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Connecticut Association of Directors of Health, Inc.



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Monday, March 8, 2010

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Public Health
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RB 126: AN ACT ADDING WOOD SMOKE TO THE PUBLIC HEALTH NUISANCE CODE AND CONCERNING OUTDOOR WOOD-BURNING FURNACES

Senator Meyer, Representative Roy, and members of the Environment Committee. My name is Rick Matheny. I am the Director of Health of the Farmington Valley Health District and President of the Connecticut Association of Directors of Health, Inc (CADH). **CADH is opposed to Section 1 of Raised Bill 126, AA ADDING WOOD SMOKE TO THE PUBLIC HEALTH NUISANCE CODE AND CONCERNING OUTDOOR WOOD-BURNING FURNACES.**

Amending the CT Public Health Code (PHC), Section 19-13-B1 to declare that "wood smoke emissions that endanger the health of persons who live in the vicinity of the source of such wood smoke shall constitute a public nuisance" is so vague that it potentially places a local director of health in an untenable position.

Every scientific publication identifies volatile organic compounds and small particulate matter, such as wood smoke, to be unhealthy. If it is not the intent of the legislature to outlaw all wood smoke, then who will make the judgment that a particular exposure, in fact, endangers the health of persons who live in the vicinity of the source of the smoke – and, more importantly, upon what basis? Will exposure be defined by visible emissions? Odor? What frequency or duration of exposure endangers the health of persons who live nearby? Not all noses smell (taste) the same way. What might be an objectionable smell to one may not be unpleasant to another.

This is a complex issue and changing the CT PHC, Section 19-13-B1 will not alter the challenges that this issue presents to BOTH residents, who feel they are being adversely affected by wood smoke, and local health departments that are being asked to address the complaints. Local directors of health already have existing authority to investigate public health nuisances under CGS, Section 19a-206 and the CT PHC.

This is a state-wide air quality issue, and the existing responsibilities of the CT DEP and local health departments need to be examined. To this end, CADH has requested that Commissioner Galvin form a workgroup to examine the following:

- Roles and responsibilities for State agencies and LHD's
- Types of facilities or sources of wood smoke to be regulated by the LHD
- Guidelines on how to identify a violation and factors to be considered
- Guidelines on how to handle complaints due to multiple sources
- Training needs for LHD staff
- Abatement remedies

Thank you for the opportunity to share our concerns with you.