



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

**STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

Public Hearing – March 22, 2013
Environment Committee

Testimony Submitted by Commissioner Daniel C. Esty
Presented by Deputy Commissioner Macky McCleary

Raised Senate Bill No. 1134 - AN ACT CONCERNING OUTDOOR WOOD-BURNING FURNACES

Thank you for the opportunity to present testimony regarding **Raised Senate Bill No. 1134 - AN ACT CONCERNING OUTDOOR WOOD-BURNING FURNACES**. The Department of Energy and Environmental Protection (DEEP) offers the following testimony.

DEEP supports this bill because it helps to minimize air quality impacts on public health and Connecticut's quality of life. Outdoor Wood-burning Furnaces (OWFs) emit significantly higher levels of pollutants than other heating devices. OWF operation produces emissions that affect the OWF owner, nearby neighbors, and the local air quality. Moreover, OWF design can lead to incomplete combustion, resulting in periods where excessive smoking cause localized concerns. Cleaner-burning and more efficient OWFs are now widely available. Requiring the cleaner units helps minimize air quality impacts and reduces operating costs for consumers because the devices are more efficient.

Maine, Massachusetts, Maryland, New Hampshire, New York, Pennsylvania, Rhode Island, New Jersey and Vermont have adopted emission standards that only allow for the sale of EPA Phase 2 units. EPA Phase 2 units are over 90% cleaner than pre-2008, unregulated units that can currently be sold in Connecticut. This bill takes important steps to bring Connecticut's requirements in line with the regional standard, but some drafting improvements are recommended.

As currently drafted, the bill exempts units installed before July 8, 2005 from the clean wood burning and proper operation requirements. Section 22a-174k of the Connecticut General Statutes (CGS) would be more consistent with clean air goals if it were amended to require all units, regardless of age, only burn clean wood and be operated in accordance with manufacturer's specifications. DEEP requests that the raised bill be amended beginning at Line 41, "...that reasonably demonstrates that such outdoor wood-burning furnace was installed prior to July 8, 2005, shall not be subject to the requirements contained in ~~subdivision~~ **subparagraphs (1)(A) or (1)(B), inclusive**, of this subsection.

DEEP further requests that the committee consider an additional drafting change to include more specific language related to EPA's Hydronic Heater Program at lines 46 through 49 of this bill as follows:

(c) On and after October 1, 2013, no person shall sell or offer for sale any outdoor wood-burning furnace unless such furnace ~~[complies with the United States Environmental Agency's Voluntary Phase 2 Standards for outdoor wood-burning furnaces]~~ **is a Phase 2 qualified model, under the U.S. Environmental Protection Agency's Hydronic Heater Program.**

Finally, in conjunction with the Department of Public Health we request the revised as follows beginning at Line 50:

(d) The Commissioner of Energy and Environmental Protection ~~[, the Commissioner of Public Health, or a local director of public health]~~ **or a duly authorized municipal official** may order the owner or operator of any outdoor wood-burning furnace to remove, render permanently inoperable or discontinue the sale of any furnace that does not comply with the requirements of subsection (b) or (c) of this section, as applicable.

And, at Line 69 repeal section (f) and renumber accordingly.

DEEP urges the revision and passage of Raised Senate Bill No. 1134. The passage of this bill will result in cleaner air, benefit the health of Connecticut's citizens, and move Connecticut closer to the standard set by surrounding states.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact DEEP's legislative liaison Robert LaFrance at (860) 424-3401 or Robert.LaFrance@ct.gov.