



Public Hearing – February 9, 2011
Environment Committee

Testimony Submitted by:

Commissioner Amey W. Marrella, Department of Environmental Protection (DEP)

AND

Commissioner Jewel Mullen, MD, Department of Public Health (DPH)

Senate Bill No. 830 – AN ACT PROHIBITING THE USE OF CERTAIN OUTDOOR WOOD-BURNING FURNACES (OWF)

Thank you for the opportunity to present joint testimony on Senate Bill No. 830 - AN ACT PROHIBITING THE USE OF CERTAIN OUTDOOR WOOD-BURNING FURNACES. The Department of Environmental Protection and the Department of Public Health (Departments) offer the following joint testimony. Our Departments recognize that additional action is called for to address the ongoing concerns associated with outdoor wood-burning furnaces (OWF).

Raised Bill 830 seeks to prohibit the operation of OWFs except for the purpose of agriculture or farming or providing heat to the home of any person engaged in agriculture or farming (on and after October 1, 2011).

Connecticut has recognized the benefits of renewable resources that can be produced or grown locally. As a State, we have worked hard to balance energy, air quality, and agricultural policies. As we examine the State's policy on OWFs, all efforts should be made to minimize air quality impacts on public health and Connecticut's quality of life. The existing law in Connecticut with respect to OWFs is inadequate. In 2005, responding to concerns about air pollution and health, Connecticut enacted restrictions on the siting and operation of outdoor wood-burning furnaces. This legislation complemented existing regulations to address citizens' complaints. Such complaints include respiratory irritation, asthma aggravation, burning eyes and headaches. Since 2005, complaints and field investigations indicate that Connecticut's OWF laws remain inadequate and together DEP and local health officials have recorded hundreds of complaints about OWFs. These instances have resulted in formal enforcement actions and referrals to the Office of the Attorney General (see Attachment #1 for DEP Enforcement statistics).

In some cases, siting restrictions make compliance impossible while in others, the cost of coming into compliance is beyond the means of the owner. There are additional situations in which an OWF owner, having expended significant funds for purchase and installation, combined with additional sums in unsuccessful attempts to comply with the regulations, may still be left with no recourse but to discontinue operation. On the other hand, when properly sited (so as not to cause nuisance problems to neighbors) and combusting only non-treated wood (which is a renewable energy resource), a properly operated, cleaner burning OWF can be an important source of heat energy for agriculture and other rural needs.

Yet, regardless of where they are used, OWF operation produces emissions that impact the OWF owner, nearby neighbors, and the local and regional airshed. OWFs, like all other wood-burning devices, release fine particulates into the air which, when inhaled into the lungs, can aggravate existing heart and lung

Clarify the applicability provisions in subsection (b) to make it clear that any unit installed, established, modified or relocated after July 8, 2005 is subject to the setback and chimney height requirements.

Add a provision in subsection (b)(C) allowing the use of wood pellets that are commercially available for use in residential indoor heating appliances.

Add a requirement in subsection (b)(C) that all units, regardless of the date of installation, burn wood that has not been chemically treated and are installed and operated in accordance with the manufacturer's specifications.

Add a provision prohibiting the use of OWFs during the non-heating season except at commercial farms provided that the use is in approved by Dept. of Ag. The units do not operate efficiently during period of low heat demand such as in the warmer months or when used only to heat domestic hot water. Use during these periods tends to create elevated particulate emissions from these units. This elevated particulate occurring during the same time of year as high ground level ozone concentrations could pose a great threat to public health.

We welcome the opportunity to work with the Environment Committee, local and state public health officials, municipalities, agricultural interests and the OWF industry to find a solution to this difficult problem. If you should require any additional information, please contact Karen Buckley-Bates, DPH legislative liaison, at 883-0836 or kmbates@ct.gov or Robert LaFrance, DEP's legislative liaison, at 424-3401 or Robert.LaFrance@ct.gov

Towns that Regulate Installation or Limit Use of Outdoor Wood-Burning Furnaces	
Town	Conditions
Bethel	Installation prohibited.
Cheshire	Use prohibited.
Granby	Use prohibited.
Haddam	Use prohibited.
Hebron	Use prohibited.
Norfolk	Use prohibited.
Portland	Use prohibited.
Ridgefield	Installation prohibited.
Somers	Operation prohibited from April 15 - October 15.
South Windsor	Use prohibited.
Tolland	Use prohibited.
Washington	Operation prohibited from May 1 - September 30.
West Hartford	Use prohibited.
Woodbridge	Use prohibited.
Hamden	Use prohibited.
North Haven	Use prohibited.
Avon	Use prohibited.
New Hartford	6-Month Moratorium starting 12/8/10.
New Fairfield	Moratorium on new installations from 2/3/11 to 2/2/12.
Salisbury	Requires special permit for OWF installation.

