



GROUP AGAINST SMOG & POLLUTION

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Testimony of Jamin Bogi
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To the Board of Health of
The Allegheny County Health Department
On Proposed Amendments to ACHD Rules &
Regulations, Article XXI, Air Pollution Control

Pittsburgh, Pennsylvania

January 19, 2012

Good morning. Thank you for this opportunity. My name is Jamin Bogi. I am the Education and Outreach Coordinator for Group Against Smog and Pollution, or GASP.

GASP works to reduce air pollution in our region, no matter the source. While much of our pollution comes from large industrial facilities or large volumes of vehicle traffic, many of the complaints that we field from citizens are about wood smoke. Wood smoke from fireplaces, from chimineas, from burn barrels, and increasingly, from Outdoor Wood-Fired Boilers, or OWBs.

I say increasingly, because OWBs are increasing in number throughout the country, especially in Midwestern and Northeastern states. Several hundred thousand OWBs are estimated to have been installed since 1990 in the US. Due to the unique way that they operate, emissions from them can be breathtaking. Literally. In the last few years, different states and individual municipalities enacted regulations concerning OWBs because of these emissions. In many cases, the devices have been banned altogether. Pennsylvania's own new rules became effective in late 2010. We commend the Board for taking a closer look at those rules and these devices, and for proposing stronger regulations. The state regulations simply aren't protective enough for us here, considering the density of Allegheny County.

While the changes that the Board is proposing are improvements to the Pennsylvania regulation, even the most carefully crafted wording will remain insufficient to prevent all OWB-related nuisance violations. Mirroring the state, the County proposes all new OWBs must be qualified as Phase 2, an EPA label given to units that theoretically have lower emissions than older models. But the emissions are still quite dramatic, and the Phase 2 label is being criticized by some as false advertising, promising emission levels only reachable under optimal conditions, nothing near what happens in reality. The County proposes to increase the setback to 150', a jump from the state's 50'. The County is saving itself future grief by restricting these appliances to larger, more isolated parcels. But even 150' is not enough of a setback to fully protect the health of all County citizens.

Several days ago, I spent an hour with a citizen with wood smoke complaints who lives a few miles from here. He resides in what used to be country, but is now a mix of forest and houses to varying degrees. A few steps up his driveway, I smelled the smoke from two neighboring OWBs and

gagged. This citizen wanted me to let you all know that the smoke I saw that day, which was at about 40-50% opacity, was “a 1 out of 10” and that when the weather is right, the smoke surrounds his home like a thick fog. He also wanted me to tell you that he understands how toxic wood smoke is, and that the particles enter his home, where he lives with a few relatives. They all suffer from running eyes and coughing from the smoke, and his father suffers from cardiopulmonary problems. Exposure to fine particles found in wood smoke is associated with asthma, respiratory infections, reduced lung function, cancer, heart attack, stroke, and premature death.

The OWBs in question sit just about 150’ away from the home of the concerned citizen, at the base of a hill. The home is a few dozen feet higher than the OWB property, so usually the emissions ascend and then spread out, right at his home’s level. He has tried talking to the owner of the OWBs and has been shrugged off. “We all breathe a little smoke around here” or “We all get pollution from somewhere” was the response. Existing regulations have failed this citizen, and the neighborly approach to conflict resolution has also failed him. Even the proposed new regulations would not help this citizen, without enforcement. Strong enforcement of existing and these new regulations is critical.

We are asking that these proposals be as strict as possible. If OWBs are not banned outright, they must be vigorously monitored by the County. Because existing units are grandfathered in, nothing in the proposed regulations will help the homeowner I visited, other than enforcement of the malodor, opacity, and nuisance provisions, which must be taken seriously by all inspectors at all times. The unwritten policy that we have heard of that requires several people to lodge complaints before action is taken is unfeasible in many cases, and unfair in all cases. We expect the County to work with operators of OWBs to ensure they are used according to regulations, and we expect the County to shut down units that repeatedly violate those regulations. Thank you.