

## Committee on Energy and Commerce

### DISSENTING VIEWS

#### *H.R. 453, the Relief from New Source Performance Standards Act of 2017*

H.R. 453 delays implementation of the Step 2 emissions standards for three categories of new wood-fueled heaters: residential wood stoves, hydronic heaters, and forced-air furnaces. The current Step 2 compliance date for these appliances is 2020, which the bill extends until May 15, 2023. No delay of these new standards is justified, and any delay will result in a significant cost to the public's health. Wood heaters are long-lived appliances; once installed, they operate for 25 years or more. So, any delay of the standards translates into more decades of added pollution and adverse health effects.

During winter months in regions of the country where wood fuel is used predominantly, the majority of particulate matter comes from wood heaters. Because the emissions are released close to ground level at their homes, there is insufficient dispersion of particle pollution, resulting in significant human exposure. Wood smoke from these appliances contains considerable amounts of fine particle pollution and carbon monoxide, as well as benzene, formaldehyde, and other toxic pollutants, all of which are harmful to public health. Wood heater pollution is associated with irritation of the eyes and the respiratory system, increased asthma attacks, aggravation of heart or respiratory conditions, changes in lung function and premature death.<sup>1</sup>

The federal emissions standards for wood stoves have not been updated since they were first established in 1988, nearly 30 years ago. In March 2015, the Environmental Protection Agency (EPA) finalized the wood heaters rule update in response to a 2005 petition from seven states and the Northeast States for Coordinated Air Use Management (NESCAUM). In their petition, the parties requested that EPA list outdoor wood boilers as a category of stationary sources and promulgate standards of performance for these appliances under section 111 of the Clean Air Act.<sup>2</sup> The 2015 rule strengthened the standards for residential wood stoves, and also established the first standards for products that came onto the market since the 1988 rule, including hydronic heaters, forced-air furnaces, and masonry heaters. These performance standards were set based on existing technology representing the “best system of emissions

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<sup>1</sup> Environmental Protection Agency, *Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces*, 80 Fed. Reg. 13672 (Mar. 16, 2015) (Final Rule).

<sup>2</sup> Petitions from the states of New York, Connecticut, Maryland, Massachusetts, Michigan, New Jersey and Vermont, and the Northeast States for Coordinated Air Use Management (NESCAUM) to the U.S. Environmental Protection Agency for a rulemaking under 42 U.S.C. § 7411(b)(1) Regarding Outdoor Wood Boilers (Aug. 11, 2005).

reduction” currently available in the industry. EPA’s 2015 rule does not affect existing appliances or require anyone to replace their current stove or heater with a new appliance.<sup>3</sup>

Manufacturers of outdoor wood boilers have been aware of pollution problems associated with their appliances since the late 1990s. Outdoor wood heater installation expanded during that time in response to higher prices for conventional heating fuels. The number of nuisance complaints from neighbors downwind of those who installed these appliances increased along with the number of installations of these heating appliances.

New York State issued a report in 2005 documenting the pollution and health problems associated with outdoor wood heaters. It found these appliances emitted far higher particle pollution than that produced by conventional wood stoves. And, the report found outdoor wood heaters to emit 1000 times more particle pollution than oil furnaces and 1800 times more than gas furnaces.<sup>4</sup> As the numbers of complaints continued to grow, local communities adopted ordinances to regulate, restrict, and in some cases prohibit the installation and operation of these devices.

EPA initiated a voluntary partnership program with manufacturers of hydronic heaters (e.g. outdoor wood heaters) in 2007, and then took an additional seven years before issuing proposed standards for wood heaters as required under the Clean Air Act. During that period the emission performance of these appliances improved substantially. In fact, there are currently models in each category, other than masonry heaters, that already meet the Step 2 standards EPA finalized in 2015.

The additional three year delay proposed in this bill serves only to punish companies that invested in research and development of cleaner, more efficient appliances. For example, Lamppa Manufacturing, a small Minnesota manufacturer, received certification of its wood furnace for the Step 2 standards. In fact, the Lamppa furnace exceeds the Step 2 emissions standard by 40 percent.<sup>5</sup> Seeing these developments as an opportunity to gain additional market share, Lamppa is planning to expand production.

Wood heaters that meet the new emission standards will also be more efficient, providing more heat per unit of wood burned. Once in place, the greatest on-going expense for these appliances is the fuel cost, an important consideration for low-income households in the decision

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<sup>3</sup> Environmental Protection Agency, *Overview of Final Updates to Air Emissions Requirements for New Residential Wood Heaters* (Mar. 16, 2015) ([www.epa.gov/sites/production/files/2015-02/documents/20150204fs-overview.pdf](http://www.epa.gov/sites/production/files/2015-02/documents/20150204fs-overview.pdf)).

<sup>4</sup> New York State Office of the Attorney General, Environmental Protection Bureau, *Smoke Gets in Your Lungs: Outdoor Wood Boilers in New York State* (Aug. 2005).

<sup>5</sup> *Iron Range wood-furnace factory needs room to grow*, The Duluth News Tribune (Sept. 17, 2017) ([www.duluthnewstribune.com/news/4329352-iron-range-wood-furnace-factory-needs-room-grow](http://www.duluthnewstribune.com/news/4329352-iron-range-wood-furnace-factory-needs-room-grow)); *Poised for growth: Lamppa Manufacturing achieves highest certification*, The Timberjay (Aug. 23, 2017) ([www.timberjay.com/stories/poised-for-growth,13580](http://www.timberjay.com/stories/poised-for-growth,13580)).

about whether to make the significant investment required to purchase and install these systems. Delaying improvements to these appliances will translate into decades of unnecessary, additional fuel expenditures for families that are least able to afford higher fuel costs, undermining the primary benefit of investing in a wood heating system.

Manufacturers have until 2020 to produce wood heating devices that meet the Step 2 standards. Contrary to industry claims, EPA reports there are sufficient numbers of independent laboratories that can certify compliant wood heating appliances. Assertions of a testing “backlog” at these laboratories have also been rejected.<sup>6</sup>

The industry has been aware of the need to innovate and produce cleaner, more efficient products for at least 15 years. No further delay is necessary. H.R. 453 punishes innovative manufacturers, undermines consumers’ fuel economy benefits, and jeopardizes public health.

For the reasons stated above, we dissent from the views contained in the Committee’s report.



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Ranking Member



Paul D. Tonko  
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<sup>6</sup> Letter from OMNI-Test Laboratories, Inc. to the Environmental Protection Agency regarding test lab capacity and future backlogs impacting wood heaters (Nov. 14, 2017).