit
12 from these proposed amendments. And it goes on
13 talking about the air levels and such. And then, it
14 quotes the counties that failed the air quality tests
15 in the past. The counties that failed were Allegheny,
16 Armstrong, Burks, Beaver, Bucks, Butler, Cambria,
17 Chester, Cumberland Dauphin, Delaware, Greene,
18 Indiana, Lancaster, Lawrence, Lebanon, Lehigh,
19 Montgomery, Northampton, Philadelphia, Washington,
20 Westmoreland and York. Some of those counties are
21 only portions and I'm not a geography wizard, but most
22 of those are located in, close, or around Pittsburgh,
23 Philadelphia and Harrisburg. They're not northern and
24 they're not up here where all of us are.

25 And the last thing I need is more taxes

1 to fund the education and enforcement that's
2 associated with this. Earlier this year, many of our
3 state workers, State Police and PennDOT, went for ---
4 it was actually last year --- went for a month not
5 getting their paychecks. They had to go to work
6 everyday. They had to spend their money to go to work
7 everyday. I know that Welfare continued to get their
8 checks. But the last thing I need are more state
9 employees who are going to spend time on education,
10 investigation and enforcement for these things. We
11 have enough. We don't need more state employees. We
12 don't need more state enforcement. This is an
13 economically tough time. It's time to be making cuts,
14 not adding to the load.

15 My concern right now is what's next? Is
16 somebody going to sit around next and say 15,000
17 outdoor wood burners, well, what's next? The 20,000
18 backyard people that have burn barrels, have barbeque
19 pits? Might I suggest instead that we spend a little
20 bit more time focusing on the Marcellus Shale drilling
21 that have that the potential to impact our water which
22 is a hell of a lot harder to clean up. Thank you.

23 CHAIR:

24 Next, Joyce Cline and Willard Cline. I
25 think Joyce Cline is going to be the one making the

1 presentation.

2 MS. CLINE:

3 You're getting Joyce Cline so that I can
4 save the agony and the emotion and everything else of
5 my husband having to do this. So I'm testifying on
6 his behalf. Thank you for this opportunity to present
7 testimony on this proposed rulemaking regarding
8 outdoor wood boilers. My name is Mrs. Joyce Cline and
9 I'm presenting this testimony on behalf of my husband
10 Willard Cline.

11 Bill has had his shop and the oil
12 business in the City of Bradford since 1946. He
13 started in an old barn on what had been an 18-acre
14 farm dating back to the 1800s. As his business grew,
15 he built on to that barn many times and always heated
16 it with one indoor wood stove. There never any
17 complaints.

18 In 2007, his entire shop was burned to
19 the ground by a fire that started during the night,
20 most likely by a smoldering cigarette butt in a
21 neighbor's garage. His loss was estimated at \$2
22 million dollars and it cost at least that in lost
23 income and expense in replacement of the buildings,
24 the truck, the machine and the tool and supplies that
25 were lost.

1 One of the improvements Bill made when he
2 rebuilt was installing in-floor heating throughout the
3 main shop buildings that is fueled by a much cleaner
4 and much safer outdoor wood-fired boiler. The cost
5 was approximately \$25,000. He chose wood as fuel
6 since it allowed him to make use of the wood that he's
7 harvested when he clears drilling site locations.
8 There is not additional cost to him for the fuel and
9 it is an economical way to dispose of the otherwise
10 unused logs.

11 Bill's new buildings are a thing of
12 beauty in his eyes, although it was a devastating
13 fire, was a hell of a way to get them. And we are
14 proud of the fact that Bill was able to rise from the
15 ashes and rebuilt his business at the age of 82. The
16 main building is 50 feet wide and 180 feet long. To
17 heat that much open space with anything but the quote,
18 free, wood we already have at our disposal would be
19 cost prohibitive.

20 What effect would the proposed rule have
21 on our operation? Our boiler is located on slightly
22 elevated land behind our main buildings and the stack
23 is currently 12 feet high, far above Bill's and our
24 neighbor's buildings. However, in order to comply
25 with your proposed requirements for the stack to be 2

1 feet above the highest peak of the highest residence
2 located within 500 feet of our boiler, our stack would
3 need to be at least an impossible 50 feet high. Why?
4 Because Bradford is situated in the beautiful, but
5 hilly Alleghenies.

6 Regulations such as the ones being
7 proposed are not only unreasonable, but do not take
8 into consideration the terrain differences across the
9 state. Such regulations should not be controlled by
10 state agencies, but by individual municipalities. If
11 problems are occurring in an area, that local
12 government can better adapt regulations that are fair
13 and reasonable for that specific location.

14 Bill has operated his family business
15 since he returned from service to his country in the
16 Navy in World War II. He employs eight people,
17 including his two sons, a grandson and me, his wife.
18 We could not enjoy a heated, comfortable workplace for
19 storing our supplies and working on equipment if we
20 were faced with the option of this luxury of heated
21 building and spending thousands to heat it with any
22 other fuel. We ask that you abandon this proposed
23 rulemaking or at least exempt existing systems and
24 allow any regulating of wood boilers to be done on a
25 local level when or if it's needed.

1 CHAIR:

2 Thank you. I'd like to next call Mr.
3 Harry Fox. Is he in attendance? Thank you.

4 MR. FOX:

5 Good evening. I'm Harry Fox. I live at
6 607 Oak Road, Coudersport, Pennsylvania. And what I
7 thought would happen here tonight is the first couple
8 speakers covered about everything that I had to talk
9 about. But like on the setback here that they
10 proposed, I live on a 125-acre farm, but where my
11 house is located my stove is only 60 feet back from
12 the property line. But my neighbor's house is over
13 600 feet from the property line. And he doesn't have
14 a outdoor stove because he's in his late 80s. But he
15 said if he was younger or in better health, he would
16 have one too.

17 And in the valley we live in over there,
18 there are six outdoor furnaces. Nobody has any
19 complaints whatsoever at all right there. And in my
20 case, if I didn't have an outdoor furnace because most
21 of these heat multiple buildings, I would have three
22 indoor stoves.

23 And in December of 1983, one of them
24 stoves set my garage on fire and thank heavens
25 everybody got out safely. The insurance company --- I

1 talked to my insurance guy the other day. He's a
2 broker --- many insurance companies will not write you
3 a policy if you have an indoor stove. None of them
4 have any problem with writing a policy for an outdoor
5 furnace. So they save lives right off the road.

6 And what's been addressed here tonight,
7 they keep wanting to talk about tall stacks. Well, if
8 you get a tall stack, mine would have to be like 24
9 foot tall. And on days --- we got some warm days
10 coming up here --- or in the spring or fall, these
11 stacks will sit there in creosote. Now, they're in
12 fact depending on the stove and most of these furnaces
13 are fired by a forced draft blower. And if this sets
14 on fire, which it will --- I've seen it happen ---
15 you'd have a 20, 30 foot stack up there. You're going
16 to have embers coming out of the top of that the size
17 of golf balls. Now you will have a fire hazard.

18 If you live in the woods, you better keep
19 a good fire hose handy. They're supposed to have a
20 spark arrestor on them, but we don't know how quick
21 that's going to happen. But with the stack that comes
22 with the furnace, that burns out clean and we don't
23 have that problem right there. And --- it's hard to
24 read my writing ---. Up here in this area here --- I
25 wanted to have a flyway map here tonight, but I don't

1 have it --- when a plane takes off from Pittsburgh, it
2 doesn't go right straight across to Philadelphia or to
3 New York. It flies north. And we're --- if you could
4 go outside right now and look up, there would be at
5 least five jets up there and that is polluting a lot
6 more than any of these outdoor furnaces because that
7 is bad for you the whole way around.

8 The one thing in our line on stoves that
9 we sell right there just kind of lets DEP out of the
10 question. It says be a good neighbor. Use common
11 sense. That's kind of getting away from things right
12 there. But most of everything else was said. What I
13 had to say was already said here tonight right there
14 already. Thank you.

15 CHAIR:

16 Thank you. Next, would be Mr. Fred
17 McDermott from Meadville, Pennsylvania.

18 MR. MCDERMOTT:

19 Mr. Hutchinson, thanks for coming down.
20 It sounds like you guys had a drive about as long as
21 mine. I got a few points that have all been discussed
22 and I'm going to talk about them myself here.

23 It's stated in the background of the
24 proposed rule that a significant and growing source of
25 PM 2.5 emissions is from outdoor wood boilers.

1 However, significant is not defined. And the counties
2 that do not meet current federal guidelines, as
3 pointed out earlier, all lie near major cities. I
4 would submit that the vast majority of outdoor wood
5 boilers lie in rural areas, the counties of which are
6 not the source of significant PM 2 levels as
7 determined by the federal government.

8 So I've got a couple questions, which
9 obviously you're not going to answer now, but what is
10 the definition of significant in this rule? Why does
11 the State of Pennsylvania wish to impose onerous rules
12 and regulations on its citizens that even the federal
13 government doesn't find to be necessary? The
14 justification of this rule appears to be possibly
15 erroneous.

16 Two, and this has been pointed out by
17 everyone, the stack height requirement for preexisting
18 installations is problematic for many. For some, the
19 stack height requirement could be potentially 20 or 30
20 feet or even more. And nobody makes a stack that tall
21 and such a device would be virtually unsupportable
22 even if they did. And I didn't even know about the
23 creosote buildup problem, but I can see where that
24 could be a real problem where it wouldn't even work.
25 At an absolute minimum, the house that is being heated

1 by such a device, the outdoor boiler that is, should
2 be exempt from this rule, especially if there are no
3 neighbors in the vicinity.

4 And finally, I suspect that the principal
5 problem is that some outdoor wood boiler operators
6 have been bad neighbors, burning all manner of
7 obnoxious substances, including paint solvents and God
8 knows what else, often in crowded neighborhoods, which
9 doubtlessly prompted justifiable complaints from
10 people living downwind. This is an issue that is best
11 resolved at the local level. If municipalities need
12 new legislation or rulemaking authority that allows
13 them to address these local problems, then such laws
14 or rules should be implemented.

15 Local governments know far better than
16 anybody what who the problems are. We don't need yet
17 another layer of red tape imposed upon our lives to
18 address this issue. Some of the poorest citizens of
19 this Commonwealth rely on outdoor wood burners to keep
20 them warm in the winter. The DEP should direct its
21 regulatory fire at those who are actually creating
22 problems instead of poor people in rural areas.

23 CHAIR:

24 Next, Mr. Jerome Sorg, Saint Marys,
25 Pennsylvania.

1 MR. SORG:

2 I want to thank the Representatives and
3 people here tonight for coming and listening to us.
4 And I want to thank all of you people for coming and I
5 want to thank the people who have already spoke. They
6 have spoke very well and they have pointed out a lot
7 of the points that I have in mind also. I'm going to
8 try and read as much of this as I can.

9 I have been involved with outside wood
10 burning probably since about the last eight or nine
11 years. I live in Saint Marys. That's a little
12 different from you people up here. We have it a
13 little bit more concentrated right there in downtown
14 Saint Marys but it's not very far, a quick mile, and
15 you're out of town. It's just like up here.

16 We have an ordinance on outside wood
17 boilers. It was developed over a couple of years and
18 changed several times. Much observation was done by
19 the mayor and the councilmen. The ordinance they
20 wrote and enacted was reasonable, finally. It took
21 them a little while. When they were developing the
22 present ordinance and during its many revisions, I had
23 to install a stack. It was 28 feet tall, constructed
24 at great expense.

25 Another outside wood boiler owner also

1 installed a stack. We both had problems with plugging
2 in cold weather even when burning dry wood. You're
3 going to get condensation, you're going to get
4 moisture in that stack and there's going to be
5 creosote built up and it's going to plug off. It will
6 close right off and shut your furnace right down. The
7 stack will not function because it doesn't produce
8 enough heat. That's the big problem. If there's not
9 heat going up there, it doesn't get dry.

10 On most days, a plume from an outside
11 burner is just going to exceed some level and it gets
12 all --- and I don't care what kind of stack you put up
13 there. The smoke or whatever comes out of there is
14 going somewhere. Well, where his was located, it did
15 cause a lot of complaints from his neighbors further
16 away from his outside wood boiler where he put the
17 stack on. The people up close were a little better
18 off. The people further away got washed.

19 His problem, though, was his was
20 installed within 15 feet of his neighbor. Come on,
21 folks. That was a mistake. Mine was installed over
22 150 feet from neighboring homes. The individual that
23 complained about mine was 300 feet from my outside
24 wood boiler. I've done a lot of investigation. He
25 finally let the councilmen come into his home and they

1 found out what was wrong. He installed a new high
2 efficiency gas furnace in his home. He failed to plus
3 up the stack that he had from his previous wood burner
4 inside. He was sucking the stack down into his home
5 and that's where all of the smell was coming from. He
6 had a real problem and his problem was created by
7 himself.

8 The other problem he had, he said that my
9 outside wood burner was causing mildew and black stuff
10 up underneath his back porch, 300 feet from my home.
11 After I took a couple of pictures one day of his new
12 gas boiler high efficiency, all the moisture was
13 coming out and those things produce a great deal of
14 moisture from the gas when it's burning. That was
15 going up under his porch. That's where his problem
16 was coming from. I didn't cause any of his problems.
17 And I think you'll find that most of things in the
18 outside wood burner complaints, the people cause some
19 of their own problems.

20 Okay. I have burned wood most of my
21 life, old pot bellied stoves, cook stoves, fireplace
22 inserts, inside wood burners, boiler, outdoor wood
23 boilers. I've seen many advances in wood burning over
24 the years. I believe that the changes made by
25 manufacturers have greatly improved the safety and

1 efficiency of wood burning.

2 The outside wood boilers have many
3 advantages such as increased safety from sparks and
4 chimney fires, ability to heat more than one building,
5 wood is not brought into the home to burn, keeping the
6 dirt and insects out of the home. People who bring
7 wood into their home bring mold and stuff in too.
8 That's not good for young children. You're bringing
9 insects in. You don't need that stuff in your house
10 and I have yet to see a house burn down because it had
11 an outside wood boiler.

12 Wood is a renewable resource. I believe
13 it should be used more than it is now. Most wood that
14 is burned is wood that would otherwise go to waste
15 laying in the woods rotting. Most people who are
16 using this renewable resource are acquiring it from
17 their own property or a local source providing local
18 employment. Biomass fuels, such as wood or corn are
19 carbon neutral, which means they do not generate a net
20 increase in greenhouse gas emissions, as do fossil
21 fuel generated electricity, natural gas, fuel oil,
22 kerosene, liquefied petroleum gas and coal. Heating
23 with renewable resources such as wood or corn lessens
24 our dependence on fossil fuels and foreign oil. In
25 fact, heating an average home with wood can save

1 enough renewable fossil fuel to operate an automobile
2 for a full year.

3 I see no information or studies that show
4 the stack requirements will do anything to reduce
5 emissions. They only move it around. The same
6 emissions are going to be coming out of that outside
7 wood boiler. The restrictions proposed for outside
8 wood boiler is discriminatory as there are no
9 restrictions on inside wood boilers.

10 Chimney heights for indoor wood boilers
11 are regulated by building codes, at the two feet over
12 roof heights so the chimney will work properly under
13 any wind condition and not allow the emissions to be
14 blown back down the chimney or build up in the home.
15 That's the requirement for an inside wood burner or
16 chimney.

17 I ask that you look at homes built by our
18 ancestors. They would never put a chimney or a stack
19 on the outside of a home because they knew it would
20 not function properly. They always put them inside
21 the building. If you look at new homes being built
22 today, they put chimneys wherever they please because
23 they put them in for aesthetics not function and
24 architects do not know any better and if the buyer
25 wants it on the outside, they put it there. Not a

1 very good functioning stack. Any chimney on the
2 outside of the building is never going to function
3 properly. And a stack sticking up all by itself would
4 not function.

5 Seasonal restrictions should not be
6 implemented if it is being used to heat a pool, hot
7 tub, hot water for domestic use and if necessary, this
8 should be left to the local municipalities. I heat my
9 hot tub; I heat my garage; I heat my workshop; I heat
10 my house; I heat all of my hot water all year long; I
11 have a heat exchanger on my clothes dryer. I don't
12 want to use any of that other stuff. I have three in
13 one. My brother's in the logging business. I have
14 access to 400 acres of property. I got lots of wood.
15 I can't burn it all.

16 I believe that most of the proposed rule
17 changes are excessive and unreasonable. The proposed
18 150 feet from property lines is unreasonable. This
19 would require a building lot of more than 60,000
20 square feet. But most building lots are less than
21 40,000 square feet and a 40,000 square foot lot would
22 be a large lot in most municipalities. Forty thousand
23 (40,000) square feet would be almost an acre. Most
24 people have less than a third. And the distance
25 should be reduced to less than 50 feet, which would

1 ensure that it would not be placed too close to a
2 neighboring residence, yet a person with a reasonably
3 sized lot would be able to have an outside wood boiler
4 and still keep them from densely populated areas.

5 Setbacks and other distance for
6 placements as outside wood boilers should be left to
7 local municipalities. A one size fits all for the
8 whole state is wrong. Each municipality is different
9 in many ways. My neighbor who has an outside wood
10 boiler has a 5-acre lot, but his lot is only 165 feet
11 wide. A friend who came with me tonight has a 10-acre
12 lot. It's almost 300 feet wide. He has 10 acres of
13 property. He wouldn't be able to put one in. He has
14 one now.

15 The requirement to have a stack is not
16 reasonable. It presents several other problems. Most
17 devices will not support a stack of more than 10 or 12
18 feet. The requirement to have a stack at least 10
19 feet above the ground is fine. Having a stack 2 feet
20 above the height of a residence within 150 feet of the
21 outside wood boiler is unreasonable.

22 Stacks that are more than eight or ten
23 feet above the outside wood boiler will tend to freeze
24 shut or fill with creosote. Most outside wood boiler
25 stacks, the temperature will not keep the stack hot

1 enough to keep it from freezing in cold weather. I
2 used to go out and put that 28 foot stack up and stick
3 a little kerosene in it to light it off. How else are
4 you going to get up there? The neighbors really like
5 that.

6 The outside wood boiler drawing that air
7 from outside, I do have a Heatmor. It draws warmer
8 air, but it still draws the moist air in as it goes
9 back up the stack. And you see that as a plume coming
10 out. You see more of that from that when you burn
11 inside because you're drawing warm dry air on your
12 inside of your house when you have an inside wood
13 boiler. Where am I at?

14 There is no clear indication of what's
15 considered a permanently attached stack. My boiler
16 came with a stack that sticks out of the roof about a
17 foot. And who's going make these decision, what's a
18 permanently attached stack? You couldn't put a stack
19 on the top of my furnace. It will only support about
20 five or six feet. Other than that, you'd have to
21 build the stack somewhere near the furnace, which I
22 previously installed, I went and tore it down last
23 spring. It's real nice now. I won't do it again.

24 The requirements for existing devices are
25 beyond unreasonable. Stacks do not reduce emissions,

1 they only move them. One thing I can agree is the
2 restriction on only burning wood. Just like the
3 people who spoke, we don't want to put garbage in
4 these things. The local municipalities can regulate
5 this. It can burn coal. If I start burning coal,
6 there's going to be a lot of mad people out there. It
7 doesn't address anything here. I wasn't going to
8 bring it up. I haven't brought it up before because I
9 don't want them to add that in. And I know a lot of
10 people burn coal in theirs. I can switch to coal
11 tomorrow and my furnace will function properly and it
12 will not be governed by this regulation.

13 I believe the DEP should continue to work
14 with manufacturers if they actually do. Leave the
15 local regulations on placement and stack height to the
16 local municipalities. There's going to be complaints
17 somewhere from somebody no matter what distance you
18 impose, some from people who are just complainers and
19 complain for something to do. Others are jealous of
20 our low gas and electric bills.

21 Stacks do not reduce emissions and that's
22 one of the things that you have to remember. And I
23 just want to ask right now how many people here are
24 here to say that they want this rule to be enacted? I
25 guess nobody. That's what I thought. I spent nine

1 years of my life in the military. I've been a local
2 elected official. I know where you guys are coming
3 from.

4 CHAIR:

5 Okay. The next testifier I know I won't
6 to get this name right, Louis Karija, K-A-R-I-J-A?

7 MR. KARIJA:

8 Karija (corrects pronunciation).

9 CHAIR:

10 Thank you. Please come forward.

11 MR. KARIJA:

12 I don't have a wood boiler, but what I
13 have to say pretty much what all of these other people
14 have said. I sat down and gathered my thoughts in
15 this little letter to the DEP and wrote on the back of
16 this. I truly am concerned that the state, that
17 they're overstepping their bounds in trying to
18 regulate wood burners of any kind. We have local
19 governments and they're quite capable of doing that.
20 Coudersport Borough --- and I work for Coudersport
21 Borough --- Coudersport more recently passed an
22 ordinance dealing with outdoor wood burners and wood
23 stoves and we don't have a problem with them. If a
24 problem arises, we deal with it locally. We don't
25 need DEP telling us what to do.

1 If there's a problem with one or two
2 people, let the local government deal with them. You
3 don't penalize many for the deeds of a few. You don't
4 have enough people to police the Marcellus Shale
5 drilling, but you want to harass hard working and
6 unemployed people who are just hanging on and are
7 doing so by burning wood because it's cheaper than oil
8 and gas.

9 I believe your requirement of two feet
10 higher than the nearest building within 150 feet is
11 excessive and very foolish. Wood stove pipe is very
12 expensive and a 30 foot chimney would be very hard to
13 support. People burn wood to heat their homes because
14 it's cheap and some people that's all they can afford.
15 You want to shut that down and make poor people even
16 poorer. And in these economic times, the government
17 should be looking to helping taxpayers, a lot of them
18 unemployed and still paying the taxes on the
19 Unemployment, which really burns my butt --- that
20 wasn't in there.

21 I agree. Wood stoves for that matter, a
22 truck belching smoke and polluting a neighborhood
23 should be dealt with by the local authorities, not
24 DEP. We are not a bunch of dumb hicks. We can take
25 care of ourselves without DEP. If you have problems

1 in the bigger cities, pressure the local authorities
2 in those cities to deal with those problems. Don't
3 waste time and tax dollars passing laws that are going
4 to hurt the people who are paying your wages.

5 I can see where an outdoor stove could
6 cause a problem in the city where houses are 15 to 20
7 feet apart, but why should that affect us in rural
8 areas where our nearest neighbor could be a mile away?
9 So the cities need to deal with the problem in one
10 way; rural townships, boroughs and municipalities need
11 to deal with it another way.

12 Go to any state park on any given day,
13 well, especially on the Fourth of July, the place is
14 going to be full of campfires lit and it will burn all
15 day long. And I was just wondering what you're going
16 to do there. Are you going to put 30-foot chimneys on
17 them or just shut them down completely and ban them?

18 I personally do not have wood burner. I
19 have a --- and we can get into this too --- I have a
20 coal burner, which burns hard coal and if you came to
21 my house, you'd never know I was burning it because
22 you can't see any smoke. I burn it and it goes
23 underground from my house and with the boiler. It's
24 pretty much the same as an outdoor wood burner, but
25 it's coal and we're not addressing that here.

1 But I'm concerned if DEP gets to
2 regulating outdoor wood burners, the indoor wood
3 burners, coal stoves, fireplaces and even campfires
4 might be next. We have enough problems in our
5 community. We don't need DEP bringing more hardship
6 to our area. DEP cannot dictate to the entire state
7 because situations are different in different
8 locations. You might want to go regulate the big guys
9 who are generating electricity with, you know, fossil
10 fuels and leave us alone. Thanks DEP, but no thanks.
11 And I think that they might be cooking their water for
12 the tea for these tea parties with wood.

13 CHAIR:

14 Thank you. Mr. Mike --- let's see if I
15 can get it right --- Tumas?

16 MR. TUMAS:

17 Tumas.

18 CHAIR:

19 Tumas, for the Supervisors of McKean
20 Township and Potter County.

21 MR. TUMAS:

22 Hi. Good evening. My name is Mike
23 Tumas. I am here representing the Keating Township
24 Supervisors. Keating Township is located in Potter
25 County and is part of the Austin Area School District

1 and our township is one of the most rural townships in
2 Pennsylvania. According to the 2000 United States
3 Census Bureau, the Township has a total area of 41.4
4 square miles. There were 307 people in the Township.
5 Those are in 2000. The 2009 estimates are closer to
6 210 people. The population density, not household
7 density, was 7.4 people per square mile. The median
8 income for a household in the Township was \$30,417.
9 Twelve point two (12.2) percent of the population was
10 below the poverty line.

11 We know that there are a number of
12 outdoor wood burners located throughout the Township
13 because they are affordable solutions for home heating
14 for many of the Township residents. For most of our
15 residents, natural gas heat is not an option. The gas
16 companies simply don't have the infrastructure in
17 areas this rural. The proposed rulemaking would put a
18 serious financial strain on folks who are already
19 struggling to make ends meet in an area of the State
20 where the unemployment rate exceeds 12 percent.

21 The Township, to our knowledge, has never
22 received a complaint relating to an outdoor wood
23 burner. The proposed rulemaking has received enough
24 publicity in our local newspapers and blogs that it
25 was discussed at our most recent Township meeting.

1 The official and unanimous position of the Keating
2 Township Supervisors is that we are opposed to the
3 proposed rulemaking.

4 At our January 4th, 2010 meeting where
5 the proposed rulemaking was discussed, just less than
6 10 percent of the Township population was present at
7 the meeting. None of the Township residents present
8 could recall any issues being raised with outdoor
9 furnaces at any time in the past. During our
10 discussion, the prevailing sentiment was that such
11 rules are better suited to Philadelphia and Pittsburgh
12 and not rural Pennsylvania.

13 We believe such rules should not be made
14 at the State level. Instead, such rules and decisions
15 should be made at the local level where there is a
16 better understanding of the existing infrastructure
17 and the needs of our residents. State rulings that
18 take the one size fits all approach are simply not the
19 right answer for most of the rural areas of
20 Pennsylvania.

21 On a personal note, I own and operate an
22 outdoor wood boiler. I have no neighbors within
23 sight, hearing or smell. My closest neighbors also
24 use outdoor wood boilers. My stove does not bother my
25 neighbors and their stoves do not bother me. Using

1 the numbers supplied under Section F, the compliance
2 costs, it would cost me over \$1,000 to retrofit my
3 boiler because it is within 150 feet of my residence.

4 I spoke with Ron Davis, Chief of the
5 Division of Compliance and Enforcement, and he
6 explained that I would be protecting myself from my
7 wood smoke. I'm 58 years old. I don't need my
8 government or any of its entities to tell me how to
9 protect me from myself.

10 CHAIR:

11 Next, we have Otto Deutschlander?

12 MR. DEUTSCHLANDER:

13 Deutschlander (corrects pronunciation).

14 CHAIR:

15 Deutschlander? Otto, we're going to need
16 your address for the record.

17 MR. DEUTSCHLANDER:

18 Okay.

19 CHAIR:

20 So if you could state your name and
21 address so she can get that. Do you have a written
22 testimony or ---?

23 MR. DEUTSCHLANDER:

24 No. I wasn't aware of that.

25 CHAIR:

1 Okay. That's fine.

2 MR. DEUTSCHLANDER:

3 But I'll ---.

4 CHAIR:

5 Go ahead. Tell her your name. Maybe if
6 you could spell your name and give your address.

7 MR. DEUTCHLANDER:

8 Otto O-T-T-O Deutschlander
9 D-E-U-T-S-C-H-L-A-N-D-E-R and it's 80 Sharon Lane,
10 Coudersport, Pennsylvania. Most of all of the issues
11 have been pretty much addressed way beyond what I
12 could have done, but my main concern I guess I have
13 left is even while we come in, we were a group of us
14 were standing outside and I --- I don't know if it was
15 a representative from DEP or who it was, the gentleman
16 sitting here --- I asked when the meeting would start
17 and they tell me not until the powers got here, the
18 powers that be. This is just a whole trouble. These
19 are my elected officials and my ---. I would like to
20 ask you, who do you think the powers are in this room?
21 These people sitting right here. They work for us.
22 They represent us. Over-bloated bureaucracies are
23 killing our country. They're killing the futures of
24 our children. They're destroying our lives.

25 I did a little bit of research here and I

1 looked up --- and another thing is I think our local
2 officials are totally capable of regulating any issues
3 we have or problems. We don't need somebody you can't
4 even call from somewhere we don't even know to
5 represent us with our problems and create issues.

6 I looked up the meaning of the word
7 liberty. Freedom from slavery, captivating or any
8 other form of arbitrary control. It's a direct
9 assault on the liberty of every person in here and my
10 children and this country, the bureaucracies, what
11 they're trying to do to us and it can't be allowed to
12 continue.

13 I have another little thing in here in a
14 book. Somebody might have heard of it. It says no
15 state shall make or enforce any law which will abridge
16 the privileges or immunities of citizens of the United
17 States, nor shall anything deprive any person of life,
18 liberty or property without due process of the law,
19 nor deny any person within its jurisdiction the equal
20 protection of the laws. A bureaucracy cannot
21 establish a law or force a law. It has to come from
22 our elected officials or our representatives. And the
23 little book it came out of is the Constitution of the
24 United States. Thank you very much.

25 CHAIR:

1 Thank you. Next, I would like to call
2 one of my colleagues, several of my colleagues who
3 went to bat with me to help bring this hearing to this
4 area so that the folks here could be heard. And that
5 would be Representative Martin Causer. Marty, if
6 you'd come forward?

7 REPRESENTATIVE CAUSER:

8 I'm not going to turn my back on anybody,
9 but I'm here to testify. Never mind. Good evening,
10 everyone. My name is Martin Causer. I'm the
11 Representative for the 67th Legislative District in
12 Potter, Cameron and a portion of McKean Counties. I
13 want to thank Chairman Hutchinson and the other
14 members of the General Assembly that are here with us
15 this evening. This is a very important issue and I
16 thank all of you for coming out this evening.

17 This is an important issue because it
18 really gets to the heart of rural Pennsylvania. And
19 it's been stated numerous times and I think most all
20 of the points that have been stated this evening.
21 And, but really a one size fits all approach doesn't
22 work. What works in the more metropolitan urban areas
23 doesn't work here in Potter County and I think that
24 some of the people in Harrisburg don't realize that.

25 Now, recently, a group of colleagues put

1 together a written comment to submit to the EQB and I
2 wanted to talk about some of the points that we made
3 in our written comments that have already been
4 submitted. And many of those points have been made
5 here tonight, but we specifically objected to the
6 rules regarding the stack height. Many people have
7 addressed that issue here tonight and we addressed
8 that issue in our written comments in opposition.

9 Also there are some claims in the
10 proposed regulations dealing with emissions. And I
11 think that the emissions claims in the proposed
12 regulations are way out of whack, to be honest with
13 you. And we objected to those emissions statements.
14 Seasonal prohibition, when you look at Potter County,
15 there are farmers that use outdoor wood burners to
16 provide hot water in their farms --- for their farms
17 and to put a season on prohibition is absolutely
18 unreasonable.

19 Setback requirements, numerous people
20 have talked about setbacks. And that's something that
21 would basically outlaw many, many people from having
22 outdoor wood boilers. And as was stated numerous
23 times here this evening, this is a local government
24 issue. It honestly is a local government issue. We
25 don't need DEP or the Environmental Quality Board to

1 come here to Potter County to tell us what to regulate
2 in this manner and what not to. We've seen time and
3 time again that a one size fits all approach does not
4 work and it's an issue where local governments are
5 very capable of regulating.

6 I represent a district that is probably
7 the most rural in Pennsylvania, but it's also a
8 diverse district. I represent downtown Main Street in
9 the City of Bradford, which is, you know, an area
10 where there's a lot of homes close together and then I
11 also represent Wharton and Costello and you know,
12 areas that are very, very rural. And the same rules
13 shouldn't apply in those areas because if I have an
14 outdoor wood boiler being used in Cross Forks or
15 Wharton or those areas, they're not going to bother
16 anybody. And it's completely unreasonable for the
17 Department to push forward with regulations to
18 regulate these things in those areas.

19 Now, I will say that I've heard from
20 constituents on both sides of this issue because I've
21 been out front in opposition to the regulations and
22 that's caused me to hear from some people that are in
23 favor of the regulations. I will say they are
24 definitely in the minority, but I've heard from a few
25 folks and I understand what they're talking about if

1 they live in more of a constricted area. If you live
2 in a community like downtown in Coudersport, you
3 wouldn't want to have an outdoor wood boiler right
4 next door to you with a neighbor who's not willing to
5 work with you on it. But that's where the local
6 governments can come in and the local governments are
7 perfectly capable of regulating them when they see the
8 need and they're able to move forward with that.

9 So this is something where it definitely
10 is a local issue. We need the Environmental Quality
11 Board to step back. Quite frankly, I don't think the
12 Environmental Quality Board should have the authority
13 to even come up with regulations like this.

14 You know, I've been representing many of
15 you in Harrisburg for, oh, I'm working on my eighth
16 year now, and I've seen numerous occasions where state
17 government, the bureaucracy, and --- this comment is
18 not directed at Representative Hutchinson. He's a
19 member of the EQB --- but to be honest with you, he
20 was the only no vote on the EQB when these regulations
21 went through the first time. So I mean, I don't know
22 where all the other folks on the EQB are for voting
23 for proposed regulations like this. But if they can
24 step back from that, you know, and we're going to pass
25 regulations or laws. Essentially regulations are

1 laws, but they are laws that are in essence passed by
2 the bureaucracy and never go through your elected
3 officials.

4 You know, if we're going to have
5 something like this in Pennsylvania, it should go
6 through the legislature. It should not be going
7 through a Board that's appointed by bureaucrats. Many
8 of the appointees, quite frankly, are appointed by the
9 Governor, and we know how much the Governor supports
10 rural Pennsylvania. So you know, these things need to
11 be dealt with by the legislature. And if they have
12 something like this and they can get enough votes in
13 the legislature to pass it, God bless them. You know,
14 but honestly, they can't come up with the votes. They
15 could never come up with the votes to push this
16 through the legislature. So they go through the
17 regulatory process and push it through that way.

18 I'll submit to you tonight that we've
19 seen numerous occasions where very bad regulations
20 have gone through boards like the EQB. And my
21 personal opinion is that the DEP should be abolished.
22 I strongly feel that the DEP should be abolished. DEP
23 has made suggestions to the State Legislature and if
24 the State Legislature decided to pass them, then they
25 become law. But an agency or a board like that should

1 not have that kind of authority. And I can tell you
2 that I continue to fight against these regulations and
3 I appreciate the opportunity to participate in
4 testimony. Thank you.

5 CHAIR:

6 Next, another colleague, I'd introduce
7 Representative Curtis Sonney.

8 REPRESENTATIVE SONNEY:

9 I'll follow Representative Causer's lead
10 and not keep my back turned to you. You know, Marty
11 really said it all very well. He really did. Number
12 one, it absolutely should be a local issue. I have
13 not had one complaint ever in the six years that I
14 have been a legislator by anybody complaining about an
15 outdoor wood burner, not one. But ironically, my
16 brother lives about a quarter mile down the road from
17 me and he has an outdoor wood burner. And as a matter
18 of fact, his is right on the property line of his
19 neighbor because they bought it together. They heat
20 both houses with that outdoor wood burner.

21 And I have to look at that stove as I
22 drive by in order to see that it's burning. I can't
23 see the smoke as I'm approaching. I literally have to
24 turn my head to look past his neighbor's house to look
25 back. And I do this every morning because I've just

1 got to know because I know it's burning, but I got to
2 see it and to be able to tell that it's burning. And
3 it's very difficult to tell because the smoke, it's
4 more of a vapor than a smoke.

5 I've burned wood since the day that I
6 built my first house, which I moved into the year that
7 I was married. So I've burnt wood for 31 years. Now,
8 I have an indoor wood burner, so I'm not affected by
9 these regulations. I've never known what it's like to
10 pay natural fuel gas bill to heat my house and I don't
11 want to know. And I don't think that any of you that
12 burn wood should have to know that either. And quite
13 frankly, I like the smell of burning wood.

14 That requirement is absolutely
15 ridiculous. I mean, it's absolutely ridiculous.
16 We've heard a few people speak about that tonight.
17 And I know from experience that, especially with an
18 indoor burner, we all know that it's much more
19 dangerous to have an indoor wood burner. And I have
20 never had --- I take that back --- I had one chimney
21 fire about the second year that I burnt wood. And if
22 any of you have ever heard one, you wouldn't believe
23 it. It sounds like a 747 taking off out of your
24 basement. And you know, it scares the crap out of
25 you. You don't know what to do. You run outside and

1 you're hoping that your roof isn't on fire.

2 Fortunately, none of that happened. Some sparks came
3 out and it went out rather quickly.

4 You know, I learned very quickly how
5 important it was to make sure that I had good wood, to
6 make sure the wood was seasoned correctly, that it was
7 very dry and I have worked many years to perfect this
8 so that I know that I am bringing good, clean, dry,
9 bug free wood into my house every single year. And we
10 don't do this just for fun. It is work and we all
11 know it. It is work. We do this to save money. Some
12 of us do it as a necessity to save money. Others do
13 it because they just don't want to pay that utility
14 company. But it's still work.

15 It's a lot of work to go out and cut that
16 wood and gather that wood. You know, if you're buying
17 your wood, you're probably not saving that much money.
18 You put a significant investment into this wood-
19 burning boiler. You know, the ones that my brother
20 purchased, which is large enough, again, to heat two
21 houses, I think they paid \$7000 or \$8000 for it. Now,
22 this is assuming that's a good investment and it takes
23 quite a few years to really realize that investment
24 back.

25 And I absolutely know, again, that the

1 chimney requirement won't work. It's so important
2 that a chimney stays warm when you burn wood. That's
3 what clogs your chimney. As soon as that chimney
4 cools down, the creosote's going to build up and it's
5 going to continue to build up until that chimney
6 begins to heat back up again. It is efficient when it
7 is warm. The one gentleman had said that chimneys are
8 often built inside houses. Well, that's why. When
9 it's inside the house, it's kept warm and it makes all
10 the difference in the world.

11 Again, from over the years cleaning my
12 chimney, where is my chimney going to clog? It's
13 going to clog at the roofline. It's going to clog at
14 the roofline where the cold temperature hits it. I
15 know that. So I know what I've got to watch, I know
16 what I have to look at and I know what I have to
17 clean. There's no way on the way that the outdoor
18 wood boilers operate that you're going to be able to
19 burn that unit without probably having to clean that
20 chimney every two to three weeks. It's going to plug
21 up extremely fast, extremely fast.

22 As one of the gentlemen also said that
23 the amount of debris that's going to come out of that,
24 should it catch on fire, it's going to be tremendous.
25 It really is. I mean, that's going to wake up

1 everybody in the neighborhood, probably everybody
2 within a mile because, again, they're going to think a
3 jet engine's taking off.

4 These rules absolutely aren't needed and
5 I will be introducing legislation before the end of
6 this week that will try to block these regulations
7 from going into effect.

8 I'm really glad to see so many of you
9 here and I can't stress enough how important it is
10 that each and every one of you get up and just say two
11 words. Just say stop the regulations. Get this on
12 record that you're against it. That Board is not
13 sitting here. We have one member who's against it.
14 The only way that that Board is going to know that all
15 of you showed up, that all of you have an opinion on
16 this, is if you get up, state your name and your
17 address and just simply say, I'm against these
18 regulations.

19 You don't have to stand up here and give
20 a speech. You don't have to give 100 different
21 reasons why. Just let them know that you do not want
22 this and that you're here to let them know that you
23 don't want this. So please, please, you've made the
24 effort to get here into this room; just make that a
25 little bit more effort to stand up, state your name

1 and your address and just get it on the record that
2 you are against these regulations. Thank you.

3 CHAIR:

4 Next on the list, Gary Buchsen from ---

5 MR. BUCHSEN:

6 Coudersport.

7 CHAIR:

8 --- Coudersport, Pennsylvania. Is there
9 a name there? Write your name down.

10 MR. BUCHSEN:

11 My name is Gary Buchsen. I'll give you
12 copies but I only have one copy now.

13 MR. BUCHSEN:

14 My name is Gary Buchsen, 195 Toles
15 Hollow, PA (sic). Really, there's not much for me to
16 say because I think it's been very well covered by
17 everybody that's had the opportunity to speak. I
18 think that our leaders here have addressed the issues
19 that we all have. I think the gentleman from Keating
20 Township really did a real fine job putting it
21 together and I think it's pretty much the way we all
22 feel.

23 The only thing that I might add is that I
24 would really like to see it be a local issue. You
25 know, we're mandated, the counties are, that we have a

1 planning commission. We have very good Commissioners
2 here now and a very good planning commission that
3 would work with the townships. I did work with the
4 Coudersport Borough on a ordinance that is in effect
5 right now. Very simple. You have some pros, cons.
6 They got together at a meeting and you know, nice. We
7 come to an agreement in about three different
8 meetings. But it is one. It's very simple. It does
9 work.

10 People have outside burners in the
11 Borough. And it does work. Obviously, you sometimes
12 have some incidents that there have to be policed, but
13 people do cooperate with them. But I just would
14 really like to see it be a local or a county issue
15 because, as everybody said, that when you're getting
16 into an area like Potter County versus somewhere in
17 the Harrisburg area or Philadelphia, it's completely
18 different. And you know, one rule doesn't fit
19 everybody. So it has to be a rural issue and that's
20 basically what I'd like to see happen. Thank you.

21 CHAIR:

22 Okay. Next, another of my colleagues
23 who's been on the forefront with this, Representative
24 Kathy Rapp from Warren, Pennsylvania.

25 REPRESENTATIVE RAPP:

1 Thank you, Representative Hutchinson. I
2 am State Representative Kathy Rapp. I represent the
3 65th Legislative District of Warren, Forest and McKean
4 Counties. And I appreciate the opportunity today to
5 address the Board on behalf of my constituents from
6 the 65th District. Please know that I am firmly
7 opposed to the proposed regulations. I have heard
8 from many of my constituents regarding the negative
9 impact these regulations will have on families in my
10 District.

11 Heating with wood in the 65th District,
12 as well as any district that you are from, goes back
13 to the founding of our country. To many, it is a free
14 source of heat to an economically deprived area of the
15 state, in the midst of a winter that has already
16 reached subzero temperature as well as a cold summer
17 and severe winter of 2009.

18 According to the Pennsylvania Abstract, a
19 statistical fact book for 2009, the population of
20 Warren County is 43,863. The average income is
21 \$30,033 and approximately 9 percent of the population
22 receives LIHEAP. In Forest County, the population is
23 4,946 and the average income is \$20,067 with 9
24 percent, almost 10 percent, receiving LIHEAP. In
25 McKean County, the population is 45,936 with an

1 average income of \$29,460 with 11 percent receiving
2 LIHEAP.

3 Another interesting fact is for those who
4 heat with wood alone, the percent is three percent for
5 Warren, five percent for Forest and two percent for
6 McKean. However, the percent of people in Allegheny
7 County using wood only is .013 percent and for
8 Philadelphia the percentage is .003 percent.

9 Clearly, these proposed regulations,
10 which I like to refer to as regulation without
11 representation, target rural PA. Many of my rural
12 families will spend at least ten percent of their
13 income on heat. Many do not have access to natural
14 gas and rely on propane or kerosene. Many of these
15 same families have access to a free heat source, wood,
16 many from their own back yard, wood that is free only
17 in dollars as the labor to heat with wood is hard
18 work. However, families are willing to invest in the
19 labor of obtaining firewood because of the economic
20 advantage wood offers. These regs could lead to even
21 more people requesting LIHEAP at taxpayer expense.
22 And all of us know who represent the people of this
23 Commonwealth the struggle that we are having balancing
24 the budget as every year progresses.

25 The concerns of these proposals are

1 better left to local government. I question, along
2 with my colleagues, the science and test results of
3 the Department since, as I previously stated, we have
4 been burning wood in Northwestern PA for over 200
5 years and we still enjoy clean air and clean water. I
6 request that the Department withdraw these proposals
7 and leave this issue to local governments who
8 understand the hardships of their citizens and the
9 environment surrounding their communities.

10 Thank you, again, and Representative
11 Hutchinson, we really appreciate your stand on this
12 issue as part of the Board and we are proud to support
13 you as your fellow legislators. And I want to think
14 all of you who took the time out of your busy schedule
15 to be here today and express your opinions. We're
16 very proud of all of you. Thank you for being here.

17 CHAIR:

18 Next is another one of our legislators,
19 another neighbor from the Dubois area, Representative
20 Matt Gabler.

21 REPRESENTATIVE GABLER:

22 Thank you very much. I think that it is
23 very clear that there's a wealth of knowledge in this
24 room. And I would first like to introduce myself.
25 I'm State Representative Matt Gabler from Elk and

1 Clearfield Counties. I represent the 75th Legislative
2 District. And I just wanted to underscore a point
3 that Mr. Deutschlander made, and that is that we as
4 elected officials, we do work for you. You're our
5 bosses. More importantly, we're accountable to you.

6 It has been my absolute pleasure to be
7 able to be accessible to the residents and the
8 citizens of my District who have come to me and
9 explained to me point by point, scientifically even,
10 why these proposed regulations don't make any sense.
11 In fact, Mr. Sorg gave me a very, very thorough and
12 scientific explanation in my office a few weeks back
13 and I want to recognize and thank him for that.

14 You are the experts and I think it's
15 important we be accountable to you and that's why I'm
16 so honored to be here tonight to register my firm
17 opposition because my constituents are firmly opposed
18 to these regulations.

19 A very clear point that's been made is
20 that we do have a very diverse state. In fact, I have
21 a very diverse district. It is very different
22 standing in the middle of downtown Dubois than it is
23 standing out in rural Halkin or Benezette or James
24 City. This underscores the fact that local officials
25 are the best ones to make these decisions. I wouldn't

1 expect the same thing to apply to Benezette as would
2 apply to downtown Saint Marys. And for the same
3 reason, we can ultimate that the same thing should not
4 apply to Coudersport as to Philadelphia.

5 And so that is why I think that it is
6 absolutely important that we all in rural Pennsylvania
7 register our firm opposition to a one size fits all
8 regulation that applies to the entire state. In my
9 own district, local elected officials have proven they
10 can get it right. They City of Saint Marys worked it
11 out. Currently, my own home municipality of Sandy
12 Township in Clearfield County has worked on
13 regulations and done that at the local level. There's
14 no need to do this at the state level.

15 So I just wanted to verbally register my
16 constituents' opposition to this in the 75th District
17 and I'm honored to stand here with my colleagues in
18 rural Pennsylvania. All across here, we're all like-
19 minded. We all represent people of similar interests.
20 This is state government bureaucracy failing us and
21 this regulation needs to be dismissed. Thank you very
22 much.

23 CHAIR:

24 Our next registered testifier, I do not
25 believe he's here --- it's another one of our

1 colleagues. He told me he may or may not be able to
2 be here --- he didn't sign in --- and that would be
3 Representative Kerry Benninghoff. I don't see him
4 here. But Kerry has joined in signing our letter in
5 opposition to these rights. He was hoping he could be
6 here to testify, but he's not. So we will move on to
7 the next and that would be Representative Bradley Roae
8 from Crawford County. Bradley?

9 REPRESENTATIVE ROAE:

10 Good evening, everybody. My name is
11 Representative Brad Roae and I represent Crawford
12 County. Anybody that's ever been to the Meadville or
13 Titusville area, that's the District that I represent.

14 So anyway, the most important thing has
15 been said numerous times tonight already, but this is
16 a local government issue. Sometimes I look at my job
17 as a State Representative, you know, my job in
18 Pennsylvania government and I say, you know, people
19 that were really power hungry, they could have a lot
20 of fun in a job like mine. But that's not what we're
21 like. We don't believe in a lot of state regulations.
22 It's kind of ironic that we're state lawmakers, but
23 we don't believe in a lot of state laws. We feel that
24 decisions should be made locally on a local level.

25 When you look at all of these rural

1 boroughs, all of these little townships that we have
2 all over Pennsylvania, those boards of supervisors and
3 those borough councils, they know their local
4 communities. They know what the needs are of the
5 people in the community. What might work for one
6 borough isn't going to work for another one. What's
7 good for one township isn't good for another one. And
8 this definitely needs to be done at a local level.

9 I, myself, we have a wood stove. Ours is
10 inside, but it kind of scares me because if they try
11 to regulate the outdoor wood stoves, they'll probably
12 try to regulate the indoor ones in the future if they
13 get this thing through. You know, where I live, my
14 neighbor actually has an outdoor wood stove. It
15 doesn't bother us. Our neighbor's house is probably
16 100 yards, maybe 125 yards away from us. It doesn't
17 bother us. We have an indoor wood stove. Our wood
18 stove doesn't bother our neighbor.

19 When you live out in the country, you're
20 spread out pretty far apart and what you do doesn't
21 really impact your neighbors that much. If you have
22 something like, you know, Center City, Philadelphia
23 where there the buildings are, you know, one inch
24 apart from each other, you know, they might want to do
25 something differently. But regulations that work in a

1 big urban area, you know, they're not going to work in
2 a rural area.

3 And one other thing I would like to say
4 is if any of those regulations do go through,
5 certainly they can't make them retroactive. I mean,
6 anything that's already in place would have to be
7 grandfathered. It's just completely unconscionable
8 that somebody can buy an outdoor wood stove, they're
9 using it to heat their house and then years later a
10 regulation gets made that says they can't do it
11 anymore. And it's also unconscionable that people who
12 sell the outdoor wood stoves, they might have an
13 inventory of the things sitting there on their lot.
14 And if this thing goes through, what are they supposed
15 to do with those things, you know, sell them for scrap
16 metal? I mean, nobody's going to buy them if it's
17 illegal to operate them.

18 And I would just like to close by saying
19 thank you everybody for being here today. And like
20 Representative Sonney was saying, you know, I
21 encourage everybody to write a letter to the EQB, get
22 up here at the microphone and just talk for 20
23 seconds, send an email or do whatever you can because
24 this is a regulation that we have to stop. Thank you.

25 CHAIR:

1 Okay. We have completed the
2 Pre-registered testifiers and now we're able to get
3 into those who signed in this evening. It's probably
4 going to be a little bit more important that as you
5 come forward you state your name and address clearly
6 for the record. Mr. Thomas R. Hall and Fred Forsythe?
7 Is that going to be a joint presentation or a
8 separate? Okay. Well, then, Thomas Hall.

9 MR. HALL:

10 Good evening. My name's Tom Hall. I
11 live at 211 Cherry Street, Kane, Pennsylvania, driving
12 trucks.

13 This really is an economic issue. My
14 wife suffers from arthritis. The cold winters are
15 brutal on people who suffer from arthritis. In the
16 fall of 2006, facing yet another winter of gas bills
17 that we simply could not afford and in an effort to
18 provide some relief to my wife, we installed an
19 outdoor wood boiler. It has been nothing short of a
20 miracle. We can afford to heat our home comfortably
21 and my wife can survive the winter with far less pain.

22 We have gone from a cold house with an
23 annual gas bill of about \$3,000 to a warm house with
24 an annual gas bill of about \$500, maybe less.
25 Factoring in wood costs and related expenses, we have

1 cut our heating cost in half and this is at the 2005
2 prices. We, most of all, we are warm. I believe the
3 cost of gas has risen substantially since 2005, so
4 it's very likely that we reduced our heat cost by 75
5 percent or more.

6 I am confident that every outdoor wood
7 boiler owner would gladly trade cutting wood,
8 splitting wood, hauling wood, stacking wood and
9 loading wood the first thing in the morning and the
10 last thing every night for simply turning up the
11 thermostat, if they could afford it. I am one of
12 the many who have lost their job in this current
13 economy. I could not afford the gas bills when I had
14 a job. I sure couldn't afford them now.

15 As to the proposed regulations for
16 existing outdoor wood boilers, the stack height
17 requirements are unrealistic and are effectively
18 banning existing wood boilers in most cases. Kane,
19 like many Pennsylvania communities, is on a mountain.
20 To meet the proposed new regulation the stacks exceed
21 two feet above the highest peak of the highest
22 residence within 500 feet is impractical and
23 economically unfeasible.

24 In my case --- and I'm different than
25 most of the other people who have testified here --- I

1 live in town. I live on a regular residential block.
2 Because I am halfway down the mountain, I would need
3 at least 70 feet of stack to meet the requirement and
4 quite possibly more. Stacks of this height require a
5 substantial supporting structure. And to be honest
6 with you, I didn't even know about all the creosote.
7 The compliance costs referenced in the proposal of
8 between \$119 and \$145 for a four foot section of
9 chimney pipe are significantly less than actual prices
10 in some cases and are also somewhat deceiving
11 considering the amount of sections that many existing
12 owners would be required to purchase.

13 A four-foot section of chimney pipe for
14 my particular boiler is \$200. Therefore, the cost to
15 extend the stack to meet the requirement would be a
16 minimum of \$3,600 for the pipe alone. The cost for
17 the supporting structure of that magnitude would be
18 considerably more than the pipe, an unreasonable,
19 impractical amount. I would estimate the total cost
20 with the supporting structure might approach \$10,000
21 or more in my case.

22 Therefore, the proposed regulations would
23 effectively ban my boiler and most others in Kane and
24 likely throughout much of Pennsylvania as mine
25 represents a somewhat typical location stack height

1 requirement. Furthermore, many existing outdoor wood
2 boiler makes and models --- and people have mentioned
3 this --- do not have provisions for extending the
4 stack. Those models --- and there are many --- would
5 be effectively banned. Many families' source of
6 affordable heat would be lost.

7 Certainly air quality is a concern to all
8 of us. However --- and again, different areas have
9 different needs. Generally, air quality is not a
10 major issue in the rural counties, particularly in the
11 northern tier. Studies suggest that outdoor wood
12 boilers can emit pollutants equaling the amount of two
13 to six diesel powered trucks depending on the study.
14 While there is an initiative to reduce new diesel
15 truck emissions, there is no such initiative to reduce
16 emissions or ban older trucks. Why? Likely due to
17 economic concerns, the same concerns that outdoor wood
18 boilers have. There are certainly more diesel trucks
19 than outdoor wood boilers.

20 With only 40 percent of Pennsylvania
21 counties requiring vehicle emission testing, it is
22 difficult to reconcile that a comparative few outdoor
23 wood boilers should be banned statewide due to
24 emissions. If 60 percent of Pennsylvania counties do
25 not have air quality issues that warrant vehicle

1 emission testing, how can existing outdoor wood
2 boilers in 100 percent of Pennsylvania counties be
3 effectively banned?

4 The actual compliance of newer, federally
5 regulated, compliant indoor wood stoves and furnaces
6 is subject to debate. Furthermore, there are many
7 older, noncompliant indoor wood stoves in use, yet
8 there's not initiative to ban them. Not yet. On a
9 recent trip on a cold morning, I noticed many wood
10 stoves emitting lots of smoke. Will wood stoves be
11 next? What about the increasing number of coal
12 burning stoves and furnaces?

13 There are many outdoor wood boiler ---
14 sorry, wood burners who burn responsibly. They burn
15 dry, seasoned wood. They burn only when it's cold,
16 when their neighbor's windows are closed. And unlike
17 a lot of people that testified, my boiler sits right
18 on a typical small lot in residential area. There are
19 six homes within 75 feet of the boiler, one that burns
20 coal. None of my neighbors have a problem with the
21 smoke from our boiler. Our most adjacent neighbor is
22 less than 50 feet directly downwind. She did not know
23 that we had one until I told her. She never noticed
24 any smoke. Therefore, the investment required to meet
25 the proposed regulation is not only impractical, it's

1 not justified.

2 Contrary to the photos associated with
3 many of the reports, which depict boilers constantly
4 belching smoke, many outdoor wood boilers emit large
5 amounts of smoke for only a very short period of time
6 --- less than 20 minutes per day. That's less than
7 two percent of the time. Overall, an outdoor wood
8 boiler does not emit any more smoke than an indoor
9 wood stove or coal burner, perhaps less.

10 Due to the variables such as fuel
11 quality, responsible burning and location of
12 prevailing wind, this cannot be --- and where have you
13 heard this before --- a one size fits all regulation.
14 Regulation and enforcement should be left to the local
15 authorities. While I support and encourage the
16 Department of Environmental Protection's efforts to
17 protect the environment, portions of this regulation
18 are impractical and unnecessary. I encourage you to
19 reconsider and revise the regulation.

20 The consequences of this regulation in
21 its current form would be financially devastating to
22 many Pennsylvania families and businesses. I rode
23 here. There's a couple people heat their businesses
24 with it. I mean, a lot of people even heat the
25 business with it. How will we recover our substantial

1 investment? We just addressed that. How will we
2 afford to heat our homes and businesses? Why should
3 the many responsible wood burners be penalized by the
4 few irresponsible wood burners? Thank you.

5 CHAIR:

6 I have a few more. Fred Forsythe?

7 MR. PATT:

8 I was supposed to be originally scheduled
9 number 16, Ron Patt.

10 CHAIR:

11 Your name again, sir?

12 MR. PATT:

13 Ron Patt, P-A-T-T.

14 CHAIR:

15 Somehow, you didn't get on the list.

16 Let's let Mr. Forsythe go and then you go.

17 MR. PATT:

18 Okay. Sounds good.

19 CHAIR:

20 Fred Forsythe?

21 MR. FORSYTHE:

22 I don't have a prepared statement.

23 CHAIR:

24 Yeah. Okay. Great. But just make sure
25 that you give your name. Spell it and where you live.

1 MR. FORSYTHE:

2 Frank Forsythe, F-O-R-S-Y-T-H-E, 12
3 Hummingbird Road, Coudersport, Pennsylvania.

4 MR. FORSYTHE:

5 I've burned wood for 35 years. Many of
6 them years it was out of necessity like many other
7 Potter County residents. This law or attempted law in
8 my mind is absolutely ridiculous and I urge our
9 Representatives to do all they can to stop that.
10 Thank you.

11 CHAIR:

12 Okay, sir. It looks like we're going to
13 need your name again.

14 MR. PATT:

15 My name is Ron Patt. P-A-T-T is the last
16 name. I'm from Wellsboro, Pennsylvania. And we have
17 a very different problem in Wellsboro, Pennsylvania
18 than I've been hearing here tonight. We have volumes
19 of active wood smoke hanging in the air over the town.
20 I walked by my granddaughter's school in Wellsboro the
21 other day and smoke was pouring across the street into
22 the front doors of the school. And I smelled my
23 granddaughter's hair that evening to see if it reeked
24 or wood smoke and it did.

25 And we've traveled to other towns around

1 Wellsboro and we're experiencing the same problem
2 coming from outdoor wood burners as well as indoor.
3 And I have an indoor wood burner right up the street
4 from me and his smoke is in my air space day and
5 night. I timed his smoke coming out of his stack five
6 hours and then he goes into a clean burn. So he has a
7 mini charcoal plant, I would say, and apparently he is
8 not using seasoned wood.

9 And I think this is a problem throughout
10 Wellsboro because I walked around the entire town and
11 observed wood piles in driveways with snow on them and
12 this is no way to season wood. It sounds like you
13 folks over here know how to season wood. And so I'm a
14 wood burner myself and I know how to season wood too
15 and we're going to try to educate the folks over our
16 way on how to do it. But I won't mention now how to
17 season wood because apparently you folks know how to
18 do it.

19 But another point I would like to make is
20 that Pennsylvania has the third dirtiest air in the
21 nation. And so I think we all should be concerned
22 about that and that we all should be wanting to do our
23 part, and I mean everybody should be doing their part
24 to change this fact. I'm not very proud of this fact.
25 I love my town. I love Pennsylvania. I love my

1 country. But I think we can do better than this. And
2 we're all in this together. Did I mention I'm a wood
3 burner and have burned wood for years? Okay.

4 I purchased one of the new phase two
5 stoves because I didn't want to pollute my neighbor's
6 air. It's a fantastic piece of equipment. You can
7 come and look at my chimney any day of the week and it
8 looks like I'm burning a gas furnace. It's just a
9 vapor coming off of like a gas furnace vapor. And so
10 I'd just like to go ahead here and --- in the near
11 future, there will be no excuse for wood smoke. Once
12 again, human ingenuity and creativity has made it
13 possible for a brighter, cleaner and healthier
14 environment. Our wood stove and outdoor wood stove
15 boiler manufacturers have risen to the challenge to
16 produce more efficient, smokeless wood stoves and
17 furnaces, and I mean smokeless.

18 And so I've got one and I've got the
19 Quadra-Fire and it is smokeless if you have seasoned
20 wood. You have to have seasoned wood. And it takes
21 oak two years to season, cut, stacked, covered in a
22 breezy location with lots of sunshine. The
23 manufacturers have stepped up to the plate. Now it's
24 time for the wood burners to follow this example.

25 As soon as it's economically feasible,

1 wood burners should join the Great American Change Out
2 and acquire a product with the new smokeless
3 technology. The federal government is encouraging
4 wood burners to change out by offering a tax credit of
5 30 percent up to \$1,500. States and municipalities
6 should be encouraging the change out too. Where are
7 our states? They could be helping purchase these new
8 stoves with a \$1,000 or \$1,500 help to those who need
9 it. Those who cannot change out immediately of course
10 should be producing the cleanest possible burn by
11 using the proven guidelines.

12 My recommendations for outdoor wood fired
13 burners would be as follows: encourage change out to
14 the phase two outdoor wood fired boilers; eliminate
15 the stack height requirement with wind currents and
16 valley down downdrafts; stack height is of minimal
17 consequence; allowed fuels, clean wood must be
18 seasoned. However, we have an outdoor wood fired
19 boiler ordinance in Wellsboro and they're not
20 enforcing them. They're just not enforcing it. And a
21 lot of areas just seem to be afraid to have an
22 ordinance for outdoor wood burners or indoor wood
23 burners.

24 I want to thank the Department of
25 Environmental Protection for addressing this serious

1 problem. The only way that we can control the smoke
2 from our stoves and furnaces is to eliminate it from
3 coming up the chimney. That means to burn all that
4 particulate right in the firebox. And that's what my
5 Quadra-Fire stove is doing. And I think it's quite
6 important that the state adopt some sort of ordinance
7 for outdoor wood burners and also I would say indoor
8 wood burners. Municipalities and townships appear
9 afraid to act especially concerning indoor wood
10 burning stoves, many of which are as environmentally
11 destructive as outdoor stoves.

12 CHAIR:

13 Thank you.

14 MR. PATT:

15 Thank you.

16 CHAIR:

17 The next person to sign up would be Deb
18 Payne from Ulysses.

19 MS. PAYNE:

20 I'm a bit of a counterpoint also. I'm
21 from Ulysses but I live downtown.

22 CHAIR:

23 Please, ma'am, please speak in the mike.

24 MS. PAYNE:

25 I live in downtown Ulysses.

1 CHAIR:

2 You can hold the mike or stay in front of
3 it if you wish.

4 MS. PAYNE:

5 I live downtown in Ulysses, PA. My
6 neighbor puts in a wood boiler right on my property
7 line. My house was inundated with smoke several
8 days ---.

9 CHAIR:

10 Could you hold that, ma'am? Could you
11 hold it or talk into the mike?

12 MS. PAYNE:

13 I went to the Town Board. There are no
14 regulations. They don't want to make any regulations
15 because they want to put in their own wood burners. I
16 had brought them pictures. They said that's terrible,
17 what a terrible way to live. I invested in my house
18 that I can no longer live in. Nobody else would want
19 my house. It's engulfed with smoke. I called the
20 Department of Environmental Protection. They could do
21 nothing. I called everywhere. They could do nothing.
22 No one. There was no law. There was no help, nothing
23 anywhere.

24 If you have a neighbor who doesn't care
25 about you, the township's not willing to put forth

1 anything. You're stuck. I don't agree. I think this
2 is overkill what they're doing to you rural people.
3 That's crazy having to do all these regulations. But
4 people in towns should not be at the mercy of a few
5 people who are related to every other person in that
6 town and they don't want to step on anybody's toes.
7 It cost me \$1,500 for a lawyer and I found out there
8 was a regulation where they're supposed to move it.
9 They couldn't build anything 8 feet from my property.
10 So now, instead of 30 feet, it's 38 feet, but he did
11 raise the stack and it did make a difference. I can
12 live with that now. But it took some regulation.

13 You know, Ulysses is not the only small
14 town I went to. I lived in another small rural area.
15 We were trying to clean up garbage. These small rural
16 towns cannot afford the legal matters it would take to
17 regulate these laws and they don't want to because
18 they can't afford it. All of that money is taken in
19 over the basics. They're taking care of the roads,
20 the buildings. They can't afford lawsuits. They
21 can't afford to fight these things.

22 We need something, not as extreme as this
23 regulation. No. But there needs to be something
24 because if you're not related to the right person, if
25 you don't have enough money, if you're not related, if

1 you're not the family name of a town, tough. It cost
2 me \$1,500. Somebody's complaining about \$1,000.

3 Somebody else was complaining about their
4 investment. My home was my investment. I can live
5 with it now. It's not the best, but at least it's not
6 inundating my house five days a week. There needs to
7 be some kind of regulation. Sorry, guys. Something.
8 Just not this overkill. Here's pictures if anybody
9 wants to see and video makes it show up better. And I
10 have photographs. How would you like to live like
11 that every day? Here's three. Here's my name. Good
12 luck.

13 CHAIR:

14 Thank you. Thank you. Scott Buxton,
15 Port Allegheny? Scott? Okay. Eric Johnston, Port
16 Allegheny?

17 MR. JOHNSTON:

18 I don't have any prepared comments. I'm
19 just going to kind of shoot from the hip here.
20 So ---

21 CHAIR:

22 Okay.

23 MR. JOHNSTON:

24 --- if you'll just bear with me.

25 CHAIR:

1 State your name and your address.

2 MR. JOHNSTON:

3 Johnston. I live at 89 Mountain Road in
4 Port Allegheny. I have a small retail hardware store
5 in Port Allegheny that I heat with a wood stove. Not
6 that I like to cut wood. I don't derive any pleasure
7 from it. I have about five employees that come to
8 work and you know, if I have to pay a \$20,000 a year
9 gas bill, I'm just not going to do it any longer. I
10 just can't see it happening. My store is in the
11 shadow of the National Bank, which is about 167 feet
12 high. There's no way I can meet the minimum
13 requirement.

14 You know, Big Brother is looking over our shoulder
15 and protecting us from ourselves. It's got to stop
16 here. I guess my question would be, where can I apply
17 for a job as a wood stove cop? I have about five
18 people who really need jobs here. That keeps ---.

19 CHAIR:

20 We also have a Lisa Johnston.

21 MS. JOHNSTON:

22 Eric's my husband. But I just want it to
23 be on record to say that, you know, I'm opposed to
24 this. I mean, where do the regulations stop? Before
25 you know it, you know, they'll want meters on boilers.

1 CHAIR:

2 That's another sore subject. Thank you,
3 Lisa. Mark Howard, Port Allegheny, Pennsylvania.
4 Yeah. Just give us your name and address. Thank you.

5 MR. HOWARD:

6 My name is Mark Howard and my address is
7 3795 Route 155 in Port Allegheny. Okay. Under the
8 proposed regulations, the phase two boilers, it puts
9 the cost out of reach for many people. My estimate
10 phase one boiler cost \$7000 to \$9,000. Compared to
11 the phase two, they're \$10,000 to \$12,000.

12 I'm a self-employed HVAC contractor. I
13 install outdoor wood boilers. My wife is a
14 schoolteacher. My taxable income in 2008 was \$43,000.
15 We found a way to save \$2,500 annually on our utility
16 bills. We've saved this for two years. Our boiler
17 investment was \$7,500. It took three years for our
18 investment to pay for itself. Since, we have
19 contributed \$2,500 a year to our children's college
20 funds. In 18 years our children will have \$22,500 to
21 spend on their college. With these regulations, my
22 children will not have these funds available.

23 Outdoor wood boilers in many respects are
24 self-regulating. Number one, the initial investment
25 stops most installations; number two, it's hard work

1 gathering and cutting wood to feed this investment.
2 It's not convenient to own a wood boiler. I take 15
3 minutes per day, which equals out to 90 hours a year
4 tending to my wood boiler. I also take 80 hours a
5 year to gather, cut, split and stack a year's supply
6 of wood. With 170 hours of backbreaking labor, who
7 needs more regulations?

8 On December of 2009, just last month, I
9 noticed on our gas bill there was a note stating that
10 there was a reduction with fuel prices. Reading on,
11 it also stated the distribution charges raised the
12 same amount. How wonderful of them? Who needs
13 regulations? Regulate the utility companies from
14 price gouging customers. Charge a fair price for your
15 utilities so I don't need an outside wood burner.

16 Since the 2008 presidential elections,
17 alternatives of the renewal energy options have been
18 promoted by the federal government. I have been using
19 cheap renewable resources for five years. Now the
20 Department of Environmental Protection needs to
21 regulate outside wood boilers as if they've emitted
22 radioactive dust. Are they dirty? Yes, I agree they
23 are.

24 With my boiler's start-up home, I can
25 appreciate my downwind neighbor's dislike for it.

1 Outside wood boilers can be offensive if they are not
2 properly positioned, installed and operated. With the
3 help of a good friend, I found a modification that
4 reduced the emissions and it improved the efficiency
5 of my phase one boiler significantly. I've used this
6 modification on most of my installations. Outside
7 wood boilers use a renewable source of energy that is
8 cheap not easy. They are hard work. Because of the
9 inconvenience outside wood boilers will not become
10 popular and harm our rural setting. Save the
11 regulations for the areas with pollution and air
12 quality problems.

13 In closing my testimony, I'd like to
14 remind you that fire has naturally occurred renewing
15 the landscape for thousands of years. Outside wood
16 burners used wood that would be otherwise wasted. Let
17 us outside wood boiler owners use this wood as a
18 resource to heat our homes and save money with our
19 hard work. Save your regulations for areas with a
20 high level of pollution. I don't believe we have a
21 problem in this area. Show me the evidence that
22 burning an organic substance is harmful to our
23 environment or health. Thank you.

24 CHAIR:

25 Okay. We have come to the end of those

1 who have signed in. Is there anyone else who would
2 like --- we're going to have to do this in an orderly
3 way, one by one. If you could come up, come on up.

4 MR. SMITH:

5 Hi. I'm Charles Smith. I live at 27
6 Bush Hill Road, Austin, PA. I'm a Township Supervisor
7 in Keating Township and I'm against this ruling that
8 they are trying to shove down our throats. And Marty,
9 you don't ever have to worry about turning your back
10 on us.

11 CHAIR:

12 Maybe for those others who are interested
13 you can come and line up and this is going to be going
14 quickly. You know, we're going to move along.

15 MR. GOODWIN:

16 My name's Stanley Goodwin. I reside at
17 658 Chrome Hill Road. I know I'm not as intelligent
18 as most of these people that spoke and things like
19 that, and they've done a super fine job. I am opposed
20 to the attack on the wood stove, coal burners, outside
21 burners. I don't know of any outside burner that's
22 ever killed anybody or the smoke from it. I like the
23 smell of the smoke once in a while. At least you know
24 they're burning. I can name you ought to attack these
25 gas companies or these gas burners, not the drillers

1 and stuff, but these gas burning systems.

2 I had a friend when I was a kid. He was
3 a surveyor here, Sal V. Jones was asphyxiated down
4 here in the corner where Chet Joselit's (phonetic) lot
5 used to be from gas. He didn't smell it. It was
6 odorless. I know I have another friend, I think he's
7 my friend anyway, that came out. His house was blowed
8 off the foundation with gas. I'd like to, you guys
9 ought to take a survey of how many people's been
10 killed by natural gas in their homes. I'll bet you'll
11 find out there's thousands of people compared to
12 anybody that was killed with a wood burner or an
13 outside coal unit.

14 I think what we need to do is downsize
15 some of these regulations and people that's on these
16 boards and stuff like that. We, the people, have
17 elected the Township Supervisors. We elected the
18 Commissioners. By God, they ought to be able to
19 handle these deals. I feel sorry for that lady who
20 had to pay \$1,500 to a lawyer. Someone in that
21 township should have to answer to that. She should
22 have some rights, but it doesn't need to done by our
23 federal, state and DEP rulings and things like that.
24 Somebody needs to be made accountable and she should
25 get her \$1,500. If I was that attorney, I would feel

1 pretty sick. But I guess she got her money's worth.
2 She got something done. But that's a terrible thing.

3 It's just like calling Harrisburg or
4 calling one of your official offices and you try to
5 get somebody and you get music for two and a half,
6 three hours and not get nobody. These people got to
7 be made accountable, not us. We elected these
8 officials. We, the people, elected these Township
9 Supervisors and Commissioners. Let them handle this.
10 We don't need nothing from Harrisburg. Philadelphia
11 has their commissioners or the township officials.
12 Let them take care of their business, let Harrisburg
13 take care of theirs and we'll take care of ours up
14 here. So thank you.

15 MR. DUGAN:

16 Hi. My name is Joe Dugan. I live here
17 in Coudersport.

18 CHAIR:

19 Can you spell your last name please?

20 MR. DUGAN:

21 D-U-G-A-N. I was just wondering how many
22 times we got to move your stoves. I have a wood stove
23 in the house. It's been there for three or four
24 years. Well, the homeowner said, well, I got it too
25 close. You got to move it. Well, I bought a outside

1 wood stove. It sat out here for four years. They
2 said that's too close. You got to move it. So I went
3 on and got and moved it another 17 feet. Now, this
4 thing here, I'm going to have to move it again.
5 Should I move it down to Harrisburg? That's all I got
6 to say.

7 MR. AIRGOOT:

8 Jim Airgoot.

9 CHAIR:

10 Can you spell that please?

11 MR. AIRGOOT:

12 A-I-R-G-O-O-T from Kane, Pennsylvania,
13 Wetmore Township. I just wanted to let you know I
14 oppose this. I believe it should be left up to the
15 local government. Thank you.

16 MR. GREGORY:

17 Hi. My name is Dan Gregory from Kane,
18 Pennsylvania. I just started reading this paper here
19 and it said there were other gentlemen here that said
20 about coal. I have a boiler, so I burn wood. And
21 they were saying about the coal. There are prohibited
22 fuels that is on this paper here. So if it's not on
23 the list up here in allowable fuels, which is clean
24 wood, wood pellets, home heating oil, natural gas,
25 propane, it says down below prohibited fuel. A person

1 who owns, leases, uses or operates and outdoor wood
2 boiler in the Commonwealth may not burn a fuel or
3 material in that outdoor wood boiler other than those
4 fuel listed under subsection F. So that means coal is
5 not allowed.

6 CHAIR:

7 Thank you.

8 MR. ALASSMIRE:

9 Yeah. My name's Aaron Alassmire and ---.

10 CHAIR:

11 Sir, you lost me. Start over.

12 MR. ALASSMIRE:

13 A-L-A-S-S-M-I-R-E, Coudersport,

14 Pennsylvania and I'd like to just state that I'm
15 opposed to all these rules and regulations. As far as
16 I'm concerned, we need less government a lot more.

17 Thank you.

18 MR. ELLIOT:

19 Hi. My name is Rob Elliott. I live in
20 Eulalia Township, Coudersport. I have an outside wood
21 boiler and I'd like to say that I'm opposed to any
22 regulations on outside wood fired boilers. Thank you.

23 MR. WATTS:

24 Hello. My name is Lowell Watts,

25 W-A-T-T-S and I live in Kane, Pennsylvania and I have

1 a outdoor wood boiler that keeps by business viable
2 and I'm opposed to these regulations. Thank you.

3 MR. JORDAN:

4 Hello. My name is John Jordan, 6287 May
5 Hollow Road, Emporium, Pennsylvania, Cameron County.
6 I did testify once before. First of all, thank you
7 for having the hearing here. I did testify down in
8 Williamsport, but I wanted to put some additional
9 information on it.

10 I have a wood burner, an outdoor wood
11 boiler, and I talked to a Professor Miller from Penn
12 State this last summer at the Ag Progress Days. And
13 he was involved in Saint Marys Hospital program where
14 they put in the co-gen and I asked him specifically
15 about the emissions from my outdoor wood burner
16 because I heard different people saying, you know, it
17 could be dangerous. He said, specifically, he said
18 it's the same emissions as you get from a campfire.
19 He said you don't reach temperatures high enough in an
20 outdoor wood burner to change the chemistry. The
21 chemicals here that are coming out of your stove are
22 the same that are going to return to the earth if wood
23 rots in the woods. The white vapor that comes out the
24 top is condensation. That's water that will evaporate
25 from the wood while it's drying to get a state of

1 drying.

2 He said in Saint Marys Co-gen Plant, they
3 burn at a higher temperature. They actually add
4 moisture to the wood chip in order to provide a higher
5 efficiency. The chemistry is different because it's a
6 higher temperature. So again, the low temperatures
7 that the outdoor wood burners are operating at are as
8 same emissions as from a campfire.

9 The other thing I wanted to mention to
10 you is a few years ago Pennsylvania came up with a
11 vehicle emissions program. It's common sense to not
12 require people from rural areas to travel long
13 distances to get a special sticker on their vehicle to
14 say the don't have a lot of emissions coming out of
15 them, which generated more of a travel back and forth.
16 So common sense is available, if you go Pittsburgh to
17 Philadelphia, everybody has two stickers in their
18 windshield showing that their vehicle passed emissions
19 test. They saw that it wasn't practical for rural
20 Pennsylvania. Let's hope the same thing can develop
21 in Harrisburg now. Thank you very much.

22 MR. DAVENPORT:

23 Hi. I'm Alan Davenport, Port Allegheny.
24 I am familiar with regulations. I've been a safety
25 inspector 23 years. I've been a contractor and a lot

1 of you people know who I am. You've seen my face
2 which is why I didn't take my cap off. You would know
3 me.

4 I agree with my associates, my friends.
5 I'm not familiar with the regulations until now, but I
6 would remind you that smoke is not dangerous. But
7 because I'm an electrical inspector, I know that
8 electric is. And I've been an electrical inspector.

9 And speaking of regulations, for the last
10 ten years, we've had a building code that all of my
11 friends here know the effects the building code on our
12 rural areas and the cost that applies to it. And we
13 don't have a lot of fires up here because of bad
14 buildings. Many of them don't fall down. We don't
15 have a lot of fires because of bad electric even.

16 So it's not as dangerous as it's been
17 made out. Some places it's a concern. It's a family
18 concern. It's a friendship concern. And I agree that
19 the regulations are overstepping. And I know that
20 once you make a regulation, you have to enforce it and
21 that's where the money comes in. And that's what I'm
22 opposed to. Thank you.

23 MR. SHERER:

24 Good evening. My name is John Sherer
25 S-H-E-R-E-R. I live in Allegheny Township here in

1 Potter County. I just want to say that this is an
2 unconstitutional regulation. QBC or your Board has no
3 legal right to regulate this. It needs to be done
4 through the legislature and I am against it. Thank
5 you.

6 MR. SNYDER:

7 My name is Leonard Snyder, 704 Cartee
8 Street, Coudersport.

9 CHAIR:

10 Is that S-N-Y-D-E-R?

11 MR. SNYDER:

12 Yes. And I'm opposed to the one size fit
13 all regulations and just have a rhetorical question.
14 If they say jacking up the pipes emit less pollutants
15 and extend your life, if they can predict that, then
16 why couldn't they have predicted the earthquake in
17 Haiti? Thank you.

18 MS. OSBORNE:

19 I'm Grace Osborne, O-S-B-O-R-N-E from
20 Galeton, Pennsylvania. And I just want to say I'm
21 opposed to the regulations for the outdoor furnaces.

22 MR. MCELROY:

23 My name's Jeff McElroy, 606 Crippen Run
24 Road, Galeton, PA.

25 CHAIR:

1 We need you to spell your last name then.

2 MR. MCELROY:

3 Capital M-C capital E-L-R-O-Y. I could
4 say one more thing about DEP regulations. I retired
5 from Caterpillar Incorporated. In the 70s, DEP came
6 in and instructed CAT that they could not put
7 emissions out. What they did was cut the pipes off
8 inside, sealed the top of the building and 3,000
9 people had to smell all this stuff. This is what I
10 think of DEP. Thank you.

11 MRS. BUCKLER:

12 Mrs. June Buckler, B-U-C-K-L-E-R. I live
13 in Keating Township, Coudersport, PA. I am against
14 the regs. I am against any more government
15 controlling our lives. Thank you.

16 MR. KRAFT:

17 John Kraft of 1104 Costello Road, Austin,
18 PA. I think the Board that is trying to put these
19 regulations in effect is way overstepping the bounds
20 of any central organization. It needs to go, as
21 previously said, to the legislators to control some of
22 this. Thank you very much and I'm opposed to it
23 dramatically.

24 MS. BRADLEY:

25 Joan Bradley, B-R-A-D-L-E-Y. We live on

1 Karr, K-A-R-R Hollow Road in Shinglehouse,
2 Pennsylvania, which is Potter County. My husband and
3 I are opposed to these regulations. We, like many of
4 the others up here, have no neighbors, but our
5 property, our house is too close to the line to meet
6 the regulations. But we also own 100 acres of woods
7 of which we would like to be able to use our own wood
8 to heat our house. I believe that's all I have.
9 Thank you.

10 MS. DUGAN:

11 My name is Jackie Dugan and I live at
12 3507 (sic) Road, Coudersport and I'm opposed to the
13 legislation.

14 CHAIR:

15 Is that D-U-G-A-N?

16 MS. DUGAN:

17 Yes, sir.

18 CHAIR:

19 Thank you.

20 MR. KNOX:

21 My name is John Knox. I'm a Supervisor
22 in Lafayette Township, McKean County. In our
23 township, there's a great deal of the area that wood
24 burning isn't a convenience; it's a necessity because
25 there isn't any natural gas available. I would like

1 to go on record as opposing these regulations. Thank
2 you.

3 MS. WENZEL:

4 Hi. My name's Coralee Wenzel.

5 CHAIR:

6 Will you spell the first name and last
7 name please and she needs to be a little bit louder
8 too, please.

9 MS. WENZEL:

10 C-O-R-A-L-E-E W-E-N-Z-E-L, 2015 Egypt,
11 E-G-Y-P-T, Hollow Road in Warren and I oppose the
12 regulations.

13 MR. MATZ:

14 My name is Richard Matz, M-A-T-Z. I live
15 at 99 Treat Road, Knoxville, Pennsylvania. I'd just
16 like to go on record that I'm opposed to these
17 regulations.

18 CHAIR:

19 Any others who are winding down here.
20 It's quick and painless if you do it.

21 MR. TOPCHAK:

22 My name is Mark Topchak. I live at 12
23 Windy Road.

24 CHAIR:

25 Can you spell that please?

1 MR. TOPCHAK:

2 T-O-P-C-H-A-K. And I'd like to state
3 that I'm opposed to these regulations.

4 MR. STIMAKER:

5 Troy Stimaker, S-T-I-M-A-K-E-R, 219
6 Stimaker Road, Coudersport. I just want to go on
7 record as I'm opposed to these regulations also.

8 MR. GOODWIN:

9 Harry Goodwin. I live in Coudersport,
10 Pennsylvania. I just wanted to go on record that I'm
11 opposed against these regulations.

12 MR. FREDERICK:

13 Doug Frederick, Coudersport,
14 Pennsylvania.

15 CHAIR:

16 Could we have your name again please?

17 MR. FREDERICK:

18 Doug Frederick, F-R-E-D-E-R-I-C-K. I'm
19 also opposed to these regulations.

20 MR. THOMPSON:

21 Yeah. My name is Dan Thompson. I'm from
22 Genesee, Pennsylvania. I make my living selling
23 outdoor wood furnaces and most of everything that has
24 been addressed here tonight is highly important to me.
25 I totally disagree with these regulations. And one

1 thing I would like to say is you guys have been
2 mentioning a lot that's been brought up but not a lot
3 is that while there are many furnaces in the phase two
4 program, DEP regulations, that emit almost zero smoke,
5 with these regulations as they're worded, that will
6 eliminate most of those in towns also.

7 Once again, the people up here in this
8 area need to --- a lot of people need to be
9 conservative and heat their homes any way that they
10 can. And for this organization to pass these laws,
11 regulations eliminating that, I think is absurd. And
12 if you let this go through, I'll be another one of the
13 people joining the unemployment roll because you'll
14 put me out of business. Thank you very much for
15 coming out.

16 MS. BAKER:

17 Good evening. My name is Brenda Baker.
18 I'm from Westfield, Pennsylvania. I want it on record
19 that my husband and I oppose the regulations. Thank
20 you.

21 MR. BURNHAM:

22 My name is Robert Burnham, B-U-R-N-H-A-M,
23 1138 Canada Hollow Road, Shinglehouse. I am also
24 opposed to the regulations.

25 MR. JOHNSON:

1 I'm Jack Johnson at 71 Bee Hollow Road,
2 Shinglehouse, Pennsylvania. I'm opposed to these
3 regulations also.

4 MR. BUTTON:

5 Scott Button from 121 Roosevelt Avenue in
6 Port Allegheny. Between my business and my family, we
7 have four of these stoves and we can't survive without
8 them. Thank you.

9 MR. PEMBERTON:

10 James Pemberton (phonetic), 143 Brooks
11 Road, Genesee. I am opposed to the thing on the
12 stoves here. And also the only point that I have, the
13 DVD and that and it says who killed the electric car?
14 And I would just suggest that there's so much that ---
15 actually, out in California they have electric cars
16 out there. DEP out there turned it down. With
17 foreign oil and all of that stuff going on, I just
18 disagree. Thank you.

19 MS. DICKINSON:

20 Nancy Dickinson, D-I-C-K-I-N-S-O-N, Rew,
21 PA. I oppose these regulations.

22 MR. DICKINSON:

23 Lanny Dickinson, Rew, PA, and I oppose
24 the regulations.

25 MR. MCCASLIN:

1 Jerry McCaslin, Ulysses, Pennsylvania,
2 307 Zepher Street, M-C-C-A-S-L-I-N. I guess probably
3 I'm the one that cost that young lady the \$1,500 or
4 the \$1,200. I've been on the Borough Council for 35
5 years. The reason the Borough Council didn't do
6 anything is because our Borough Solicitor advised us
7 not to get in the middle of a pissing match between
8 the neighbors. There's always two sides to every
9 story.

10 And when we asked the person with the
11 wood stove to move it the eight feet to make it within
12 regulations, he did that. We also asked him to extend
13 his smoke stack. He also did that. But there are
14 extenuating circumstances on both sides to that story.
15 I burn wood myself. In fact, I've burned wood for
16 about ten years.

17 I have a wood boiler. And my neighbor
18 came up this spring and she said what's that little
19 building out beside your house? She said that's a
20 cute little thing. And I said, that's the building
21 that goes over my wood stove. And she said, oh, you
22 have a wood stove? I said an outdoor wood burner.
23 She said, where'd you get that? I said, oh, I've had
24 it six, eight years probably. The next week she
25 called and said you know your wood smoke's bothering

1 me. But she's also the one that burns garbage in
2 front of my house on Wednesday then it smolders for
3 three days after they burn because they don't just
4 burn papers, they burn garbage.

5 But I'm opposed to these regulations. We
6 can deal with them locally. We can deal with them
7 through our Borough Council. It's not a problem.
8 I've been on the Council, like I said, 35 or 36 years.
9 This is the very first complaint we've ever had about
10 wood smoke. It's just not there. I expect we'll have
11 more now because of these regulations and these
12 problems there will probably be more of them, but we
13 can deal with them locally. We don't need them to be
14 dealt with in Harrisburg. Thank you.

15 MR. ALTENHEIM:

16 Good evening. My name is Carl Altenheim
17 (phonetic). I live in Manor on a farm. Thank you
18 very much for all of you Representatives and folks
19 coming and allowing this. I don't have an outside
20 wood stove, but I've burned wood basically all of my
21 life. I like it but it isn't cheap. It costs money
22 to run that tractor and chain saws. I'm against
23 anything that comes out of the state if it doesn't
24 come through the legislators. They're the people that
25 make the rules. DEP enforces rules. Let's keep it

1 that way.

2 MR. BUCHSON:

3 Paul Buchson. I live at 33 Prosper
4 Hollow Road, Coudersport, Pennsylvania.

5 CHAIR:

6 Can you spell your last name?

7 MR. BUCHSON:

8 B-U-C-H-S-O-N. I am probably against the
9 proposed regulations for the wood burning. I do not
10 have a wood-burning stove myself, but my daughter
11 does. I can just give you an idea; prior to putting
12 in the wood boiler for her several years ago, in
13 wintertime her gas bill would be between \$600 and \$800
14 a month. Now that we burn wood --- we have free
15 accesses to wood --- her gas bill is a minimum I think
16 of \$13 a month. So it's quite a savings for the rural
17 area and Potter County. Thank you.

18 MR. MORLEY:

19 My name is Doug Morley M-O-R-L-E-Y. I
20 live at 167 Morley Road, Genesee, PA. I'm currently a
21 Potter County Commissioner and I oppose this
22 regulation and any other thing that might look like it
23 coming down the pike. Marty, we'll talk.

24 CHAIR:

25 Any other witnesses? Seeing none, no

1 other witnesses present, on behalf of the --- oh, we
2 got one.

3 MR. MCKUNE:

4 Shawn McKune, M-C-K-U-N-E, Coudersport,
5 Pennsylvania and I'm opposed to these regulations.

6 MR. FRANK:

7 Fred Frank, 3321 Bromhill Road,
8 Johnsonburg, Pennsylvania, Elk County. And I oppose
9 this. I want everybody to know it. But I think a
10 little story here. Out in Allegheny National Forest
11 there used to be camps. The local people had them and
12 stuff. The people from Harrisburg in October takes a
13 ride out there. They wanted to get a cabin. They
14 couldn't get one. That was the rules. So what did
15 they do? They turned around and made them people get
16 theirs out of there and now there's now.

17 But that's what we have. We're
18 outnumbered. You got all these people coming from
19 cities and stuff opposing. There's few of us. They
20 shouldn't listen to that many people. Our view is
21 going to be here too. But I just wanted to say that's
22 what can happen. They were jealous. They couldn't
23 have it, so everybody lost.

24 MR. GOCKLEY:

25 Gareth Gockley.

1 CHAIR:

2 Will you spell that?

3 MR. GOCKLEY:

4 G-A-R-E-T-H G-O-C-K-L-E-Y. I oppose this
5 wholeheartedly because the next thing if this takes
6 effect, then they're going to tell me that I have to
7 have a 20 foot chimney on my stack. Thank you. It's
8 ridiculous.

9 MR. POSTLEWAIT:

10 My name's Graham Postlewait, Port
11 Allegheny.

12 CHAIR:

13 You can spell your name please?

14 MR. POSTLEWAIT:

15 P-O-S-T-L-E-W-A-I-T. And I oppose this.

16 CHAIR:

17 I guess we'll call this the last call.

18 No other witnesses present. On behalf of the
19 Environmental Quality Board, I want to thank everyone
20 that attended this evening. I believe this is the
21 most heavily attended of the testimony on this
22 regulation and I do hereby officially adjourn this
23 hearing at 8:30 p.m.

24 And I ask if anyone else wants to submit
25 their comments, they are permitted to do so by

1 February 12, 2010. You can do that online. You can
2 do it by letter. And your local or state
3 representatives will be happy to help you with that
4 process if you or anybody or your friends or neighbors
5 are also interested in that. You know, contact my
6 colleagues. They'll be happy to help you with that
7 and get the information in to the EQB on this very
8 important subject. Thank you all for attending and we
9 look forward to do our best against this regulation.
10 Thank you very much.

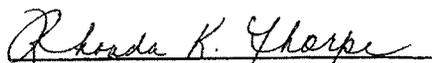
11
12 * * * * *

13 HEARING CONCLUDED AT 8:30 P.M.

14 * * * * *

15
16 CERTIFICATE

17 I hereby certify that the foregoing
18 proceedings, hearing held before Chair Hutchinson, was
19 reported by me on 01/13/2010 and that I Rhonda K.
20 Thorpe read this transcript and that I attest that
21 this transcript is a true and accurate record of the
22 proceeding.

23 
24 Court Reporter

25

