

Regulations for Outdoor Wood Burning Boilers

Section 1. Findings and Purpose:

Whereas outdoor wood burning boilers have been shown, because of their design, to omit high quantities of particulate matter and other noxious fumes; and

Whereas poor management and poor fuel exacerbate the effects of the smoke created by the finding of these units;

The Board of Health of the Town of Hardwick, pursuant to Section 31 and 31C of Chapter 111 of the Massachusetts General Law, hereby adopts these regulations in order to minimize the human health hazards resulting from the smoke and noxious fumes emitted by outdoor wood burning boilers, to encourage proper techniques in the use and location of these boilers, and to promote the public comfort and convenience.

These regulations shall be effective: September 7, 2006

Section 2. Definitions:

Outdoor Wood Burning Boiler (OWB): A wood fired boiler, surrounded by a water jacket, in a freestanding structure with a smoke stack used to heat water that is carried by piping to provide heat or hot water to a building.

Wood Fuel: All wood intended to be used as fuel, including but not limited to trees, cordwood, logs, lumber, sawdust, and wood from manufacturing processes (butt offs, shavings, turnings, sander dust) wood pellets, slabs, bark, chips, waste pellets. This definition does not include materials chemically treated with any preservative, paint or oil.

Seasoned Wood: Wood that has been cut a year and dried at least 6 months.

Section 3. Requirements:

- A.** A permit is required from the Board of Health to install a new outdoor wood burning boiler. The BOH reserves the right to deny a permit for the installation of a new OWB if the proposal submitted can not conform to Hardwick Board of Health regulatory standards (see below)

* The permit process shall include submission of a written application form and payment of the permit fee established by the Board of Health (BOH). Application and fee must be submitted in person to the BOH during a regularly scheduled BOH meeting. In addition, permit applicants must demonstrate to the satisfaction of the BOH that they understand the requirements for proper installation and operation of an outdoor wood burning boiler. The application must be accompanied by a locus map indicating proposed boiler location in relation to other buildings and separating distances from boiler to all buildings and outbuildings on site and all neighboring houses within 400 feet, together with distances to all roads adjacent to site, and distances from boiler to woods, brush, and flammable structures.

- B.** No boiler shall be installed within 50 feet of a house it is serving or within 200 feet of any other house.
- C.** Boilers located between 200 and 400 feet of a house other than the one being served must have a smokestack height of at least 50% of the height of the eaves line of the highest abutting residence plus 2 feet.
- D.** Boilers located within 400 feet of another house may only be operated during the heating season, which shall be for the purpose of these regulations to be 1 September to 1 June.
- E.** Manufacturer's recommendations for the installation and use of the unit must be followed.
- F.** Only dry, seasoned, untreated wood fuel may be burned in the boiler unit.
- G.** Boilers installed BEFORE the effective date of these regulations shall be exempt from sections 3A, B, and C of these regulations. However, the BOH shall have the right to conduct on-sight OWB operation inspections and to take appropriate enforcement or other actions (example requiring unit modifications); in accordance with Chapter 111 of the General Laws, with respect to any such boiler that it determined constitutes a nuisance.

Section 4. Severability:

If any provision of these regulations is declared invalid or unenforceable, the other provisions shall not be affected thereby, but shall continue in full force and effect.

Section 5. Variances:

The Hardwick Board of Health may revise any provision of these regulations with respect to any particular case, when in its opinion, (1) the enforcement thereof would do manifest injustice, and (2) the applicant has proved that the same degree of protection can be achieved without a strict application of the particular provision. All variances shall be considered at a hearing by the Board of Health.