

RAISED BILL No. S.B.6616 AN ACT ESTABLISHING THAT WOOD SMOKE SHALL BE CONSIDERED A PUBLIC NUISANCE UNDER THE PUBLIC HEALTH CODE.

Chairs Senator Jonathan Harris, Representative Betsy Ritter, and Members of the Public Health Committee:

My name is Beth Terra and I live in New Hartford, CT. with my husband and three children, with a fourth on his way. We have lived here for seven years without any incidence.

I am concerned about a pollution and medical issue affecting my family and others in our town and state. Specifically, our constant exposure to wood smoke generated by a neighboring outdoor wood-burning furnace.

Our plight started in November 2008, when a neighbor began utilizing an outdoor wood-burning furnace. Shortly thereafter, my yard and interior of my home started becoming polluted with smoke and strong smells on regular basis. Our neighbors burn twenty-four hours, seven days a week. On days with lower clouds, the smoke is worse and does not dissipate and remains at ground level. Perhaps you recall how it feels on hot summer days when the air is oppressive and hard to breath. Imagine that when you try to take a deep breath and the air is smoky on any given day on our property.

I rarely let my children play outside now, since the smoke is very heavy and compromising their health. There have been days that the smoke and odor are so bad that we have had to leave our home.

I contacted the town officials for help and spoke to zoning officials, the selectmen and also attempted to get the Fire Marshall involved. They all directed me to the State of CT Department of Environmental Protection. I subsequently filed a complaint with DEP. Initially, DEP responded and found the outdoor wood furnace in violation along with permits that had not been obtained thru DEP or our town. It appears that they had a smoke stack that was too short on the furnace. The stack was increased in height, but we are still bombarded daily by the unhealthful emissions. DEP directed me to call in a complaint every time we are under siege by the smoke and smell. I have complied by making my complaints. DEP does respond, but the response is many days or weeks after the complaint. I attempted to provide them with photographs to substantiate my complaints, since they never respond timely. But they have refused to take my evidence.

I then contacted the Farmington Valley Health Department for help. They advised me that without wood smoke being added to the nuisance code, they have no jurisdiction over the problem and to continue calling in nuisance complaints to DEP.

Since the instillation of the outdoor furnace, my 9 year-old, son who suffers from asthma has had increased visits to the pediatrician and has had to go on steroid treatments and nebulizer treatments. We all have developed signs and symptoms of upper respiratory

distress with sore throats, coughs, headaches, and nausea from the wood smoke and odor. It sickens me that I have to give all of us medications in order to breathe or to tolerate these symptoms when all of these are caused by second hand wood smoke, and are preventable. We all have also been treated, and continue to be treated by our physician for these ailments. It is not a cold, nor have I or my other children ever had any respiratory complication prior to this incident. Our family has chosen to be "Smoke Free", and should have that right protected as stated in the Clean Air Act.

Many towns and states have started to prohibit the outdoor wood burning furnaces on their own, but those that have not are leaving the residents with very few options.

We need your help and legislative powers to amend the CT Public Health Nuisance Code to include wood smoke so that we, and others whose health is being negatively impacted by continual wood smoke exposures in their homes and property, have recourse under the law.

Thank you for your time and any consideration in this matter.

Beth E. Terra
312 Town Hill Road
New Hartford, CT 06057



2/11/09

4:59 PM

Smoke from out.

Terry Beth



2/11/09 4:58 PM

Smoke engulfing home from OWF.

Terry, Bath



Date 2/11/09 4:58 PM.

The "cloud" of white is not snow,
it is the wood smoke coming
into and on our property. "Close-up" view

Terry Beth



1/18/09 2:42 pm

Constant wood smoke even with
freezing temp



Closer view of what we
Breathe in every day from our
neighbors' lawns.

2/28/09
10:51 AM

Terra, Beth



2/28/09

10:52 AM

Smoke and odor traveling down
on to our property and into our
home.

Terry, Beth



2/17/09 9:47AM

wood smoke going into our
home and porch. The smoke
does not go up, it blows
down!

Terra, Beth

△
our
Home



2/11/09 5:00 pm
Wood smoke from neighbors over
up and over River into our property
and home.

Terry, Beth

What Regulations Apply To Outdoor Wood-Burning Furnaces?

OWFs installed after July 8, 2005 must:

- Be installed not less than 200 feet from the nearest residence not served by the furnace.
- The stack must be higher than the roof peak of any residence within 500 feet of the furnace but not more than 55 feet high.

For all OWFs, the visible smoke must not:

- Cross property lines at ground level in any way that could diminish the health, safety, or enjoyment of people using a building.
- Exceed 20% opacity for more than 6 minutes or exceed 40% opacity for more than 1 minute.
- Create nuisance odors that cross the property line.

If you choose to purchase an OWF:

- Consider purchasing an OWF that qualifies under EPA's Phase 1 voluntary program. OWFs that meet EPA's voluntary emission levels are about 70% cleaner than standard units. More information on this program is available on EPA's website at www.epa.gov/woodheaters.

Don't
Choke
on the
Smoke

Thinking
Of Purchasing An
Outdoor
Wood-Burning
Furnace?

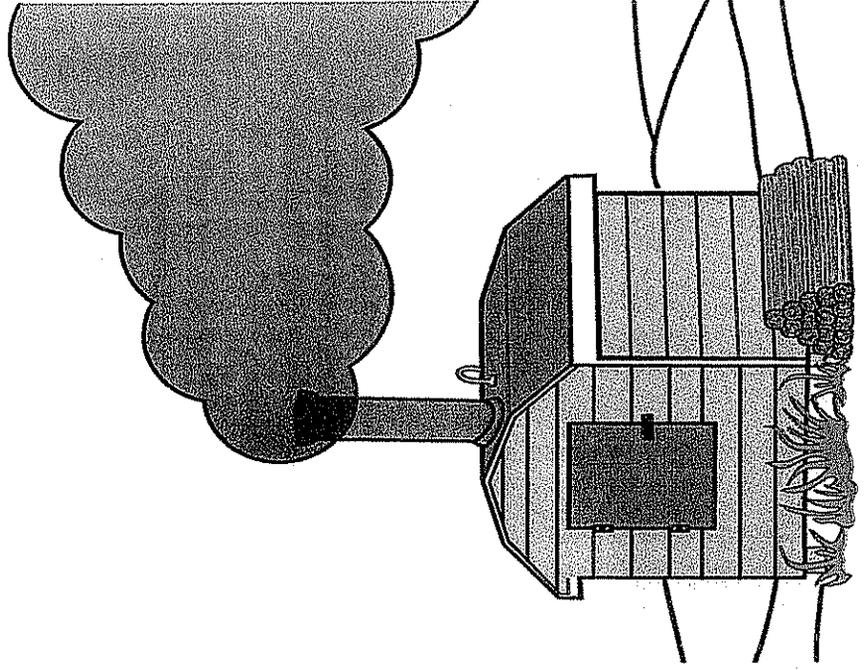


CONNECTICUT DEPARTMENT OF
ENVIRONMENTAL PROTECTION
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Before You Purchase An Outdoor Wood-Burning Furnace (OWF) You Should Be Aware Of The Following:

They are unhealthier than you may have been led to believe:

- OWFs emit unhealthy amounts of particulate matter, dioxin, carbon monoxide, nitrogen dioxide, sulfur dioxide, hydrochloric acid, formaldehyde, and other toxic air pollutants.
- In fact, one OWF emits the same amount of particulate matter that 3,000-8,000 homes heated by natural gas would. This is essentially equivalent to the number of homes in the town of Plainfield.

Operating an OWF properly can be very expensive:

- The initial cost of purchase can be thousands of dollars.
- Additional expenses can be in the thousands of dollars, including: installation costs, meeting siting requirements, and obtaining additional equipment such as increasing the height of smoke stacks to be compliant with state air pollution laws.

You could encounter some unhappy neighbors:

- Neighbors' complaints about smoke and odors make up a high percentage of the complaints the inspectors from the DEP Air Management Bureau deal with each year.
- Sometimes these complaints result in lawsuits between neighbors.

OWFs are responsible for a number of enforcement actions including State Orders and Notices of Violation:

- When OWFs violate the regulations controlling smoke, odor or siting requirements the DEP may take enforcement action to bring these units back into compliance.

For more information on Outdoor Wood-Burning Furnaces, log on to the DEP's webpage at www.ct.gov/dep and search for OWF in the DEP Search box.

