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From: Vitali, Greg [GVitali@pahouse.net]
Sent: Monday, August 16, 2010 5:01 PM
To: IRRC
Cc: Miller, Sarah E.
Subject: Outdoor Wood Boilers final form regulation

Rec'd
8/17/10
9:40 a.m

August 16th, 2010

Mr. Arthur Coccodrilli
Chairman
Independent Regulatory Review Commission
14th Floor, Harrisstown 2
333 Market Street
Harrisburg, PA 17101

Dear Chairman Coccodrilli:

I am writing today to express my support for the Outdoor Wood Boilers final form regulation that IRRC will consider at its August 19th meeting. As a legislator I recognize the importance of Outdoor Wood Boilers (OWBs) to those who own and use them. However, the Department of Environmental Protection (DEP) also receives numerous complaints from citizens who live in proximity to OWBs and deal with the unwanted side effects daily. OWBs emit PM_{2.5} emissions that are equivalent to the emissions from 205 oil furnaces or as many as 8,000 natural gas furnaces. Currently, at least eight Mid-Atlantic and New England states have adopted or have proposed regulations for OWBs.

The public comment period for this rulemaking was closed on February 12, 2010. During the public comment period, the Environmental Quality Board (EQB) received comments from over 2,000 commentators. 538 commentators were in full support of the proposed regulations and an additional 723 commentators were supportive of the regulations with amendments. DEP also received numerous inquiries from local government officials concerning OWBs. Many local government officials support state government taking the lead on this issue because of the often contentious nature surrounding the use of these boilers.

Because the EQB understands the importance of OWBs, the final-form rulemaking focuses on requiring future models sold in Pennsylvania to meet the same cleaner phase 2 model requirements many of neighboring states require. The final-form also made significant adjustments to the rule by removing all of the "retrofitting" requirements the proposed rulemaking. The only provision that applies to current users of OWBs is the need to burn only clean wood or other fuels approved by the Department.

During the development of this rulemaking, the Department was in constant contact with the Pennsylvanian Manufacturers of OWBs as well as the industry trade associations. That is why the final-form rulemaking contains setback provisions recommended by their trade associations. The final-form rulemaking also contains sell through provisions so dealers will have the ability to plan for the 2012-2013 heating season.

Please remember, as other states continue to require the cleaner phase 2 models, Pennsylvania –without this rulemaking - will continue to be the dumping ground for older more polluting units. Thank you for your attention to this matter.

Sincerely,

Greg Vitali
Pennsylvania State Representative
District 166