



NEW YORK STATE SENATOR

Michael F. Nozzolio

Senator Nozzolio Blast's Dec's Closed-Door Rule Making on Outdoor Wood Boilers

MICHAEL F. NOZZOLIO December 22, 2010

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New York State Senator Mike Nozzolio today blasted officials at the Department of Environmental Conservation for forcing through without public scrutiny a new set of invasive regulations restricting the use of outdoor wood boilers. These regulations were hastily enacted at a meeting of the DEC's Environmental Review Board that was announced just days before the vote and without an opportunity for public comment.

"These disastrous regulations will have a devastating impact on our farmers and landowners who rely on wood boilers as a cost-effective and efficient means of heating their homes. To restrict the use of wood boilers now, at the onset of winter, is unconscionable," said Senator Nozzolio. "The lack of transparency and public input surrounding these regulations that will impact thousands of Upstate homeowners is appalling."

The new regulations impose costly new emission, stack height, certification and paperwork requirements on all new boilers installed after April 15, 2011. When the regulations were first proposed in October, DEC officials pledged to hold additional public hearings on the measure. None were ever scheduled.

It was revealed late last week, however, that the Environmental Review Board would be meeting on December 22nd to enact the new regulations.

According to State law, new public comment hearings must be scheduled for a proposed rule making when the new regulation being considered has been significantly changed from previous versions. In an effort to stop this rule making, Senator Nozzolio called on DEC Acting Commissioner Peter Iwanowicz to demand that the DEC follow the law and allow for more time for public comment before these regulations are adopted.

"The people of New York State expect and deserve to have State agencies that are open, transparent, and follow the law. At this time of extremely difficult economic stress, it is

outrageous that the DEC has resorted to secretive and questionable actions that further inflict harm on Upstate New York,” said Senator Nozzolio.

“The new regulations for outdoor wood boilers will have a negative impact on thousands of people’s lives and businesses and will make it harder for many New Yorkers to use wood boilers as a heating option. I will continue fighting to overturn these invasive regulations and will strongly oppose any further restrictions on individuals who rely on outdoor burning for efficient heating or waste disposal,” concluded Senator Nozzolio.