



OUTDOOR WOOD BOILERS

A. 1982 (Lupardo, et al.)

S. 3833 (Marcellino & Morahan)

Summary

This bill would place restrictions on the use of outdoor wood burning devices, such as wood-fired boilers, and require the development of air emission standards for such devices. This bill would also require the Commissioner of the Department of Environmental Conservation (DEC) to publish materials explaining the hazards of using outdoor wood-burning devices. Fire pits and wood-fired barbecues are excluded from this proposed legislation.

Explanation

Wood-fired boilers are one of the most inefficient ways of heating water for home use. According to studies conducted by US Environmental Protection Agency (EPA), wood-fired boilers may release as much as 12 times the fine particle pollution released by EPA-certified wood stoves, 1,000 times more than oil furnaces, and 1,800 times more than gas furnaces.

Outdoor wood-fired boilers do not have established safety or performance standards, unlike indoor wood stoves for which EPA established emission standards in 1992. However, wood-fired boiler sales have been increasing, with 7,500 sold in New York State in recent years.

This legislation would prohibit the use of wood-fired boilers from May through September, the time when air pollution problems are generally most acute. In addition wood-fired boilers would be required to be installed at least 200 feet from the nearest neighbor and 700 feet from hospitals, schools, nursing homes, or public parks. This legislation would also require that only wood that is free of chemical contaminants (e.g. paint, glue, or other treatments) be used as fuel in these boilers and that smokestacks conform to applicable building codes.

DEC would have until April 2008 to promulgate emission standards for wood-fired boilers or adopt the EPA's emission standards for wood stoves, as found at 40 CFR 60.530. Municipalities would not be prohibited from enacting local laws that were at least as restrictive as the provisions of the environmental conservation law.

Environmental Advocates of New York supports this bill.

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