

PROPOSED RULEMAKING

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CHS. 121 AND 123]

Notice of Additional Public Hearing Outdoor Wood-Fired Boilers

The Environmental Quality Board (Board) has scheduled an additional public hearing for the purpose of accepting comments on the proposed rulemaking to amend 25 Pa. Code Chapters 121 and 123 (relating to general provisions; and standards for contaminants) to add requirements for the control of particulate matter emissions from outdoor wood-fired boilers, published at 39 Pa.B. 6068 (October 17, 2009). The public hearing will be held as follows:

January 13, 2010 Coudersport High School
6 p.m. 698 Dwight Street
 Coudersport, PA 16915

The proposed rulemaking will add provisions to Chapter 123 that will establish emission standards and setback requirements for newly installed outdoor wood-fired boilers, written notice and recordkeeping requirements for outdoor wood-fired boilers sold or leased after the effective date of the proposed regulation, and stack height and fuel requirements for all new and existing outdoor wood-fired boilers operated in this Commonwealth. The proposed rulemaking will apply to a person, manufacturer, supplier or distributor who sells, offers for sale, leases or distributes an outdoor wood-fired boiler for use in this Commonwealth or a person who installs, purchases, receives, leases, owns, uses or operates an outdoor wood-fired boiler.

The proposed rulemaking will also add definitions to Chapter 121 for the following four new terms—"Btu," "clean wood," "outdoor wood-fired boiler" and "phase 2 outdoor wood-fired boiler." The proposed rulemaking, if adopted by the Board as a final-form rulemaking, will be submitted to the U.S. Environmental Protection Agency as a revision to the State Implementation Plan.

The previously-referenced hearing is in addition to other hearings held by the Board in Harrisburg on November 30, 2009, Wilkes-Barre on December 1, 2009, Cranberry Township on December 2, 2009, and Williamsport on December 3, 2009, to receive comments from the public on the proposed rulemaking.

Written Comments

The comment period for the proposed rulemaking will be extended from the deadline published at 39 Pa.B. 6068. Interested persons are invited to submit comments, suggestions or objections regarding the proposed rulemaking to the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477 (express mail: Rachel Carson State Office Building, 16th Floor, 400 Market

Street, Harrisburg, PA 17101-2301). Comments submitted by facsimile will not be accepted. Comments, suggestions or objections must be received by the Board by February 12, 2010. Interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by February 12, 2010. The one-page summary will be provided to each member of the Board in the agenda packet distributed prior to the meeting at which the final regulation will be considered.

Electronic Comments

Comments may be submitted electronically to the Board at RegComments@state.pa.us and must be received by the Board by February 12, 2010. A subject heading of the proposal and a return name and address must be included in each transmission. If the sender does not receive an acknowledgement of electronic comments within 2 working days, the comments should be retransmitted to ensure receipt.

Public Hearings

Persons wishing to present testimony at the previously-referenced hearing in Meadville are requested to contact the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony is limited to 10 minutes for each witness. Witnesses are requested to submit three written copies of their oral testimony to the hearing chairperson at the hearing. Organizations are limited to designating one witness to present testimony on their behalf at each hearing.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact the Board at (717) 787-4526 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Board can best accommodate their needs.

Copies of the Proposal

The full text of the proposed rulemaking was published in the *Pennsylvania Bulletin* on October 17, 2009 and is available at <http://www.pabulletin.com> as well as on the Department of Environmental Protection's web site at <http://www.depweb.state.pa.us> (Quick Access: "Public Participation"; then choose "Proposals Open for Comment"). Copies of the proposal are also available from Yvette House, Department of Environmental Protection, Bureau of Air Quality, Rachel Carson State Office Building, 12th Floor, 400 Market Street, P. O. Box 8468, Harrisburg, PA 17105-8468, by phone at (717) 787-9495, or by email at yhouse@state.pa.us.

JOHN HANGER
Chairperson

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