
MAINE AIR TOXICS ADVISORY COMMITTEE

December 5, 2006

Commissioner David Littell
Maine Department of Environmental Protection
State House Station #17
Augusta, ME 04333

Re: Early Action Recommendation for Outdoor Wood Boilers

Dear Commissioner Littell,

The Air Toxics Advisory Committee (ATAC), a stakeholder group composed of industrial, government, environmental, public health and general citizen representatives that have an interest in preventing harm from Air Toxics in Maine, respectfully requests early action on outdoor wood boilers (OWBs) to protect the health and welfare of the people of the State of Maine. ATAC believes early action is required because of the significant amount of particulate matter, polycyclic aromatic hydrocarbons and polycyclic organic matter emitted from these units; all compounds at the top of ATAC's Air Toxics Priority List. In addition, poor dispersion characteristics, the location of units in residential areas and the absence of state or federal regulations contribute to the concern for the health impacts of OWBs within the state. ATAC's position on this matter supports and confirms the position of NESCAUM, the Maine Chapter of the American Lung Association, and many other states.

Enclosed for your review and consideration is a position paper on outdoor wood boilers. The paper evaluates the work of other agencies, scientific data, and risk evaluations associated with OWBs and makes recommendations for consideration as early actions. These actions include but are not limited to the following items.

- Develop a PSA discussing best operating practices for wood burning devices, the health effects of wood smoke, and reiteration of the prohibition on backyard burning (residential solid waste combustion).
- Enact a moratorium on the sale of OWBs until these units are regulated at the same level as woodstoves and fireplaces under 40 CFR Part 60 Subpart AAA - *Standards*



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of Performance for New Residential Wood Heaters or a manufacturer demonstrates to the satisfaction of the Maine Department of Environmental Protection, the ability to meet or exceed particulate standards established under 40 CFR 60 Subpart AAA.

- In the absence of federal legislation or a moratorium, adopt state rules on an expedited basis to regulate outdoor wood boilers and apply current federal regulations for residential wood stoves or more stringent state-level emission standards to include, at a minimum, that units comply with all written installation and operating instructions available to the buyer at the time of sale or comply with minimum state standards addressing setback, stack height, opacity, and fuel restrictions.
- Require OWB manufacturers/suppliers to create an Installation & Operation (I&O) document highlighting proper operating and installation requirements consistent with state OWB regulations if adopted. Require all vendors and buyers to sign the document at the time of sale. Require the vendor and buyer to provide a copy of the I&O document to the Department and require buyers to retain a copy of the I&O agreement. Prohibit the sale of new or existing OWBs, regardless of retail or private sale, without an I&O agreement.
- Require OWB manufacturers or suppliers to demonstrate compliance with state visible emission and particulate standards for any new or existing OWB sold in Maine for residential or commercial use within three months of the date of adoption of such regulations.
- Coordinate with local and county governments/agencies to actively identify improper installations, i.e., those that do not conform to recommended installation criteria (setback, stack height, fuel restrictions) published by each manufacturer/vendor or applicable state rules for all existing OWBs in Maine.

ATAC is hopeful that the Department will consider these recommendations and present to the 2007 Legislature possible options for addressing the unique health threat to the citizens of Maine from outdoor wood boilers. Thank you in advance for your review and consideration of these recommendations.

Respectfully,

Brian S. Phinney for

Air Toxics Advisory Committee