

New Law in Effect Regarding Outdoor Wood Boilers

Concord, NH - The New Hampshire Department of Environmental Services wants to make people aware of a new law that applies to outdoor wood boilers (also known as outdoor wood-fired hydronic heaters). If you already own an outdoor wood boiler or are thinking about purchasing one, you should know about HB 1405 (Chapter 362, Laws of N.H. 2007) of which certain provisions went into effect on August 10, 2008. The law establishes requirements for the sale, installation and use of these devices.

As of August 10, 2008, only clean wood and wood boilers that are purchased and installed after August 10 and before January 1, 2009, and do not meet certain particulate emission standards as certified by the U.S. EPA, must meet two conditions. First, they must be installed no closer than 200 feet from abutting residence. Second, they must have a permanent attached stack that is at least 2 feet higher than the peak of the roof of a residence or place of business (not served by the unit) located within 300 feet of the outdoor wood boiler. Also effective Aug 10, all distributors and/or sellers of outdoor wood boilers are required to provide prospective buyers with a copy of the new law.

Effective immediately, owners of existing outdoor wood boilers that are deemed a nuisance or injurious to public health by either the municipality or the Department of Health and Human Services will be required to abate the nuisance. DES will provide technical assistance to the municipality and the Department of Health and Human Services if this situation arises.

In addition to the requirements listed above, after January 1, 2009, the only outdoor wood boiler models that can be sold in New Hampshire must be certified by the U.S.EPA as meeting a Phase I particulate matter emission limit of 0.6 pounds per million British Thermal Units input or a stricter Phase II particulate emission limit of 0.32 lb/MMBTU output. Effective April 1, 2010, all units must meet the Phase II standard in order to be sold in the State. Units that meet the Phase I or Phase II EPA standards will be labeled accordingly.

Phase I units must be installed no closer than 100 feet from the nearest property line and have a permanent attached stack of 2 feet higher than the peak of the roof or place of business (not served by the unit) located within 300 feet of the unit. Phase II units must be installed no closer than 50 feet from the nearest property line.

DES recommends that individuals who currently own and operate an outdoor wood boiler follow best management practices for operation. People considering purchasing an outdoor wood boiler are urged to purchase the newest and cleanest burning units available. A complete list of certified makes and models can be found at the EPA website at <http://www.epa.gov/woodheaters/models.htm>. For questions about New Hampshire's requirements and how they might apply to you, please call Pamela Monroe at DES, 603-271-0882.