

Air Quality Technical Advisory Committee

to the Pennsylvania Department of Environmental Protection

PO Box 8468

Harrisburg, PA 17105-8468

April 29, 2010

Honorable John Hanger
Secretary
Department of Environmental Protection
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063

Re: Outdoor wood-fired boilers final-form rulemaking

Dear Secretary Hanger:

On April 29, 2010, the Air Quality Technical Advisory Committee (Committee) discussed the final-form amendments to 25 *Pa. Code* Chapters 121 and 123 (relating to general provisions; and standards for contaminants) for the regulation of outdoor wood-fired boilers. The proposed rulemaking was published in the *Pennsylvania Bulletin* on October 17, 2009 (39 *Pa.B.* 6068).

The final-form rulemaking will amend § 121.1 (relating to definitions) and will add § 123.14 (relating to outdoor wood-fired boilers). The Committee voted 14-0 to concur with the Department's recommendation to present the final-form rulemaking amendments to the Environmental Quality Board for consideration as a final-form regulation, with the following concerns:

1. All boilers shall have a minimum stack height of 10 feet.
2. New Phase 2 boilers should be set back 150 feet from the nearest occupied structure not within the property boundaries.
3. Non-Phase 2 compliant boilers not used as the sole source of heat or hot water may not be operated after May 15 of each year or before Sept 30 of each year.
4. Each year, retailers of wood-fired boilers shall report to the Department: (a) model of boilers sold and (b) zip codes of buyers.

The Department should consider a buy-back program for Non-Phase 2 OWBs.

Sincerely,



Patrick K. O'Neill
Chair