

News from Assemblywoman Donna A. Lupardo

State Office Building, 17th Floor
44 Hawley Street
Binghamton, NY 13901
Phone: (607) 723-9047
Fax: (607) 723-9313

Contact: Donna Lupardo, (607) 723-9047

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STATE LEGISLATION INTRODUCED TO REDUCE AIR POLLUTION FROM OUTDOOR WOOD BOILERS

In response to the growing concerns across the state from residents, Assemblywoman Donna Lupardo (D-Endwell) has introduced legislation to reduce air pollution from outdoor wood burning boilers. These devices produce excessive particulate matter far in excess of wood stoves, which may cause serious health impacts to neighbors and owners as well as environmental damage. Since 1999, the sale of outdoor wood burning boilers has tripled in New York State. However, unlike wood burning stoves, there are no federal or state emission standards for these devices.

While these devices are designed to burn only natural wood, homeowners sometimes burn garbage, chemically treated timber, plastics, construction debris and other material, which can produce additional toxic air pollutants. In August 2005, Attorney General Eliot Spitzer released the report, "Smoke Gets in Your Lungs: Outdoor Wood Boilers in New York State", which found that outdoor boilers emit, on an average per hour basis, about twelve times as much fine particle pollution as wood stoves.

Assemblywoman Lupardo stated, "Exposure to smoke from outdoor boilers can cause respiratory illnesses and other adverse health effects. Studies show that children, the elderly and individuals with cardio-respiratory diseases or diabetes are at greater risk than the general population of developing these symptoms."

Attorney General Eliot Spitzer stated, "Outdoor wood boilers have emerged as a troubling new source of air pollution in our communities. Just as regulations were needed to reduce air pollution from wood stoves in the 1970's, we now need strong regulations to limit air pollution from outdoor wood boilers. These boilers are generally far dirtier than most indoor wood stoves and their emissions often create a public health and environmental hazard. I commend Assemblywoman Lupardo for her leadership in tackling this air pollution hazard and I will work closely with her on this essential legislation."

Peter Iwanowicz, Vice President of the American Lung Association of New York State, said: "Airborne fine particles make people sick and cut short lives. Since outdoor wood boilers belch out excessive amounts of fine particles compared to other residential heating systems, regulations are needed to establish stringent emissions limits to protect public health. With ninety-percent of New Yorkers already living in areas where air quality fails to meet federal health standards, we cannot afford to let these sources of pollution go unchecked."

The proposed bill:

- Prohibits the operation of outdoor boilers in the summertime;
- Directs the New York State Department of Environmental Conservation to promulgate air emission standards for particulate matter;
- Restricts the use of these devices within 200 feet from a neighboring residence and 700 feet from of a hospital, school, daycare center, nursing home, park or recreational facility;
- Prohibits the burning of garbage and requires that only natural wood to be burned;
- Requires the installation and the operation of outdoor boilers be in accordance with local ordinances and manufacturer's instructions;
- By June 1, 2008, outdoor boilers would be banned unless they comply with emission standards promulgated by the State. Such standards must be at least as stringent as federal standards for wood burning stoves;
- Outdoor boilers that were in operation before the ratification of this act would not be subject to air standards until June 1, 2009.

Since 1988, the United States Environmental Protection Agency has regulated the manufacture and sale of wood stoves to protect public health; however, outdoor boilers are not federally regulated. Vermont has regulated outdoor boilers since 1997 and several states across the nation are following suit by developing regulations for these devices. In New York State, over a dozen municipalities either have restricted or banned the use of these devices. Assemblywoman Lupardo stated, "My office has received numerous complaints from citizens throughout the state, who are concerned about the impact these devices have on their health."

Assemblywoman Lupardo stated, "I am extremely pleased to announce the introduction of the legislation on outdoor boilers. If signed into law, this measure would protect the health of citizens throughout the State. Just as the federal government dealt with air pollution from wood stoves decades ago, the time has come for rules to be adopted to reduce air pollution from these devices"

Assemblywoman Lupardo is a member of the New York Assembly Environmental Conservation Committee and has been active on a wide range of environmental and public health initiatives in her community.

Senator Marcellino, the Chair of the Senate Environmental Conservation, will be introducing this legislation in the Senate.