

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL QUALITY BOARD

\* \* \* \* \*

IN RE: Outdoor Wood-Fired Boilers

Public Hearing

\* \* \* \* \*



BEFORE: MARK WEJKSZNER

Ron Davis

Roger Bells

HEARING: Tuesday, December 1, 2009

1:00 p.m.

LOCATION: DEP Northeast Regional Office

Susquehanna Conference Rooms A and B

2 Public Square

Wilkes-Barre, PA 18711

WITNESSES: Pam Fenderock, Edwin Kuniegel, Joe O'Hara,

Chris Kuba, Dan Glezen, Dan Gerhart, Randy Roth,

Edward Freeman, Phil Jago, Paul Yedinak

Reporter: Eric Kravitz

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MARK J. WEJKSZNER, PE

Air Quality Program

Northeast Regional Office

2 Public Square

Wilkes-Barre, PA 18711-0790

PRESENT FOR DEPARTMENT OF ENVIRONMENTAL PROTECTION

ALSO PRESENT: RON DAVIS

ROGER BELLS

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NONE OFFERED

## P R O C E E D I N G S

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MR. WEJKSZNER:

I would like to welcome you to the Environmental Quality Board's, EQB it shall be stated the rest of the way, public hearing on a proposed regulations regarding outdoor wood-fired boilers. My name is Mark Wejkszner. I am the Department of Environmental Protection's Northeast Regional Air Quality Program Manger; I will be representing the EQB at today's hearing. I officially call this hearing to order at 1:00 p.m.

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 a public hearing yesterday on proposed regulations in Harrisburg and will hold additional hearings this week on Wednesday, December 2nd in Cranberry Township and Thursday, December 3rd in Williamsport.

The proposed rulemaking which was adopted by the EQB on September 15th, 2009 has requirements in 25 Pa. Code Chapter 123 for the operation of outdoor wood-fired boilers or OWBs which I'll referring to throughout this, also commonly referred to as outdoor

1 wood fire furnaces, outdoor wood burning appliances or  
2 outdoor hydronic heaters.

3           Unlike indoor wood stoves that are  
4 regulated by the U.S. Environmental Protection Agency,  
5 no federal standards exist for OWBs. The majority of  
6 OWB models are not equipped with air pollution  
7 controls and therefore generate air pollution in  
8 greater quantities than indoor wood stoves even when  
9 they are operated according to manufacturer's  
10 specifications. The emissions are intensified if the  
11 OWB is improperly fired or used to burn waste. Air  
12 pollution generated from the OWBs not only affects  
13 human health, but is also a source of many odor and  
14 nuisance complaints.

15           In lieu of federal standards, the EPA  
16 initiated a voluntary program that encourages  
17 manufacturers of OWBs to improve their quality to  
18 developing and distributing cleaner burning more  
19 efficient OWBs. Phase one of the program was in place  
20 from January 2007 to October 15th, 2008. It included  
21 EPA certification of OWB models that were demonstrated  
22 to be 70 percent cleaner burning than unqualified  
23 models by meeting a particulate matter emission  
24 standard of .6 pounds per million BTU heat input.

25           Phase Two of the program was recently

1 announced and includes EPA certification of OWBs that  
2 meet a particulate matter emission standard of .32  
3 pounds per million BTU output. In comparison, the  
4 most pre --- most preprogram older model OWBs emit  
5 about two pounds of particulate matter per million  
6 BTUs.

7           The EQB's proposed rulemaking establishes  
8 provisions that prohibit a person, manufacturer,  
9 supplier or distributor from selling, offering for  
10 sale, distributing, installing, purchasing, leasing or  
11 receiving an OWB for use in Pennsylvania unless it is  
12 a Phase Two, OWB. This prohibition would not extend  
13 to OWB's that are intended for shipment and use  
14 outside of this Commonwealth.

15           The proposed rulemaking also establishes  
16 setback requirements for Phase Two OWBs, stack height  
17 requirements for existing and new OWBs and restricts  
18 the types of fuel that can be used in OWBs. The  
19 additional particulate matter emission reductions that  
20 will occur as a result of this proposal found  
21 reasonably necessary as part of this Commonwealth's  
22 effort to obtain and maintain in 1997 and 2006 health  
23 based 24-hour national ambient air quality standard  
24 for fine particulates.

25           The health affects associated with

1 exposure to particulate matter includes aggravation of  
2 respiratory and cardiovascular disease, lung disease,  
3 decreased lung function, asthma attacks and certain  
4 cardiovascular problems. Individuals particularly  
5 sensitive to particulate matter exposure include older  
6 adults, people with heart and lung disease, and  
7 children.

8           The final form regulation, if adopted by  
9 the EQB, will be submitted to the EPA as a revision to  
10 the state implementation plan. On May 28th, 2009 the  
11 Department presented the draft proposed rule making to  
12 the air quality technical advisory committee who  
13 unanimously concurred with the Department's  
14 recommendation to seek EQB approval of the proposed  
15 rulemaking.

16           In order to give everyone an equal  
17 opportunity to comment on this proposal, I would like  
18 to establish the following ground rules. First, I  
19 would like to call upon the witnesses who have  
20 preregistered to testify at this hearing. After  
21 hearing from these witnesses, I will provide any other  
22 interested party with the opportunity to testify as  
23 time allows.

24           Second, testimony is limited to ten  
25 minutes for each witness. Third, organizations are



1 requested to designate one witness to present  
2 testimony on its behalf. Fourth, each witness is  
3 asked to submit three written copies of his or her  
4 testimony to aid in transcribing the hearing. Please  
5 hand me your copies prior to presenting your  
6 testimony.

7           Five, please state your name address and  
8 affiliation for the record prior to presenting your  
9 testimony. The EQB would appreciate your help by  
10 spelling names and terms that may not be generally  
11 familiar, so that the transcript can be as accurate as  
12 possible. And sixth, because the purpose of a hearing  
13 is to receive comments on the proposal, EQB or DEP  
14 staff may question witnesses, however, the witnesses  
15 may not ask questions from --- to the EQB or DEP  
16 staff's.

17           In addition to or in place of oral  
18 testimony presented at today's hearing interested  
19 persons may also submit written comments on the  
20 proposal, all comments must be received by the EQB on  
21 or before January 4th, 2010, comments should be  
22 addressed to the Environmental Quality Board, P.O. Box  
23 8477, Harrisburg, PA 17105-8477. Comments may also  
24 be e-mailed to regcomments, that's  
25 R-E-G-C-O-M-M-E-N-T-S, @state.pa.us.

1 All comments received at this hearing, as  
2 well as written comments received by January 4, 2010,  
3 will be considered by the EQB and will be included in  
4 the comment response document prepared by the  
5 Department and reviewed by EQB prior to the EQB taking  
6 the final action on this regulation. Anyone  
7 interested in receiving a copy of the transcript of  
8 today's hearing may contact the EQB for further  
9 information. I would now like to call first witness,  
10 and these will be the ones that are preregistered.

11 MR. KUNIEGEL:

12 I've got a question, there was supposed  
13 to be three people here to talk and the Board to talk  
14 to. And the rules I have said 15 minutes, not 10  
15 minutes you had.

16 MR. WEJKSZNER:

17 These are the rules I got.

18 MR. KUNIEGEL:

19 Well, it says right here in the rules  
20 that I read, it says 15 minutes.

21 MR. WEJKSZNER:

22 Well, if we have additional time we can  
23 always ---.

24 MR. KUNIEGEL:

25 Well, where are the other two people?

1           MR. WEJKSZNER:

2           Well ---.

3           MR. KUNIEGEL:

4           There's supposed to be a panel of three.

5           MR. WEJKSZNER:

6           Well, I have one person from Harrisburg,  
7 on a side note and ---.

8           MR. KUNIEGEL:

9           Pardon?

10          MR. WEJKSZNER:

11           I have one person from Harrisburg here,  
12 Ron Davis, and I have Roger Bells, our operations  
13 chief from the region. But we are here to accept  
14 testimony. Now the public hearings aren't really a  
15 dialog. I mean, after the hearing is over we can  
16 always discuss any issue you have.

17          MR. KUNIEGEL:

18           Well, I've spoke to both of them people  
19 on the phone. I mean, it says we have to have three  
20 copies for three people that's why I'm questioning it.

21          MR. WEJKSZNER:

22           Right.

23          MR. DAVIS:

24           The copies are one for the hearing  
25 examiner, one for the Environmental Quality Board and

1 one for the stenographer so that they can transcribe  
2 your comments correctly. It's not for three people,  
3 it's three different entities but not people that will  
4 be here.

5 MR. WEJKSZNER:

6 Okay. And I'd like to introduce Pam  
7 Fenderock. You can come up to the podium.

8 MS. FENDEROCK:

9 Hi, my name is Pam Fenderock. I'm the  
10 northeastern Pennsylvania web and outreach coordinator  
11 for Penn Future, and I'm located in our Wilkes-Barre  
12 office right here on Public Square. I'm here to  
13 testify on behalf of Penn Future in support of DEP's  
14 purposed regulation of outdoor wood-fired boilers and  
15 to urge the Department and the Environmental Quality  
16 Board to protect individuals in the wider community  
17 from pollution these boilers create. Outdoor wood  
18 boilers provide heat and hot water to nearby  
19 buildings, usually homes.

20 Scientific studies cited by the United  
21 States Environmental Protection Agency or EPA, report  
22 potentially serious negative health problems from  
23 breathing the smoke these boilers emit. EPA cites  
24 fine particle and toxic air pollution as the source of  
25 these health affects and notes that fine particle

1 solution is linked to asthma, reduced lung function,  
2 heart problems and premature deaths in people with  
3 heart and lung disease.

4           Throughout Pennsylvania neighbors  
5 downwind of outdoor wood boilers, some of whom have  
6 contacted Penn Future, are at risk of these health  
7 problems, in addition to nuisances such as odors and  
8 smoke. In extreme cases, neighbors stay indoors with  
9 windows closed to escape the effects of nearby wood  
10 boilers during the summer. These people generally get  
11 little response from municipal authorities.

12           I was personally contacted earlier this  
13 year by a woman who lives in Avoca who told me about  
14 the black soot that covers her home inside and out  
15 from a neighbor's boiler. She wouldn't give me her  
16 name or contact information because of fear of  
17 retaliation by the owner of the boiler; people need  
18 DEP's help.

19           The wood boilers also have a harmful  
20 affect on wider air quality in Pennsylvania. Part or  
21 all of 21 Pennsylvania counties fail to meet EPA's  
22 1997 standards for fine particles, with more  
23 protective federal standards still to come. According  
24 to a 2006 report by the Northeast States for  
25 Coordinated Air Use Management, average client

1 particulate emissions from one outdoor wood boiler  
2 were equivalent to emissions from 22 EPA certified  
3 wood stoves, 205 oil furnaces, up to 8,000 natural gas  
4 furnaces or four heavy duty diesel trucks.

5           With the challenges we face, DEP must  
6 look to wood boilers for emission reductions. The  
7 proposed rule includes a number of provisions that  
8 will help reduce emissions and protect neighbors. The  
9 proposal requires new units to meet EPA Phase Two  
10 requirements. This is a voluntary national program  
11 that reduces emissions by 90 percent in comparison to  
12 units not meeting EPA requirements.

13           The proposal requires new Phase Two units  
14 to be set back from property lines. The proposal  
15 requires all units to meet minimum stack heights. It  
16 also prohibits fuels other than clean wood and wood  
17 pellets made from clean wood, and it allows home  
18 heating oils, natural gas or propane as a starter  
19 supplemental fuel.

20           The preamble to the proposal seeks  
21 comments on whether a final rule should include a  
22 seasonal prohibition on operation of wood boilers  
23 between May 1 and September 30 of each year. Since  
24 this is a time when many neighbors have their windows  
25 open and the need for heating by wood boilers is

1 reduced, Penn Future supports such a provision.

2           We believe the proposed rule offers  
3 flexibility. Subject to some conditions, the rule  
4 allows the continued use of older wood boilers. The  
5 rule includes a mechanism for department approval of  
6 additional alternative fuels. This rule does not  
7 apply to units sold in Pennsylvania for shipment  
8 outside --- and use outside of Pennsylvania. We  
9 support adoption of the wood boiler rule, but we note  
10 that adoption of this rule will not end the challenges  
11 regarding wood boilers. In these tough budget times,  
12 DEP will need to develop an enforcement strategy that  
13 leverages the resources of other agencies.

14           We look forward to assisting DEP in the  
15 effective implementation of this rule to protect  
16 neighbors and to approve air quality for all  
17 Pennsylvanians. Thank you for your time and  
18 consideration.

19           MR. WEJKSZNER:

20           Thank you. Second preregistered Edwin  
21 Kuniegel.

22           MR. KUNIEGEL:

23           Kuniegel (corrects pronunciation), yes.

24           MR. WEJKSZNER:

25           Kuniegel.

1                   MR. KUNIEGEL:

2                   My name is Edwin Kuniegel, 902 Line Road,  
3 Lake Ariel, Pennsylvania. I've got an outdoor wood  
4 furnace since 1991. I've had a couple different  
5 types. I've spoke to these two gentlemen on the  
6 phone, didn't get much response from either one on the  
7 phone, really.

8                   You people are a little late with these  
9 proposals, I believe. You should have had some  
10 requirements with the old units, but you sure don't  
11 need to raise stack heights when there is no smoke and  
12 you sure don't need setbacks or seasonal requirements  
13 when you are proposing that the only units to be sold  
14 in Pennsylvania are the Phase Two units. The problems  
15 you are talking about have taken care of themselves  
16 with these new Phase Two units. The manufacturers are  
17 working as we talk right now even to make better units  
18 than the Phase Two that we have right now.

19                  If you pass this 150 foot setback, the  
20 only people that's going to be able to buy these are  
21 farmers or people that have a great number of acres.  
22 You're taking away from the average person trying to  
23 save money and make ends meet with the economy the way  
24 it is. I am retired, and this is the only way I have  
25 to save money. I'm retired, I'm on a budget just like



1 you people.

2           It is evident that DEP has seen these ---  
3 has not seen these Phase Two units work because if it  
4 did you wouldn't be talking about the requirements  
5 that you are proposing. You cannot propose something  
6 by sitting behind a desk until you see it. If you  
7 haven't seen it, I don't know how you can propose  
8 something.

9           I have a Phase Two unit, the Wood Doctor  
10 HE-8000, and I'm asking you here today to come out to  
11 my property and see how it works. After you see how  
12 it works, I'm sure you will change your mind and will  
13 drop your proposal, especially when manufacturers are  
14 working on even better units. You can direct your  
15 time to something else that might be needed. You had  
16 nothing with the old units that did need something, so  
17 why would you propose restrictions with the new units  
18 that don't need them? Somebody in this agency should  
19 have a little bit of common sense on this matter.

20           I gave you a copy here of a chart with  
21 the different hydronic heaters on it and I've got it  
22 highlighted here on the second page, I believe. My  
23 unit is on this list the number one unit of all of the  
24 stick wood units manufactured today. I believe since  
25 I got this chart, there might be one manufacturer that

1 has a higher or better standard than this.

2 I've also submitted a letter here from  
3 the company and I've got highlighted here in two  
4 places, EPA clean burning emissions testing for use in  
5 downtown populated areas. This already passed the  
6 test. They're putting these in residential areas, not  
7 in the city but out in the rural and residential  
8 areas. Also this Wood Doctor that I have says it's  
9 the only outdoor furnace company that their unit is  
10 certified for installation either indoors or outdoors.  
11 Now, you're talking about mainly you want indoors  
12 installed. This one is certified for both.

13 So, I don't know where you're coming up  
14 with some of your proposals, but I think they are a  
15 little bit outdated. You should have had something  
16 years ago. The Wood Doctor HE-8000 has surpassed the  
17 requirements set by the federal EPA. There is a chart  
18 here of Phase Two qualifying. Phase Two qualified as  
19 .32 emissions level, the Wood Doctor is .26, the model  
20 that I have. President Obama has given me a \$1,500  
21 tax credit for purchasing this unit for conserving  
22 energy. DEP is going against the Federal Government.  
23 These units are just one product to take away  
24 dependence on oil, and you want to do away with it.  
25 You're taking away from the average person again.

1           There are plants right in the city that  
2 give off more smoke than any wood furnace, even the  
3 old ones, and you don't say anything about that  
4 because they're a business or they have a permit to  
5 use this. This is all about money, is really what it  
6 breaks down to as far as I can see. You're not saying  
7 nothing about them, and they live in the city. I live  
8 in a rural area.

9           I just spent \$15,000 putting this unit in  
10 with a lot of work besides the money. These two  
11 gentlemen are familiar with my problem. I have a  
12 neighbor that doesn't like to see smoke. I've been in  
13 court twice already with her. It's a little bit  
14 ridiculous, I think. These Phase Two units, if you're  
15 proposing that this is the only one that can be sold  
16 in Pennsylvania, I think that that's a good idea. But  
17 I can't see putting a restriction on something that we  
18 don't need. The unit that I have, you don't even know  
19 it's running or burning. There is just a haze there  
20 that you see, that's it. There's no smoke. You might  
21 see a puff of smoke when it shuts off. It's mostly  
22 condensation.

23           The neighbor that I have has called these  
24 people and complained many times, but you know what,  
25 they only tell you what they want to tell you. They

1 don't tell you the whole story. She's over 300 feet  
2 away. She doesn't even get any smoke from my furnace,  
3 even the old unit. She doesn't tell you that she has  
4 a fireplace she uses. Well, you get more smoke with a  
5 fireplace in the house than any other unit available.  
6 This is where she's getting her smoke from. It's her  
7 fireplace, but she don't tell you that.

8 I've heated my house with this type of  
9 furnaces for 20 years. I've listened to this lady  
10 before tell about all the health hazards and this and  
11 that. I haven't had any problems. My wife hasn't.  
12 My grandchildren hasn't had any problems. None of the  
13 people that come to my house have had problems.  
14 There's hundreds of people that use wood year after  
15 year after year and they have no problems. I don't  
16 understand how certain people have problems when they  
17 don't ever live near the unit.

18 Last, I'd like to know why these meetings  
19 were scheduled on the first four days of deer season.  
20 It certainly seems like you don't want to hear from  
21 most of the furnace owners or you would have had a  
22 more appropriate time for people to come to these  
23 hearings and say what they have to say. That's all I  
24 have to say.

25 MR. WEJKSZNER:

1 Thank you. Joe O'Hara.

2 MR. O'HARA:

3 Good afternoon, everybody. I thought  
4 this was going to be more of a dialog question and  
5 answer. That's what I was told on the phone when I  
6 called the office, that I can pose a few questions.  
7 Just because even ---.

8 MR. WEJKSZNER:

9 Well, you can pose questions. They'll be  
10 added to a common response document.

11 MR. O'HARA:

12 Not --- you don't ---?

13 MR. WEJKSZNER:

14 Not now, no.

15 MR. O'HARA:

16 How would we get a copy of that common  
17 response letter?

18 MR. WEJKSZNER:

19 You can call the EQB.

20 MR. O'HARA:

21 Okay. It's at the Harrisburg address?

22 MR. WEJKSZNER:

23 Well, via transcript, and I guess we'll  
24 be able to provide. Maybe ---.

25 MR. O'HARA:

1 I guess, you know, something I don't  
2 understand and maybe somebody can answer now is if you  
3 put the stack up another 8, 10, 12, 14, 16 feet, does  
4 that change the particulate matter that's coming out?  
5 Do we know that? Because we've just discussed  
6 particulate matter here and if it's 10 feet and we go  
7 to 22 feet, is the 12 feet going to change the  
8 particulate matter?

9 MR. DAVIS:

10 I would say it doesn't no.

11 MS. FENDEROCK:

12 No.

13 MR. O'HARA:

14 Okay. So that regulation right then and  
15 there just tells you you're not doing anything for  
16 anything. Now, if it's a problem of smoke and it's  
17 hanging down to the ground and stuff like that, you  
18 know, it does that on rainy days. I was in my little  
19 man cave today with my six hunting buddies that I had  
20 to come out of the woods with. Our chimney's height  
21 is 13 feet, our farm house right next to it is 27  
22 feet, does anybody care about the 14 foot difference  
23 between the man cave and the farm house? There is a  
24 wood stove in the man cave. There's an oil burner in  
25 the farm house. The farm house is roughly 14 feet

1 higher, but there's no discussion on that. There's no  
2 regulation being on that. I just bought a wood stove  
3 from Tractor Supply, \$179. It's a straight shot of  
4 metal. There is just a little flue on it, there's no  
5 catalytic converter in it, there's nothing, it spews  
6 100 percent of the time as --- what was your name,  
7 sir?

8 MR. KUNIEGEL:

9 Ed Kuniegel.

10 MR. O'HARA:

11 As Ed had mentioned, our burners you  
12 can't even tell they're burning 90 percent of the  
13 time. I think the worst part is putting damp wood in  
14 them and nobody wants to put damp wood in them because  
15 we live close them. Mine is 17 foot from my house.  
16 My wife's a girly girl. She does not want to smell  
17 smoke. She does not want to get her fingers dirty,  
18 but the woman takes care of it because I'm out of town  
19 all week. She likes it.

20 But this whole stack regulation, it blows  
21 my mind because is it a sight line? Is it in  
22 reference to the building? Is it my ground versus  
23 your ground? What if your elevation is 200 foot  
24 difference? Does that mean we're going up 200 feet?  
25 You know, these are things that before we adopt some

1 of these rules, we want some of these answers because  
2 they're not truly defined here.

3           You know, I don't want to say there's  
4 nothing the matter with the regulation because usually  
5 when I start a discussion or an argument I like to  
6 start with the premise of know nothing, you get  
7 nothing. That's how to win an argument. But I  
8 understand this lady's point. There are people with  
9 everything in life that neglect things. We have cars.  
10 We have cars that now have catalytic converters. They  
11 don't make a 1960, 1970 Porsche have a catalytic  
12 converter. I mean, they're still selling additive  
13 leads for old tractors and cars so that your car will  
14 run a little better when you didn't have to have the  
15 unleaded gasoline.

16           I've had my furnace two years. I love  
17 it, you know. Ed's had a few, it sounds like. Looks  
18 to me like there's some other people in this room that  
19 really enjoy them. I do see some problems with them.  
20 You know, I asked my manufacturer who happens to be  
21 Central Boiler, can you retro them? Can you put a  
22 converter in them? You know, when I looked at it I  
23 saw how it was built so --- and I don't understand why  
24 we can't put some baffles in the back and across the  
25 top so it will recirculate and reburn some of those



1 gases. I'm told mine is about 65, 68 percent  
2 efficient. It's probably a lot more efficient with  
3 great dry wood.

4                   Everybody in here knows if you burn 365,  
5 which I've done for over two years now, you get your  
6 money out of them quick. I heat my water from it.  
7 After I bought mine, four of my neighbors bought them.  
8 500 foot, that's kind of a ridiculous number to be  
9 within your neighbor. 150 foot setback, people with  
10 two acres would have an incredible problem unless they  
11 had a perfectly symmetrical piece of property to be  
12 able to locate it 150 foot. Thermopex tubing is,  
13 what, \$9 to \$12 a foot, so you're asking people to  
14 spend --- what's that, \$1,300, \$1,400 in piping?

15                   You know there's --- I'm sure everybody  
16 in this room would like to work with everybody.  
17 They're here because they like their units, but you  
18 know I thought I'd be able to get some more questions.  
19 How will they get answers when I pose these in written  
20 format?

21                   MR. WEJKSZNER:

22                   They're being transcribed, and then our  
23 personnel in Harrisburg will have a comment and  
24 response document. Any question posed, they'll  
25 respond.

1                   MR. O'HARA:

2                   Are there any legislators in here? Any  
3 legislative aides in here? So we have nobody here to  
4 represent us. So everybody talk to their  
5 representative, tell them. You know, about two years  
6 ago when these things --- when the oil spiked up and  
7 everybody went and you know really bought these,  
8 that's when you saw in the paper there was an article  
9 every week for two or three months, you know, from  
10 November to January, February in there discussing  
11 about people burning garbage, people burning tires. I  
12 don't even know you can burn a tire in one of these.  
13 If you did you'd be a fool, they burn at a couple  
14 thousand degrees.

15                   But it's very important if you gentlemen  
16 do any of this and help with the regulation and  
17 writing these rules --- I know that legislature does  
18 it, but they're leaning on you people to make good  
19 decisions and write good rules. But you've got to  
20 define this whole stack thing a little bit more,  
21 you've got to define these setbacks and think about it  
22 a little bit more. Most properties aren't that big,  
23 and if you're just trying to shut this manufacturer  
24 down, think about what I said about Tractor Supply  
25 today. Go down to Tractor Supply, you've got them

1 near Harrisburg. If you two gentlemen are here,  
2 there's one right now in Nanticoke. I'll give you a  
3 ride if you'd like. Open it up, a big sheet of metal,  
4 it goes right. There's no converter, there's nothing  
5 in them.

6                   So you're not trying to fix the  
7 particulate problem the way I see it. You're just  
8 trying to make it difficult for people to continue and  
9 maintain and own their units because stacks are  
10 expensive. You're going to have to guy-wire them,  
11 you're going to have to support them. It's an  
12 eyesore. I happen to have an orchard. I have 100 to  
13 150 people that visit our place every weekend, and  
14 every now and then somebody will say what's that green  
15 thing in your yard? I'll say that's my boiler. It's  
16 heating water right now.

17                   So, please if you do something, use your  
18 heads a little bit. Ed had talked about common sense.  
19 Ed doesn't want his neighbor complaining. He doesn't  
20 want to, you know, --- he doesn't want any hassle with  
21 his neighbor. He wants to get along. I don't want to  
22 smell my neighbor's sulfur burning the coal, you know.  
23 I told my one neighbor that when he was talking about  
24 something. And I said, well, what about the sulfur  
25 coming out of your chimney, and what are we doing

1 about that?

2 MR. KUNIEGEL:

3 I mean, these new units really are great.  
4 There's no smoke, there's no smell.

5 MR. O'HARA:

6 That goes back to my Porsche statement.

7 MR. KUNIEGEL:

8 They're even making better units; they  
9 are in the process now. So I don't know why they're  
10 coming with all these regulations now.

11 MR. O'HARA:

12 I believe, Ed, it was a lot of complaints  
13 about smoke and smell and, you know, probably someone,  
14 oh, well, you're burning garbage. I don't know.  
15 Unless you're burning some carcass or something like  
16 that, I don't even know how you can smell it. You  
17 know, what are these things burning 1,400, 1,800  
18 degrees once they heat up and stuff? I was hoping we  
19 could have a little more dialog. That's what I was  
20 told so.

21 MR. WEJKSZNER:

22 Do you have any written statement?

23 MR. O'HARA:

24 I don't. I will be submitting stuff to  
25 the legislature and to yourselves.

1                   MR. WEJKSZNER:

2                   Thanks, Joe.

3                   MR. O'HARA:

4                   Thank you, folks.

5                   MR. WEJKSZNER:

6                   Chris Kuba.

7                   MR. KUBA:

8                   I just jotted these down last night, and  
9 I could even ---

10                  MR. WEJKSZNER:

11                  That's fine.

12                  MR. KUBA:

13                  --- just hand this to you if you want to  
14 make copies of it when I'm done.

15                  MR. WEJKSZNER:

16                  Sure. That's fine.

17                  MR. KUBA:

18                  Hi, my name is Chris Kuba. I'm a  
19 resident of Luzerne County in Sugarloaf. And the  
20 reason I came up is I kind of wanted to defend my wood  
21 burner also because I invested a lot of money in it  
22 and I want to see my investment pay for itself. I  
23 didn't do all of this for nothing, and I guess I have  
24 a little bit of a problem with these rules being  
25 retroactive.

1           After you spend so much money, \$10,000 it  
2 costs to buy it, to install it and then for the  
3 regulations to come along and all of a sudden if mine  
4 doesn't meet it, then I can't use it anymore. That's  
5 a lot of money to lose, and I don't want to lose  
6 money.

7           I just jotted down a couple notes last  
8 night and this is what I want to say. Back in 2005 is  
9 when I purchased mine. Mine's a Central Boiler. I  
10 doubt it meets Phase Two requirements. Like I said, I  
11 invested \$10,000 altogether with the purchase and the  
12 installation, plumber's cost, the cost it took to dig  
13 a trench, the expensive piping that you said that it  
14 takes to hook it up to your house.

15           My nearest neighbor is 1,200 feet away  
16 from my property. My property limit is probably close  
17 to 500 feet. I might not make that. I don't know.  
18 But I have never gotten a complaint. My stack height  
19 is probably about 12 feet high. My house is probably  
20 about maybe 40 feet away from the furnace. My wife is  
21 not a girly girl, but she doesn't seem to mind the  
22 wood furnace. She even hangs clothes out and doesn't  
23 complain about it.

24           I think, you know, these numbers that you  
25 came up with 125 feet for Phase Two and 500 feet for

1 anything that's not a Phase Two seem to be arbitrary.  
2 I mean, suppose that someone's property limit is maybe  
3 400 feet, it doesn't meet it, but the nearest neighbor  
4 is a half a mile away. It's not really affecting  
5 anybody. So I think it would make more sense that if  
6 you did come up with some kind of requirements, that  
7 it may be left to the zoning, first of all. And  
8 second of all, that you take into account the nearest  
9 neighbor maybe and not just go with property line  
10 because there is a difference there.

11 I guess one of the other things I wanted  
12 to say is that when I burn mine --- I've also burnt  
13 mine for the last two straight years, over the  
14 summertime and the only time I --- only reason I burn  
15 it in the summertime is for hot water, just like this  
16 gentleman. One thing to keep in mind if you are  
17 considering these proposals, as far as having a  
18 seasonal requirement, they barely smoke at all in the  
19 summertime. I mean, the draft I bet you only opens up  
20 maybe two or three times and that's only for it to  
21 cycle the hot water. In the wintertime it burns a lot  
22 more.

23 We like to be outside and swim and I like  
24 to play with my daughter and everything else, and I  
25 mean there's barely any smoke that comes out of it in

1 the summertime. So I don't see a requirement for ---  
2 a reason for making a reasonable requirement because  
3 like I said, I think it's not any problem in the  
4 summertime, especially because it barely burns at all.  
5 It just kind of smolders and then when the draft does  
6 open up, it's only open for 10 or 15 minutes and then  
7 it shuts down again for another two hours. So it's  
8 less of a problem, if anything.

9           One of the other things I want to say is  
10 I know that around my own area, there's probably five  
11 furnaces that have been installed in the last two or  
12 three years and none of them would meet the  
13 requirements as far as the property set backs. And  
14 again, these people probably invested about the same  
15 amount of money as I did. All of a sudden these  
16 requirements come along, I mean, what are these people  
17 supposed to do with a wood furnace and everything they  
18 invested to install them?

19           And especially if nobody else is affected  
20 by it. I mean, if they're out in the middle of  
21 nowhere, there's no nearby houses, I mean, what's the  
22 use? As far as the stack height goes, I know that  
23 when it's not windy and the draft opens up, smoke goes  
24 straight in the air. If it were two feet higher than  
25 my house it would still end up in the same place.



1 When it's windy out, the smoke gets blown down if the  
2 stack were two feet higher than my residence, the  
3 smoke would still end up down around the yard area.  
4 That's the way it is. That's part of the deal. Even  
5 with people that have fireplaces, indoor fireplaces,  
6 it still ends up the same way.

7           I think if DEP is proposing rulemaking  
8 here, they should also not look at indoor fireplaces  
9 but why single outdoor wood furnace owners when  
10 fireplaces emit smoke, too. Wood furnaces emit a fair  
11 amount of smoke early on, and then when the draft  
12 shuts, there's barely any smoke that comes out for a  
13 while. Fireplaces that are on the inside of houses  
14 burn constantly all the time. Has it been proven that  
15 greater amounts of smoke for a less amount of time are  
16 worse than a continual stream of smoke of the same  
17 consistency 24 hours? Again, I mean that's something  
18 to think about, and especially the way the government  
19 is now. I mean, Governor Rendell cut DEP's budget by  
20 30 percent. Do you really have personnel to go out  
21 and check these things now?

22           The reason I bought my wood furnace is to  
23 save money. We all know how what happened with oil a  
24 couple years ago with Iran right around the corner  
25 now. I mean, I'm sure that's ready to kick off

1 anytime now. And once conflict with Iran starts,  
2 everybody knows the oil prices are heading back up  
3 again. And I don't want to get to stuck, you know,  
4 paying three or four bucks a gallon in oil. Before I  
5 bought my wood furnace, I went through 1,100 gallons  
6 of oil a year, which during bad times would cost  
7 \$3,000, \$4,000. With this wood furnace, I pay \$600  
8 for some wood. It's delivered by a truck, and that's  
9 my whole bill.

10           As far as opacity readings, I don't know  
11 if that's being considered or not, but like I said  
12 even --- anybody who starts up a fireplace, indoor  
13 fireplace, and gets it going, the first --- in the  
14 beginning it smokes because that's the way it is.  
15 When fires start they --- before they get up to  
16 temperature, they produce more smoke. So there's even  
17 I'm sure fireplaces that wouldn't meet opacity limits  
18 that you may be proposing for these outdoor wood  
19 furnaces and they work the same way. They'll smoke,  
20 you know, for the first few minutes. And then as the  
21 temperature increases in the furnace, the smoke goes  
22 away and then the draft shuts.

23           As far as the --- I guess any kind of  
24 questions I have, I'd like you to just jot down this  
25 if you could, but as far as the proposals just ---

1 like this gentleman said, the 500 feet and the 125  
2 feet away from property lines, I would be interested  
3 to see how those numbers came about. If they were  
4 just picked as a random number or --- I don't know  
5 what sense they make. And also as far as the two feet  
6 --- the chimney height being two feet above the  
7 nearest residence within that distance. Again, I  
8 think it's putting a cost on the wood burner owner,  
9 that really isn't going to solve any problems. If the  
10 smoke comes out of the stack, and it's two feet above  
11 the nearest household, if it's windy, it's still going  
12 to blow down just like it would if the stack wasn't  
13 that high.

14                   Like I said, I think --- I mean, I know  
15 townships are going around now and they're proposing  
16 requirements for citing these wood furnaces. You  
17 know, I would agree that maybe in a very close  
18 community where you have houses within 25, 30 feet of  
19 each other, it might not make the best sense. Because  
20 someone, if they are smoking a lot when the draft  
21 first opens up, I mean, these people aren't  
22 necessarily next to these owners really getting a  
23 benefit from it. But I mean people that are out away  
24 from residential areas, I mean, I think they're being  
25 penalized and really nobody is benefiting from it.

1           As far as these EPA limits what this lady  
2 talked about back here, I mean, government isn't the  
3 answer for everything. I mean, there's this global  
4 warming debate that's out these days. I mean, there's  
5 information that hackers got in the computer in  
6 England that showed that the numbers were even  
7 falsified to show that the earth was warming when  
8 really it's been cooling since 1992 or 1998 or  
9 something like that. I mean, just because somebody  
10 says something or the tests show something like that,  
11 that doesn't mean that that's set in stone.

12           People have been burning firewood for a  
13 long time to heat their homes and, you know, just keep  
14 their family warm. And I don't see any reason why we  
15 should stop that now. It doesn't make any sense. I  
16 guess that's all I have to say. I hope you take that  
17 into consideration. And like I said, I hope these  
18 regs aren't just done and over with and this is just  
19 window dressing. I hope that you people take this  
20 into consideration as far as what I've said and what  
21 everybody else says here. Thank you.

22           MR. WEJKSZNER:

23           Thanks, Chris. That ends the four that  
24 were preregistered, and then we had two that  
25 registered today, Dan Glezen.

1                   MR. GLEZEN:

2                   I just put these together real quick. I  
3 didn't realize we had to ---.

4                   MR. WEJKSZNER:

5                   Okay, thank you. It just helps with the  
6 transcriber.

7                   MR. GLEZEN:

8                   Hi, my name is Dan Glezen. I live up in  
9 Susquehanna County. I have a stove and I also am a  
10 dealer for Taylor Stoves. So, I have a lot of  
11 interest in this also for my customers who I've sold  
12 these stoves to. First thing right off the bat which  
13 has been noted a couple times, horrible time for these  
14 public meetings. I mean maybe we could have had them  
15 Christmas Day or New Year's Day or something it would  
16 have been easier to do that.

17                   But one of the first things I really ---  
18 I'd like to address is what is the real problem here.  
19 I think a couple people said that. Is it pollution?  
20 Because basically burning wood is --- it's the same  
21 thing as wood rotting, only a little bit faster, okay.  
22 So rotting wood gives off most the same things.  
23 Particulate matters are not defined in that? Are they  
24 the large pieces? The carbon dioxide, most of the  
25 stuff that comes out of the chimney that wood is

1 burned in is biodegradable. Carbon dioxide is used by  
2 all green plants in the world which produces oxygen  
3 which we kind of need; okay.

4           So I really was wondering where the  
5 problem was. Right off the bat, I really think the  
6 one thing that came to my mind was irritated  
7 neighbors; okay. There's a few places that these  
8 stoves just don't belong, before I really got ---  
9 before I knew what I was doing with selling the  
10 stoves, I had a customer buy one and it ended up being  
11 right next to the post office in the middle of town.  
12 I was like oh, my gosh, and he really --- it was a  
13 poor situation. Now, since then he's moved it back  
14 about another 100 feet, put a long stack up and now  
15 everyone's happy in that area.

16           Now, that was done by just a few people  
17 and that one little cap. Now to put a blanket  
18 legislation on everything across the whole  
19 Commonwealth is totally unfair; okay? That is one  
20 simple little problem. The person who is going to  
21 burn their 200 pounds of baby diapers are going to  
22 still do that anyway. You don't have the force to  
23 enforce it. Who's going to enforce it; okay? So I  
24 think we really have to look down and see how we can  
25 do this, and I think the local area is going to be the

1 best way to each situation. Like I said, some places  
2 these stoves just don't fit.

3           The regulations, they're numerous and  
4 severe. You have to retroactive everything. I mean,  
5 you have to buy a Phase Two stove. Okay, I can see  
6 moving forward. In my situations, the stove company  
7 that I sell for is on the verge of getting their first  
8 Phase Two, so I'll be out of business of the stove  
9 business until they can get one that is legally  
10 documented as a Phase Two. That doesn't really affect  
11 me. It's a small part of my business.

12           But the other thing the stack  
13 requirements. I was coming here today, I saw an old  
14 farm house. It was probably about 40 feet high with  
15 the chimney sticking out three or four feet above  
16 that, obviously goes down into like a wood burner and  
17 smoke came out of the chimney and came right down to  
18 the ground; okay? Some of the requirements like 500  
19 feet from a house, if you --- if your stove sits down  
20 in a low spot and 498 feet away there's a neighbor's  
21 house that sits up 60 feet in the air above you are  
22 going to have to have a 200 foot chimney on that. One  
23 spot in there it said it wasn't going to be too awful  
24 expensive, and that's to go to ten foot. Ten foot, I  
25 can understand that, but these --- all these lines,

1 these setback and everything, they're really  
2 unrealistic and unfair to all existing stove owners.

3           One of the other things I really --- if  
4 you take all these people and say, what, 155,000  
5 people have purchased these stoves I think you said in  
6 your documentation over the last ten years. Each one  
7 of those has to go back and do all these things.  
8 That's putting a lot of money and a lot of costs onto  
9 those people.

10           No burning in the summer. I don't  
11 personally burn mine in the summer, but I don't see  
12 why if you're in a local where you're not bothering  
13 anyone I don't see any problem with that. And a lot  
14 people that's there only hot water. Some people say,  
15 well, it's easy for someone who doesn't burn wood or  
16 lives in the middle of town and they have gas heat or  
17 some other form of heat, it's easy to say these  
18 outdoor wood stoves are horrible, they're polluting  
19 everything. I think we've been getting some  
20 misinformation because almost everything that comes  
21 out of those --- out of that chimney is biodegradable  
22 it is used by green plants of the Earth to turn into  
23 stuff that we need. And that's about the only thing  
24 that I have to say.

25           Also I just wanted to see here on the



1 front page of your website, I noticed that there was  
2 --- I was reading down through Pennsylvania's energy  
3 independence. Seems like it was kind of  
4 counterproductive because it seems, if anything, we're  
5 making it so we're not quite as independent.

6 MR. WEJKSZNER:

7 Thank you.

8 MR. GLEZEN:

9 Thank you.

10 MR. WEJKSZNER:

11 Dan Gerhart. Thank you.

12 MR. GERHART:

13 Hi, I'm Dan Gerhart. I live over in the  
14 Wysox area in Bradford County. And I don't own a  
15 stove or a outdoor wood-fired boiler, which is what  
16 we're here to talk about. I am a professional  
17 engineer, and this regulation caught my eye. And I  
18 got to tell you I don't like it. I don't like it at  
19 all and I'll tell you why. First of all, I have no  
20 objection to we should be developing cleaner burning  
21 wood boilers, no question that's fine. Environment  
22 needs to be saved, and we've got to do our part  
23 painful though it might be.

24 But I do object to a bunch of the  
25 provisions of the proposed regulation, and I have a

1 reason for that. I spent a lot of my professional  
2 engineering career designing industrial boiler plants,  
3 including wood-fired ones, pulp and paper companies,  
4 big ones, all over the country, mostly in the  
5 northwest and northeast, obviously, because that's  
6 where they are. I made a career out of doing stack  
7 design, combustion counts, evaluating ash contents of  
8 fuel, specifying air pollution control devices and all  
9 that stuff; okay. So I'm not totally ignorant, I  
10 don't think.

11           While there are certainly locations in  
12 the Commonwealth where we need some regulation, I am  
13 convinced we don't need a statewide regulation like  
14 this one. As I said, I live over in the Wysox area in  
15 Bradford County. Most of the properties in my area  
16 are 20 acres, 100 acres, 300 acres. This kind of  
17 regulation statewide makes no sense to me at all. I  
18 understand we don't want these things on every city  
19 building lot in Wilkes-Barre or Harrisburg, and I  
20 understand why. And I don't think anybody --- well, I  
21 shouldn't say anybody but most people aren't putting  
22 them there.

23           But I think this needs to be local, it  
24 needs to be handled by local zoning by the county, by  
25 the township by somebody that distinguishes between

1 we've got 60,000 people or 60,000-something people in  
2 Bradford County, as opposed to counties that have  
3 millions. There's a difference.

4 I also got to question the numbers that  
5 are in the document about one and a half tons of  
6 particulate matter per year. Can't see where in the  
7 world that's coming from. Somebody needs to do the  
8 math on how much wood you need to burn to get a  
9 hundred --- excuse me, how much wood you need to burn  
10 to get a ton and a half of fly ash up a chimney. It's  
11 ridiculous.

12 Example, 10 cords is a lot of firewood  
13 for you guys that burn wood. Ten cords is a lot of  
14 firewood. Ten cords is about 40,000 pounds of fire  
15 wood, to be precise, depending on what kind of wood it  
16 is. Typical ash content is one percent. That's 400  
17 pounds of ash. Typically 25 percent max goes up the  
18 stack. That's 100 pounds of ash, not a ton and a  
19 half. And remember I started with 10 cords of wood  
20 which is probably more than most people burn, maybe  
21 not if you're running it year round.

22 People touched on it before, and I'll say  
23 it again, wood and associated wood product is a  
24 renewable resource. That's what we're getting  
25 pressure to do, guys, renewable resources. How the

1 hell come we're going back to oil and gas? I don't  
2 get it. It's just not sustainable, and I thought  
3 sustainable is what we were about? Some of these guys  
4 alluded to it. A lot of people burn wood for economic  
5 reasons. Can't say as I think that's a bad one. But  
6 I just --- I cannot see forcing increased consumption  
7 of oil and gas. It's just counterproductive at this  
8 point.

9           Seasonable prohibition makes no sense to  
10 me either, I got to say. If the unit is designed to  
11 do what it's designed to do and it does it well, let  
12 it do it. You're not gaining anything by shutting it  
13 down in the summertime. I don't get it.

14           Stack requirements, I got to say --- and  
15 again, I did this professionally for a living for a  
16 lot of years. They make no sense, none from an  
17 engineering viewpoint. I don't know who wrote the  
18 regulations, but you've got my name and address and  
19 phone number, have him call me. I'd be glad to come  
20 meet with him. There's just nothing to be gained by  
21 two foot above, meaningless, peaked at the highest  
22 roof within 500 feet. Come on, cut me a break. It  
23 doesn't accomplish anything. Besides which if you  
24 live in an average two-story house like somebody put a  
25 number of 27 feet to the peak of the roof, call it a

1 30 foot stack height on top of what a six foot boiler  
2 and you've got 24 feet of chimney up there. That's  
3 structurally unstable. You can't put 24 foot of  
4 freestanding chimney, especially eight or ten inch or  
5 12 inch on top. You can't do it, that's impossible.  
6 It won't stay there.

7                   There's just too many things in here that  
8 don't make any sense, and I can only believe they  
9 weren't thought through. Somebody else brought up the  
10 retroactivity --- retroactive part. That doesn't make  
11 any sense to me either. I guess I said what I have to  
12 say. You guys can feel free to ignore my political  
13 venting in the introductory paragraph, but I hope you  
14 won't ignore the seven points I itemized. Thanks.

15                   MR. WEJKSZNER:

16                   All right. That was the last one to  
17 register. Is there anyone else that would like to  
18 present any testimony? If anyone else please put your  
19 name address and phone number on here.

20 OFF RECORD DISCUSSION

21                   MR. ROTH:

22                   My name is Randy Roth and I'm an owner  
23 operator of D&R Country Designs. I'm located in  
24 Palmerton, and I've been a Central Boiler dealer for  
25 over eight years. I can't decide if I can see with my

1 glasses or without. Like many other outdoor wood-  
2 fired boiler dealers, I went into business selling  
3 these appliances because first I was an owner and  
4 realized a great savings and potential and the desire  
5 as an American to save energy and become energy  
6 independent.

7 I would first like to comment that I am  
8 opposed to --- I am not opposed to reasonable  
9 regulations. I support reasonable regulations for all  
10 owners to use proper fuels and reasonable setbacks and  
11 chimney height requirements based upon the performance  
12 of the appliance using standard testing methods.  
13 Other states have already passed regulations for  
14 outdoor wood-fired boilers. I believe that  
15 Pennsylvania should take requirements from several of  
16 these states and implement them in our state. I would  
17 like to see several changes made to the proposal and  
18 regulations.

19 First, I'd like to request a sell-through  
20 exemption for outdoor fired boilers being sold and  
21 installed here within the state of Pennsylvania and  
22 adopt --- Vermont's requirements should be  
23 established. I suggest that setbacks and chimney  
24 height requirements be established immediately for the  
25 appliances similar but not more restrictive than

1 Maine. Setback requirements for the EPA hydronic  
2 heater Phase Two appliances should be eliminated, or  
3 at most should be no more than Maine, which is 50 feet  
4 from the property line and 70 feet from a residence.

5 I am offering the opportunity for the  
6 members of the Environmental Quality Board, DEP to  
7 observe the EPA hydronic heater Phase Two program  
8 qualified appliance operating at my business. Chimney  
9 height requirements for the EPA hydronic Phase Two  
10 should be no more restrictive than Maine. Chimney  
11 height required for non-emission qualified appliance  
12 should be --- again, glasses. Chimney height  
13 requirements for non-emission qualified appliances  
14 should only be applied to existing appliances that are  
15 verified to be creating a nuisance within --- with  
16 neighbors.

17 Local laws must be restricted, emissions  
18 testings labeling excessive requirements, impossible  
19 to comply with requirements, banning existing  
20 appliances where no previous law existed. Some  
21 communities have established very unreasonable  
22 requirements for new and existing appliances. I  
23 believe that most of these unreasonable requirements  
24 have been established by local government agencies  
25 that are incapable of understanding the complexity of

1 the industry, especially regarding emissions. I  
2 requested New Hampshire's language regarding this  
3 matter being implemented.

4           Opacity should be removed and should  
5 never be applied to residential applications. My  
6 limited understanding of opacity is that it should  
7 never be applied to residential homeowners because it  
8 is typically required for very large commercial and  
9 industrial emissions sources.

10           In addition, I would like the EQB to at  
11 least think about the consequences of regulating  
12 outdoor wood-fired boilers while ignoring indoor wood-  
13 fired boilers and outdoor coal-fired boilers. In the  
14 end a justification of the proposed regulations are  
15 reducing particulate, but if the owners of these  
16 appliances just burn coal and circumvent the  
17 regulation, the regulation may not reduce particulate.  
18 It may increase particulate and cause concern  
19 regarding your emissions from coal burning appliances  
20 such as sulfur.

21           I'd like to thank you for the opportunity  
22 to speak with you today and submit these comments. If  
23 you have any questions please contact me and my  
24 information is on the paper.

25           MR. WEJKSZNER:



1                   Thanks, Randy. Is there anybody else  
2 that would like to present testimony here at this  
3 time?

4                   MR. FREEMAN:

5                   I would but I don't have anything in  
6 writing. I didn't realize that you would offer us  
7 this opportunity.

8                   MR. WEJKSZNER:

9                   That's fine. You can do that. Do you  
10 want to put your name, address, information down?

11 OFF RECORD DISCUSSION

12                   MR. WEJKSZNER:

13                   All right. Edward, is it?

14                   MR. FREEMAN:

15                   Yes.

16                   MR. WEJKSZNER:

17                   Okay.

18                   MR. FREEMAN:

19                   Good afternoon. My name is Edward  
20 Freeman. I am an owner of an outside wood furnace.  
21 I'm not actually prepared here, I don't have anything  
22 in writing but I am not paid by anyone to be here. I  
23 actually do sell the stoves in a small area in Wyoming  
24 County. I have experience with people with the  
25 stoves, and I find that the problems exist with stoves

1 typically because there is an underlying problem with  
2 the neighbor to begin with. Typically it's a problem  
3 before they have a wood stove and they use the wood  
4 stove as an excuse to give the neighbor trouble,  
5 basically.

6 I believe the requirements as in the  
7 documents, would basically stop people from buying  
8 these units. And I believe the lady that spoke first  
9 mentioned they were concerned about peoples' safety  
10 and breathing the poor quality of air. I can't see  
11 anything worse than having a wood stove in the house,  
12 which would basically happen if people are not able to  
13 buy outside wood furnaces but still chose to burn  
14 wood. So often you hear on the news about chimney  
15 fires and other problems with inside furnaces. In  
16 fact, looking at it from a common sense point of view,  
17 what is safer, having the fire in the house or a fire  
18 outside the home? That is the main reason I got  
19 involved with having a wood stove myself, and I can't  
20 even imagine people wanting to put chimneys up like  
21 this from a cost point of view, considering the cost  
22 of chimney.

23 Basically, I think this is a measure to  
24 stop people from using these or discourage people from  
25 using these types of units because the more

1 regulations that are placed on this units, the more  
2 they are going to cost. And basically it will become  
3 ineffective to own one. So I really hope that the  
4 Board will really look at these statements here today.  
5 I think that in certain areas, there are problems but  
6 let the local areas handle those problems. And  
7 basically I think that would take care of the problems  
8 that exist.

9           So basically there are a lot of units in  
10 the northeastern Pennsylvania, and most of the people  
11 don't have any idea that this is going on here today.  
12 I called every person that I sold a stove to, as well  
13 as other manufacturers, and a lot of the manufacturers  
14 had no clue --- or I'm sorry, dealers, had no clue  
15 that this was even taking place. This should have  
16 been more broadcasted to people so people are aware of  
17 it.

18           Another thing, I have to say, I have  
19 hunted my whole life up until five years ago. And if  
20 I was still hunting, I wouldn't be here. And I really  
21 think that more time needs to be spent on this before  
22 it is decided on what to do. Basically that's all I  
23 have to say. I wish it was, you know, written down  
24 and I had more of a thought pattern. But I think my  
25 case is what's safer, an inside furnace or an outside

1 wood boiler for people. That's all I have to say.

2 MR. WEJKSZNER:

3 Okay. Thank you.

4 MR. FREEMAN:

5 Thank you.

6 MR. WEJKSZNER:

7 Anybody else want to present testimony?

8 MR. JAGO:

9 Sure. Sign in first; right?

10 MR. WEJKSZNER:

11 Yeah.

12 MR. JAGO:

13 Well, first things first, I'm not a  
14 public speaker.

15 MR. WEJKSZNER:

16 Could you state your name?

17 MR. JAGO:

18 Certainly. My name is Phil Jago,  
19 J-A-G-O. I live near Stroudsburg, Pennsylvania. I'm  
20 a landowner, seven acres of land. One of the reasons  
21 I purchased my stove originally was so I could utilize  
22 the timber from my own property and some other nearby  
23 properties to heat my house. That was part of the  
24 plan. I consider myself when I first built my house  
25 --- laugh if you will, but I consider myself to be a

1 pioneer. If we go back in the old days when our ---  
2 most of our forefathers came from wherever they came  
3 from, they looked at this land and they said huh, what  
4 am I going to make here? They looked at the land they  
5 saw rocks so they built barns out of rocks. They  
6 looked at tall trees, they built barns and houses out  
7 of trees. That's what they built their buildings out  
8 of.

9           Well, I kind of adopted that same thing  
10 when I looked at my property. We purposely looked at  
11 building lots at the time, something that was far  
12 removed from other people enough that, you know, we  
13 shouldn't be bothering too many other people. We've  
14 done a little bit of research about the stoves at the  
15 time, and I know somebody that was using one. So we  
16 had built our property with a wood stove in mind as  
17 the primary source of heating the house. Yes, it is  
18 an exterior stove, and I'm assuming according to what  
19 I've --- I may be dead wrong, but from what I  
20 understand, if I built my house ten feet further out  
21 and encompassed the stove it would be an indoor stove  
22 and I'd be exempt from all these rules. But we aren't  
23 going there I guess.

24           You know, we're far enough back in that  
25 we don't see it being a problem with our neighbors.

1 We have no complaints with neighbors, try to treat our  
2 neighbors with as much respect as we can. You know,  
3 we purposely don't burn garbage and whatnot.

4           Speaking of garbage, Sunday, just a few  
5 days prior I was out in my own yard. Imagine that, a  
6 little bit of home time. And I have --- you know, of  
7 course our stove is going this time of year. I burn a  
8 lot of pine. I don't burn a lot of --- I glean the  
9 forest for all the fallen trees. We had a horrible  
10 gypsy moth and some other problems last couple years.  
11 There's a ridiculous amount of dead trees on my  
12 property and a few on the neighboring properties. I  
13 could keep my house and several others warm all year  
14 with just the fallen debris, not even taking trees  
15 down just the fallen debris. So talk about being  
16 environmentally responsible, not to mention cleaning  
17 the debris off the floor so it doesn't cause forest  
18 fires and whatnot.

19           You know, we certainly heat our house  
20 with all that material. It just makes sense to do  
21 what we're doing. I mean, you know, we all preach  
22 this being environmentally responsible. Be  
23 independent from the foreign oil, you know. Never  
24 mind the fact that we're not drilling our own oil  
25 which is under our feet, coal and whatnot, but that's

1 a whole other topic. If this is done properly, it's a  
2 good thing.

3                   Getting back to the garbage issue on a  
4 Sunday. I was out in the yard doing a little bit of  
5 clean up, you know, blowing leaves and whatnot, not  
6 burning them just blowing them to the side. I don't  
7 burn the leaves. I grind them up and put them back  
8 where God wanted them, back in the ground so they  
9 nourish the trees that they're supposed to go to. But  
10 I couldn't help but notice a peculiar smell and it  
11 wasn't coming from my stove. I'm thinking there isn't  
12 a house for a pretty good distance from where I live.  
13 And I'm looking and thinking that smells over there.

14                   Later in the day I smell garbage fire  
15 coming from another direction and that's about the  
16 worst smelling thing I think I've smelled. Yes, in  
17 years past I was guilty as charged of, you know, the  
18 burning barrel. One of the first things I did once we  
19 got our stove was to never burn garbage --- plastics  
20 and garbage again, that was --- knowing that this  
21 could be a future problem with conflict of interest  
22 with our stove and you know smells coming from that  
23 direction. We have a good township recycling program  
24 that takes our stuff if we take it there. It's not a  
25 big deal.

1           So you know with a nuisance, that's  
2 understandable. I don't like the smell of burning  
3 garbage myself, but the stove, if we're burning, you  
4 know, responsible wood it doesn't --- you know, it's  
5 not a problem. My stove is about measurably less than  
6 100 feet from my house that's positioned off the side  
7 of my pole building so that I can feed it and stay dry  
8 sort of. That's also --- it doesn't presently, but  
9 it's positioned so it can heat my pole building once I  
10 finally can afford to get it insulated.

11           So I'm a masonry contractor myself, as a  
12 different topic. I've built plenty and plenty of  
13 fireplaces over years and years past, not to many in  
14 the last eight or ten years but, you know, back in  
15 years of being an apprentice, we built lots and lots  
16 of fireplaces. I had worked for another company for a  
17 while, Saul Flu and Chimney Liners (phonetic), was a  
18 franchise I had looked at getting into. And some of  
19 the stuff that we had ripped apart that was, you know,  
20 horribly unsafe chimneys. They had either had chimney  
21 fires or were on their way to being chimney fires. So  
22 it may sound corny or neurotic and you might think I'm  
23 lying to you but as a mason contractor, I don't want a  
24 chimney in my house. We had burnt wood in our wood  
25 stove in our basement for the first year of occupancy



1 of our house, and I do have a chimney going up the  
2 back side. That thing hasn't been fired up in the  
3 three years that I've had the outdoor burner. To be  
4 honest with you, unless I absolutely had to do it ----  
5 I have a wood stove sitting there, but unless I  
6 absolutely had to do it I would not do it, aside from  
7 bringing all the dirt and garbage in and make my wife  
8 unhappy.

9                   The safety issue, the over-realistic  
10 regulations from what I've read, from what little I've  
11 read it just --- the excessive piping and whatnot,  
12 that's ridiculous. Again, to hear what some of these  
13 other people have said that wasn't well thought out.  
14 It sounds to me like people who have no clue of what  
15 they are --- what they are regulating, making the  
16 rules. It needs to be further researched. I'm a  
17 respecter of the environment myself. I don't quite  
18 consider myself to be a tree hugger, but I do consider  
19 myself to be somebody who finds value in trees enough  
20 to realize that they heat myself nicely and  
21 responsibly. I can plant another tree to replace it  
22 and heat for generations, responsibly.

23                   I think the key here is the word  
24 responsibly, and I think most of us realize that.  
25 It's to try to get the quote, unquote bad guys which

1 is a never ending problem. It's like trying to police  
2 the highways with keeping everyone going the quote,  
3 unquote speed limit. Unless there is a couple of  
4 wires in here, most of us drove her on interstate  
5 highway and I would bet on the fact that most of us  
6 exceeded the speed limit at one point or another,  
7 guilty as charged.

8                   There was another comment and I had  
9 thought of these even before without coming here.  
10 With the lessening budgets, it's going to become  
11 increasingly problematic to try to quote, unquote  
12 police these regulations. And who is going to be  
13 watching these? I don't know. It's a voluntary  
14 problem and, you know, I have to live next to my stove  
15 and I have to keep my neighbors happy next to my  
16 stove. Believe it or not, most of my neighbors  
17 actually bring me firewood. I also plow their  
18 driveways and, you know, we have a pretty good, decent  
19 thing going on. But you know, they're more than happy  
20 to cut down their pine trees that nobody wants which  
21 is, you know, otherwise vegetation lying useless in  
22 the woods, you know. I'm more than happy to make use  
23 of it.

24                   I could probably go on for hours but  
25 that's the extent of it. And I am an owner obviously,

1 and I have no dealership. I'm not connected that way.  
2 So I hadn't talked to anybody anywhere about this.  
3 Thank you.

4 MR. WEJKSZNER:

5 Thanks. Anybody else?

6 MR. YEDINAK:

7 Hello, my name is Paul Yedinak, and I am  
8 a stove owner operator. I use my own stove to heat a  
9 business. I have it --- so far it's been a wonderful  
10 thing. I went above and beyond. Mine is in a little  
11 town. My neighbors, I'm within --- my neighbor's  
12 house is probably 50 feet. I've burnt it for two  
13 years now. My chimney is probably the highest point  
14 in town. I went above and beyond on the chimney  
15 because the neighbors because I burn hard wood all the  
16 time. My chimney kicks on, it smokes for all of ten  
17 minutes. It heats up ---. The building I'm heating  
18 by the way is an 18,000 square foot building, so I'm  
19 heating a pretty substantial building with my furnace.  
20 It kicks on, I get some smoke out of it. Like  
21 everyone said, a puff of smoke out of the top. Once  
22 it's burning, and it could be rip roaring and all that  
23 comes out are little plumes of heat. You see the heat  
24 vapors rising out of it.

25 I'm here. I love my furnace like

1 everyone else here. It's been a substantial savings.  
2 Before I added my furnace on I burnt 7,000 gallons of  
3 fuel a year. It was a huge, huge cost. My oil bill  
4 of course when I decided to buy the furnace, I was  
5 paying \$3.69 a gallon, like everyone else here, that's  
6 huge. In the first year I've used my oil furnace it  
7 has paid for itself --- or my wood furnace, it has  
8 paid for itself. It cost me for the furnace itself  
9 was \$15,000, installation with the plumber and all  
10 was, the extra chimney, you know, I'm under \$19,000.  
11 So if do the math from when I bought my furnace,  
12 installation and all to what I would have been paying  
13 for fuel oil. I'm a diehard believer in the furnace  
14 you know, conservation.

15           As it is I'm supporting my local economy.  
16 I mean, I live in Hamlin, which is --- it's not  
17 extremely rural but, you know, there's --- every day  
18 you can sit out there and watch the local guys go by  
19 with firewood. They're selling firewood. I buy my  
20 firewood from these guys. You know, as it goes, I'm  
21 supporting my local economy and I really ---.

22           The garbage thing. People burn their  
23 garbage in their furnace. As it goes, I can't imagine  
24 anyone who would do that just for the fact that the  
25 garbage, once it's burnt in the furnace, would rust

1 your furnace out. So your huge investment would be  
2 turned to dust in a short period of time after you  
3 burn like the plastics and all those things. It would  
4 pretty much turn the inside to dust and causing a  
5 15,000 pound paperweight. So that's all I have to  
6 say.

7 MR. WEJKSZNER:

8 Thank you. Anybody else?

9 MS. MCCOWLEY:

10 All these fellows are wonderful speakers,  
11 wonderful speakers. I'm here because my son is out  
12 hunting, and he told me to get over here and listen to  
13 what's going on. I said okay. We have our wood  
14 furnace for seven years. We do not burn it in the  
15 summertime. My son was mad at my neighbor. They had  
16 a fight, and from then on the neighbor kept on calling  
17 the township. We have been on TV two years ago. I  
18 don't know if you saw it from Pittston Township. They  
19 had us on TV and all the TV stations came down to see  
20 why we were burning our wood burner.

21 We live in a little village of Glendale.  
22 I don't know if you know where that is. It's right  
23 where Rocky Glen used to be. We have a hundred people  
24 only there. The neighbors kept on complaining, the  
25 two that we were fighting with. They were the only

1 two. The rest of the neighbors kept bringing over the  
2 wood that was dropped down in their yard and bringing  
3 it over to us.

4 I don't think you people realize what  
5 hard work it is to keep a wood furnace going. My son  
6 goes out picks the wood, the people around us call and  
7 say we have wood here, goes with his truck picks it  
8 up, brings it home, splits it, puts it in the wood  
9 burner --- in the stack place where we stack our wood.  
10 Also I have to go out in the middle of the night to  
11 make sure that it's going to make sure that my  
12 daughter and my two grandsons are warm. I go out at  
13 2:00 in the morning to check the wood burner to make  
14 sure it's going. Does anybody realize how much work  
15 is involved?

16 I could go down in my basement and turn  
17 my oil furnace on with no problem, but I don't. My  
18 son put up a stack because the township made us put  
19 the stack up higher because people next door to us  
20 were complaining that the smoke was going into their  
21 homes. I said in the wintertime when the window is  
22 down, door is closed, subzero weather, they're  
23 complaining? I don't understand that. But the stack  
24 went up. The winds start blowing. My two  
25 grandchildren were outside. I kept on looking out at

1 the things that were holding it up. I said get in  
2 here that's going to go over.

3           Sure enough, two days later the wind  
4 started up again, 30 miles an hour. Because the way  
5 our properties are, we're between two mountains and  
6 we're right on the one side of the mountain. And the  
7 wind comes up like a draft, and it comes up. That  
8 stack went right down. If my children were out there,  
9 is the EPA --- could we vote and sue them for that  
10 pipe coming down on our children? I think that is  
11 really ridiculous.

12           We have a little stack there now. I see  
13 the smoke coming. It comes past my house. It doesn't  
14 go anywhere near any of my neighbors only if it's not  
15 windy. If it's not windy, it stays on the ground and  
16 it stays right there. I don't understand. I really  
17 don't.

18           I just want to tell you about my car. I  
19 have a white Ford Fairlane. It was broken. I waited  
20 six months for parts to be put on it. I put it  
21 outside. I live by a state highway. And all my  
22 neighbors have oil furnaces. Six months it sat there.  
23 I took it over to the dealer when he got all the  
24 parts. One inch thick of oil on my car, black --- my  
25 car was not white. It was black. I couldn't believe

1 it. I took it over to the dealer and he says where  
2 did you get all this oil residue on your car? I said,  
3 I have no idea, but I said all of the oil furnaces  
4 with a hundred families there are going on my car.  
5 Not my wood burner because my wood burner goes out the  
6 back and it goes up the woods.

7                   What are all these regulations for  
8 because I thought this was a free country. Really  
9 it's not? They put more and more and more  
10 restrictions on people, more and more. And I don't  
11 know --- and as that lady said, there was a lady from  
12 Avoca that called her. I live there. I work --- I  
13 deliver food to Avoca. I have not see a wood burning  
14 furnace in Avoca to this day, not one furnace. We  
15 only have three other in our area, and the three of  
16 them are only burnt in the wintertime for heat. I  
17 don't know what's going on. I don't know why all  
18 these restrictions, but I will tell my  
19 representatives, my senators because I am a Democrat  
20 committeewoman. Thank you very much. All these guys  
21 were wonderful.

22                   MR. WEJKSZNER:

23                   Anybody else? All right. With no other  
24 witnesses presenting testimony, on behalf of the  
25 Environmental Quality Board, I hereby adjourn this



1 hearing at 2:23 p.m. Thank you.

2 \* \* \* \* \*

3 HEARING CONCLUDED AT 2:23 P.M.

4 \* \* \* \* \*

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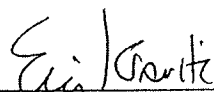
6 CERTIFICATE

7

8 I hereby certify, as the stenographic  
9 reporter, that the foregoing proceedings were taken  
10 stenographically by me, and thereafter reduced to  
11 typewriting by me or under my direction; and that this  
12 transcript is a true and accurate record to the best  
13 of my ability.

14

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\_\_\_\_\_  
Court Reporter

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