



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

## **Response to Comments**

### **Proposed State Implementation Plan Revision**

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*Including Updates to Spokane Regional Clean  
Air Agency Solid Fuel Burning Device  
Standards Rule (Regulation I - Article VIII), in  
the Washington SIP*

July 2015  
Publication no. 15-02-010

## Publication and Contact Information

This report is available on the Department of Ecology's website at <https://fortress.wa.gov/ecy/publications/SummaryPages/1502010.html>

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**Response to Comments**  
**Proposed State Implementation Plan Revision**

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**Including Updates to Spokane Regional Clean Air  
Agency Solid Fuel Burning Device Standards Rule  
(Regulation I - Article VIII), in the Washington SIP**

Air Quality Program  
Washington State Department of Ecology  
Olympia, Washington



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# Introduction

The federal Clean Air Act requires the Environmental Protection Agency (EPA) to develop National Ambient Air Quality Standards (NAAQS) for six common air pollutants called criteria pollutants. It requires states to develop plans (called State Implementation Plans, or SIPs) detailing how the states will meet these standards.

Washington's SIP consists of state regulations adopted by the Department of Ecology (Ecology), state regulations adopted by the Energy Facility Site Evaluation Council (EFSEC), and regulations adopted by local clean air agencies. States must submit their SIPs to EPA for approval, after providing public notice and an opportunity for public comment. In Washington, the Governor designated Ecology as the agency responsible for adopting SIP revisions, including state and local plans and regulations, and submitting SIPs to EPA.

Once approved by EPA, provisions in SIPs become federally enforceable. This means that if a local agency or state fails to implement the SIP, citizens or EPA can step in. In other words, SIPs allow for additional oversight by the public, regulated community and EPA.

On July 10, 2014, the Spokane Regional Clean Air Agency (SRCAA) adopted a revised regulation for the use of solid fuel burning devices including wood stoves, in the Spokane area. Before adopting the revised Regulation I, Article VIII, *Solid Fuel Burning Device Standards*, SRCAA provided notice to the public, accepted public comments, and held a public hearing.

The primary intent of the regulation update was to align the regulation's stated procedure for issuing temporary bans, or curtailments, on the use of solid fuel burning devices with Washington State law. The regulation update also revised the process for individuals to obtain authorization to use solid fuel burning devices during burn bans. The criteria for issuing burn bans are established in state law in Revised Code of Washington (RCW) 70.94.473, which was amended by the state legislature in 2008. Incorporating the amended RCW into SRCAA Regulation I, Article VIII, will not affect SRCAA's practices with respect to the issuance of burn bans because the agency already implements the state law.

On February 25, 2015, SRCAA asked Ecology to adopt its revised regulation into the SIP, and to submit it to EPA for approval. Ecology agreed. Ecology provided public notice of its proposed approval of SRCAA's regulations into the SIP, and accepted comments from March 2, 2015 through April 10, 2015. Ecology also held two public hearings in Spokane, both on April 2, 2015. This Response to Comments responds to the oral and written comments received from the public.

Ecology received numerous comments on this action, both oral and written. The public hearings were well attended. Ecology is grateful to the commenters for paying attention to the air. Ecology encourages the commenters to remain engaged in clean air issues. Most of the comments concerned issues that are outside Ecology's control, and outside the scope of this action.

For example, many of the commenters expressed concerns about the content of the regulation adopted by SRCAA. Because the regulation was adopted by SRCAA, Ecology cannot change the content. Commenters should make sure they provide these comments to SRCAA and ask SRCAA to alert them when SRCAA next revises its regulations.

Many commenters expressed concerns about EPA's NAAQS for fine particle pollution and about EPA's new emission standards for new wood stoves. The new federal emission standards for wood stoves only apply to the manufacturing of new wood heating devices. There are no new requirements for existing wood heating devices currently in use in people's homes. The first phase of the new federal standards is in alignment with Washington State's stricter manufacturing standards. Ecology cannot change EPA's standards. The federal Clean Air Act allows states to adopt their own standards, but only if the states' standards are stricter than the federal standards. Concerns that EPA's standards are too strict should therefore be addressed to EPA. Before adopting a standard, EPA must provide notice to the public and an opportunity for the public to comment. Ecology urges commenters to use the EPA process to make sure EPA hears their comments.

Other commenters expressed concerns about state statutes adopted by the legislature to address burn bans in general and the Tacoma-Pierce County nonattainment area in particular. Ecology cannot change these statutes. Concerns about these statutes should be addressed to your legislators.

Because SRCAA's revised regulations align with state law and federal requirements, Ecology is adopting the SIP revision and will be submitting SRCAA's revised regulation to EPA for approval into Washington's SIP.

The purpose of this Response to Comments is to:

- Meet the federal Clean Air Act requirements that agencies prepare a response to comments.
- Provide reasons for adopting the SIP revision.
- Describe any differences between the proposed SIP revision and the adopted SIP revision.
- Provide Ecology's response to comments.

This Response to Comments provides information on the Washington State Department of Ecology's (Ecology) adoption of a SIP revision for:

**SIP Revision Title:** State Implementation Plan Revision: Including Updates to Spokane Regional Clean Air Agency, Solid Fuel Burning Device Standards (Regulation I - Article VIII), in the Washington SIP

**Local Rule:** Spokane Regional Clean Air Agency Regulation I, Article VIII, Solid Fuel Burning Device Standards

**Date local rule revised:** July 10, 2014

**Date local rule effective:** September 2, 2014

**Ecology's SIP adoption date:** July 10, 2015

To see more information related to this SIP revision, please visit our web site:  
<http://www.ecy.wa.gov/programs/air/sips/plans/infrastructure.htm>.

## **Reasons for Adopting SIP Revision**

In the early 1990s Spokane was designated as being in nonattainment (not meeting) for the federal health-based NAAQS for coarse particle pollution (PM<sub>10</sub>). Not meeting this standard puts people's health at risk and triggers strict federal requirements that impose economic constraints on the area.

To redesignate the area as in attainment of the standard, Ecology and SRCAA were required by EPA to submit a redesignation request and 10 year maintenance plan demonstrating that the area had enforceable strategies in place to continue to meet the standard for 10 years. Ecology and SRCAA are now required to submit a second 10 year maintenance plan demonstrating that the area has enforceable strategies in place to continue to meet the standard for another 10 years.

In 1994, EPA approved SRCAA's Regulation I, Article VIII, Solid Fuel Burning Device Standards into the SIP. In 2005, EPA redesignated Spokane as in attainment with the PM<sub>10</sub> standard. SRCAA's 1994 regulations were included as part of the first 10 year maintenance plan. Since this local regulation was first approved in the SIP in 1994, it has undergone several revisions. The most recent revision to the local rule was effective in September 2014.

In February 2015, SRCAA asked Ecology to submit its updated 2014 Solid Fuel Burning Device regulation to EPA to replace the 1994 regulations in the SIP.

Ecology is approving SRCAA's request and adopting this SIP revision to:

- Provide legal clarity and consistency between current regulation in effect in Spokane County and the federally enforceable regulation adopted in the SIP.
- Support the second 10 year maintenance plan for the Spokane PM<sub>10</sub> Maintenance Area.
- Improve air quality and help the area meet health-based federal air quality standards.

## **Differences between the Proposed SIP Revision and Adopted SIP Revision**

There are some differences between the proposed SIP revision released for public review on March 2, 2015, and the adopted SIP revision published in July 2015. Ecology made these changes for all or some of the following reasons:

- To ensure clarity and consistency.

- In response to comments we received.

The following changes were made:

- The purpose section was expanded in response to comments received to clarify the process for revising local rules and adopting them in the SIP, and to clarify that the SIP revision does not amend any local or state rules and does not address the new EPA emissions standards for the manufacturing of new wood stoves.
- A description of the public involvement process was added.
- Various housekeeping and clarification revisions were made.

## Summary of Public Involvement Process

Ecology accepted comments from March 2, 2015 through April 10, 2015. Ecology held two public hearings in Spokane on April 2, 2015.

## Response to Comments

Ecology received 48 comments from the public on the proposed SIP revision. This section provides a summary of comments that Ecology received during the public comment period and our responses.

Ecology grouped and numbered the comments based on several common themes addressed by the commenters. Each comment has a number followed by Ecology's paraphrased summary of the comment in bold italics. Following that, Ecology noted the commenter's name and copied the comments received in writing or at the public hearing verbatim in non-italic font with quotation marks.

Both written comments received during the comment period and oral comments received during the two April 2, 2015 public hearings are included and weighted equally. Appendix A contains copies of all of the original, unaltered text for all of the comments received in their entirety. Appendix B contains a copy of the hearing transcript including comments received as testimony at the hearing.

The commenter index table below lists each commenter, affiliation, and the comment number.

# Commenter Index

**Table 1: Commenter Index**

<b>Name/Affiliation</b>	<b>Affiliation</b>	<b>Comment Number</b>
Alene Lindstrand	Citizens' Alliance for Property Rights	7, 8, 12, 17, 28
Allen Randall		28, 31
Bill Demers		28, 31
Bryce Morrison		1
Catherine Isabel		9
Christine Keck		7, 27
Cindy Marshall		4
Cindy Zapotocky	Citizens' Alliance for Property Rights	8, 10, 15, 17, 21
Citizens Alliance for Property Rights		10, 12, 17, 28
Clarice Ryan		7, 31, 33
Dan Clark		8
David Bolenus		3, 18, 19, 23, 24, 29, 35
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Gene Vin		25
Gloria Clark	Citizens' Alliance for Property Rights	2, 7, 8, 11
Jeff Brodhead		14, 25, 33
Jim Robinson		8, 31, 32, 33
John Charleston		8
Judy Crowder		8, 25, 26
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Marian Lonan		7, 22, 25, 32
Marilyn Montgomery		6, 8, 10, 12, 33
Mary Ellen Albertson		6, 32
Mary Jo King		1, 10
Patricia Dunham		6, 33
Rene' Holaday		2, 3, 7, 8, 16, 25, 34
Rep. Jeff Holy		5
Stephen Dunham		25, 31
Steven DePiro		30, 33
Sue Lani Madsen		2
Unknown		17, 20

# Comment themes and Ecology's response

## General comments on process

*1. Ecology should provide additional information, including a less formal explanation, about the proposal. (paraphrased summary)*

### **Bryce Morrison**

"I believe it would be helpful to direct the public (including myself) to a less formal explanation of how the proposed changes would impact the general public.

If there would be any changes that would impact the public (such as the use of the [burning conditions website](#)), perhaps an article could be posted on our [neighborhood's website](#), or a speaker could be invited to give a presentation at our monthly neighborhood council meeting (averaging 40 attendees)."

### **Mary Jo King**

"Could you please explain what the hearing is about in Spokane Wa on April 2nd and what the Department of Ecology is proposing to do in Spokane County?"

### **Ecology Response:**

Thank you for your comments. Ecology worked with SRCAA to develop a [Frequently Asked Questions](#) document with a less formal explanation of the proposal. This document was posted on Ecology and SRCAA's websites and distributed broadly by e-mail. Ecology also contacted the commenters directly to provide additional information, and forwarded the request for a speaker to SRCAA to arrange a speaker to give a presentation at a neighborhood council meeting.

*2. Ecology should hold a public hearing, add an evening hearing, and extend the comment period. (paraphrased summary)*

### **Gloria Clark**

"Spokane citizens would like to have a public hearing regarding a burn ban on wood stoves in Spokane County. The meeting needs to be changed to an evening format, so hard working folks can attend."

### **Rene' Holaday**

"I don't know if you have had the formal request for this hearing sent to you yet, but if not, I am formally requesting a hearing for the 2nd of April with this email response."

### **Sue Lani Madsen**

"Per the Joint News Release dated March 2, 2015 I hereby request a public hearing and am sending this request prior to the March 23rd deadline for receipt of such a request (just in case no one else made the request)."

**Ecology Response:**

Thank you for your comments. In response to the comments received, Ecology held two public hearings, one on the morning of April 2, 2015, and one on the evening of April 2, 2015. Ecology also extended the public comment period to 40 days.

***3. Ecology's effort to notify the public of this proposal of this new standard is inadequate. (paraphrased summary)***

**David Bolenus**

“This process seems ill-publicized and hurried? Is that with conscious intent so as not too involve too many that would be as enraged as I if they were given the opportunity to understand the impact of this new standard?”

**Rene' Holaday**

“This rather hidden notice to the public is grossly inadequate for such an extremely important issue. Something of this magnitude should be announced as an ALERT on the evening news, morning news, and in every newspaper in the entire State.”

**Ecology Response:**

Thank you for your comments. Please keep in mind that the solid fuel burning device regulation that is the subject of Ecology's action was adopted by SRCAA (not Ecology) and has been in effect since September 2, 2014. If you have questions about this regulation, please contact SRCAA at 509-477-4727 or visit [www.SpokaneCleanAir.org](http://www.SpokaneCleanAir.org). Ecology's action at this time is to submit SRCAA's revised regulation to EPA for adoption into the SIP. Ecology notified the public of this action in the following ways:

- E-mail to Ecology's statewide solid fuel burning devices distribution list
- E-mail to Ecology's statewide SIP listserv
- Public involvement calendar
- Website
- News release
- Legal notice published in the Spokesman Review

In addition, SRCAA sent out information to a local e-mail distribution list and posted the information on their website. We believe these actions provided adequate notice of this SIP revision to interested members of the public and those affected by this action.

Please contact SRCAA if you wish to be notified of future SRCAA regulation actions and please contact Ecology if you wish to be notified about future SIP actions.

***4. Ecology should explain how the public comments and testimony will be considered. (paraphrased summary)***

**Cindy Marshall**

“What is your expected response or your impact from this public testimony to aligning the local plan to the state? That's my concern, is what we're stating here today, is this going to be

something that you're actually going to take this information from the public here and actually, you know, use this as part of your decision making or are we just here expressing our view without a purpose?

Spokane Regional Clean Air Agency is an agency, is part of the EPA, another agency. It's part of the government. The government's purpose is to protect and defend the citizens. And the citizens put government in place to protect that because it's at the consent of the citizen. So again, this kind of reflects back on my question. I'm hoping and praying that you're going to take the information that's been expressed here through questions, expressed here through testimony, and not just walk away with just saying, 'Well, we're just going to do what we're going to do because that's been our plan all along.' That you're actually going to hear it [sounds like (14:41)] from the consent of the citizens. And from what I'm hearing, the citizens are not happy with what's being proposed."

### **Ecology Response:**

As documented in this Response to Comments, Ecology considered all of the written and oral comments provided by members of the public in determining whether to submit SRCAA's revised regulation into the SIP and submit it to EPA for approval. Ecology also considered that both Ecology and SRCAA are tasked by state law with securing and maintaining levels of air quality that protect human health and safety, and that emissions from wood burning stoves are a major cause of respiratory illness in Washington.<sup>1</sup> Smoke from wood stoves affects not only the people in the house burning the wood, but also their surrounding neighbors who must breathe the smoke.

Ecology also considered the fact that SRCAA adopted its 2014 revised regulation to align with state law adopted by the legislature. Ecology's purpose in submitting this regulation for inclusion in the SIP is to make the federally enforceable SIP provisions consistent with current state law and local regulations. Without SRCAA's revised regulation and the adoption of the regulations into the SIP, people in the Spokane region would be subject to three different sets of laws and regulations: the 1994 SRCAA regulations currently federally enforceable as part of the SIP, the state statutes governing wood stoves and burn bans, and SRCAA's current regulations, which differed from both of these standards.

As part of this action, Ecology is not making any changes to state or local rules. The scope of the action is to update SRCAA's outdated solid fuel burning device regulation in the SIP with the current SRCAA regulation. Most of the comments Ecology received concern the content of SRCAA's regulation, and would be more appropriately directed to SRCAA the next time they update their solid fuel burning device regulation.

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<sup>1</sup> Washington Dept. of Ecology (2009 and 2012); American Lung Association (2015); U.S. EPA (2010)

*5. Ecology should notify me of changes in state standards or Spokane County local rules resulting from these hearings. (paraphrased summary)*

**Rep. Jeff Holy**

“Keep me in the email loop as to any change in state standards or Spokane County local rules resulting from these hearings.”

**Ecology Response:**

Thank you for your comment. Ecology has added you to our email list of persons to be notified of Ecology rule changes. In addition, we have forwarded your request to SRCAA, who has agreed to add you to their email list of persons to be notified when they modify their regulation.

**Concerns about tighter restrictions on wood burning**

*6. I am concerned about tighter restrictions on wood burning and wood stoves. People have a right to burn wood to heat their homes and businesses. Wood burning restrictions violate individual liberty and private property rights guaranteed under the U.S. Constitution and the Constitution of the State of Washington. This takes away our independence and makes people dependent on a third party who has a monopoly to get our power. (paraphrased summary)*

**Lester Lea**

“I do not approve of these unnecessary changes to air standards in Spokane County that will infringe on my private property rights guaranteed under the U.S. Constitution and the Constitution of the State of Washington.”

**Liz**

“I do not approve of these unnecessary changes to air standards in Spokane County that will infringe on my private property rights guaranteed under the U.S. Constitution and the Constitution of the State of Washington.”

We appreciate SRCAA’s effort to update the policy and propose it to EPA which would appear to make more sense and be better for the public, but we do not approve of the idea. We highly suggest and ask that you and the team really look beyond the horizon here and see what’s happening. We too are people who are in need of paychecks but we do not compromise. If you’re in the position to select compromise or losing your position, we strongly encourage you all to seek companies that do not bow under tyranny.”

**Marilyn Montgomery**

“For the record, I do not approve of these absolutely unnecessary changes to air standards in Spokane County, standards that will infringe on my and my neighbors' private property rights guaranteed under both the Constitution of the State of Washington and the Constitution of these United States.”

**Patricia Dunham**

“For hundreds of years people have burned wood in their homes. It is our right to enjoy our home. To remove one more infringement upon our rights granted by the constitution is despicable. Large mills & casinos can omit whatever comes out their chimney stacks ... It's always the small guy who is under siege. Our incinerator can't be without some stink but let's hush that up:) Empty city buses omit plenty of awful diesel fumes & the wealthy who burn in their oval shaped fire pits are not a problem. But let's get Granny away from that stove & turn up that electric or gas ( AVISTA NEEDS YOU )”

**Mary Ellen Albertson**

“I would like to call on Patrick Henry back in March 23, 1775 and he was, at that time, working on declaring independence, calling upon his countrymen to trust in God whether they want to be independent or not. He says, ‘Sir, we shall not fight our battles alone. There is a just God who presides over the destiny of our nation and who will rise up friends to fight our battles for us. The battle, sir, is not for the strong alone, or is it for the vigilant, or the active, or the brave.’ Now listen to his passion in the conclusion. ‘Is life so dear, ma'am [sounds like – 00:30:09], or peace so sweet, as to purchase at the price of chains and slavery?’ And that's what you're doing to us, trying to take away the wood stoves.”

**Ecology Response:**

Thank you for your comment. The federal Clean Air Act requirements concerning SIPs can be found at 42 USC 7410 and 7505 (sections 110 and 175a of the federal Clean Air Act). Washington's Clean Air Act, found in RCW chapter 70.94, provides Ecology authority regarding implementing air quality standards and regulating wood stoves. Washington's Clean Air Act also provides authority for local air agencies. SRCAA's regulation regarding wood stoves is found in Regulation I, Article VIII. Ecology's submittal of SCRAA's revised regulation to EPA is consistent with the state and federal Clean Air Acts. Ecology believes these laws, and Ecology's submittal to EPA in accordance with these laws, are consistent with the state and federal constitutions.

The intent of the federal, state, and local laws and rules regarding wood burning is to protect public health and welfare. All people, especially elderly people, children, pregnant women, and people with existing heart or lung conditions, are vulnerable to health problems from breathing wood smoke and the fine particle pollution it contains.

Under state law, when fine particle pollution reaches unhealthy levels that risk exceeding air quality standards, state and local agencies may call burn bans that restrict the use of certain solid fuel burning devices, including wood stoves. Typically burn bans are called for only a few days each year in the winter (see response to Comment No. 20). Burn bans do not apply to people granted exemptions (no alternative source of heat, low income, and primary heating source temporarily inoperable).

These laws and rules are in place to ensure that people can heat their homes responsibly without interfering with people's right to clean, healthy air. To learn more about Washington's wood

stove requirements, visit

[http://www.ecy.wa.gov/programs/air/indoor\\_woodsmoke/wood\\_smoke\\_page.htm](http://www.ecy.wa.gov/programs/air/indoor_woodsmoke/wood_smoke_page.htm).

In this SIP revision, Ecology and SRCAA are not making any changes to state or local standards or regulations. This SIP revision will not result in tighter restrictions on wood burning and wood stoves than those already in place in state and local rules.

***7. People rely on wood for heat, and will experience financial hardships if this is adopted. The rules being proposed will especially impact low-income, fixed income, and people living in rural areas. People may have to refrain from using wood for heat or buy more expensive heating devices. Wood stoves help keep families warm and supply heat during power outages and emergencies. (paraphrased summary)***

**Alene Lindstrand**

“Let's get serious here: this will put a big burden on those who use the renewable resource of wood to heat their homes, primarily, and also as a backup. What's the burden for them? Lowered particulate matter BY MORE THAN HALF will result in practically ALL banned burning days, just a very few. Exemptions COST money. Fines COST money. Ripping out and replacing new, DoE standards for woodstoves COST A LOT of money, selling a non-compliant wood stove will be FINED at \$10,000.”

**Christine Keck**

“Should Ecology submit the revised SFBD rule to EPA for approval in Washington's SIP?

I say -NO!

I am not happy with the attempt to force such strict particle emission standards upon us who have wood burning products to heat our homes.

I have been a very careful wood as an energy source use all of my over 60 years. I have been and still am as careful to burn cleanly as possibly can manage. It is part of our areas culture, my preference as to heating style and the extreme measure you are considering would put my family in GREAT financial burden to try to change to a non-wood source of heat. All human consumption on planet earth is NOT all harmful and should not be treated as such. A more REALISTIC amount of particulate is what I am asking you to look into for regulations. The EPA tends to go to extremes and behaves to the public as if they(epa) are always the only way and the public are just dummies. We are not and we can only do so much in reality.

Please do not just "jump off the deep end " as the saying goes and automatically go along with any new rules-think and research how much as a real breathing person not just a graph I can do to burn clean but still be warm!”

**Clarice Ryan**

“We in Montana strongly urge opposition to restrictions on use of wood burning stoves. Low income families would be seriously harmed by stringent requirements which might force them to purchase new stoves or even to refrain from wood heat.”

**Gloria Clark**

“Third, rural citizens experience loss of electricity more often than city residents. Their wood stoves provide a sense of security to keep their families warm and supply heated food during frequent power outages. The new EPA standards would apply whether a person lives in a pristine region such as rural Alaska off the grid, or in a large city. EPA is obviously going after folks who use wood to heat their homes and their new rules make no logical sense.”

**Rene’ Holaday**

“The exemptions, the economic impact in regard to exemptions for low-income families does not address me because we are far from low-income. However, we still cannot afford to heat our home with electric heat because the bill would actually start conflicting with our ability to pay for our residence. And over six years ago, we opted to quit using any electric power whatsoever because it was causing a huge degradation in our quality of life. Therefore, the exemptions for low-income doesn’t even begin to reach the scope of economic impact into the average household that does use wood for heat. We would be very, very severely impacted.”

**Marian Lonan**

“And my electric bill continues to rise. In the last few years, it’s doubled. I don’t have electricity to run my heating in my house. That’s just for running my dryer and my lights. And it’s doubled. So I really kind of have a sense that Avista and some of these power companies are behind in paying for you guys to move forward with your incremental baby steps to stop the ability to keep my house warm.”

**Ecology Response:**

Thank you for your expressing your concerns. This SIP revision will not result in tighter restrictions on wood burning and wood stoves than those already in place in state and local rules. Since there are no changes to rules or requirements, Ecology does not believe that the SIP revision will negatively impact low-income, fixed income, or people in rural areas.

Spokane County residents will continue to be able to heat their homes with wood or pellets as long as they follow clean burning requirements; burn only dry, seasoned wood (or pellets), minimize smoke coming from the chimney (state law prohibits excessive chimney smoke). Also, residents will still be required to comply with burn bans when pollution reaches unsafe levels.

During a burn ban in Spokane County, all residents who reside within the Smoke Control Zone (or Spokane County, if conditions require countywide ban) and have a solid fuel burning device must comply with stage 1 and stage 2 burn bans, unless they have an exemption to use the device during a burn ban (stage 1 and stage 2). During a stage 1 burn ban, only certified devices (wood and pellet stoves and inserts) may be used. During a stage 2 burn ban, use of all wood burning devices is prohibited.

Exemptions are available, including: one-time 10-day temporary, low income, no adequate source of heat, primary heating source temporarily inoperable, and state of emergency.

In Spokane County, residents can contact SRCAA to apply for an exemption to use their solid fuel burning device during a burn ban. They can call 509-477-4727 or visit [www.SpokaneCleanAir.org](http://www.SpokaneCleanAir.org). The application fee is \$25 for first time, \$10 for annual renewal. Fees are waived for low-income exemption. There is no fee for the one-time, 10-day temporary exemption.

If SRCAA determines a state of emergency exemption is applicable for a certain geographic area, the exemption applies automatically in that area.

There are many ways Spokane County residents can find out if a burn ban is in effect:

1. Calling the burn information line, 509-477-4710.
2. Visiting [www.SpokaneCleanAir.org](http://www.SpokaneCleanAir.org).
3. Signing up for the free burn ban list serve (visit [www.SpokaneCleanAir.org](http://www.SpokaneCleanAir.org)).
4. Paying attention to local news. Radio, television and newspaper reporters often communicate burn bans.

When a burn ban is issued by SRCAA, a 3-hour burn down time is allowed from the time the curtailment is called (Regulation I, Section 8.07C & WAC 173-433-150(8)). Residents must comply with the burn ban until it is lifted.

Ecology does not believe that either this SIP revision or SRCAA's revised regulation will result in more frequent burn bans. The claim that lowered particulate matter by half will significantly increase burn bans is incorrect. The change from SRCAA's 1994 stage 1 burn ban trigger of 75 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) of observed daily  $\text{PM}_{10}$  levels, to SRCAA's 2014 trigger of 35  $\mu\text{g}/\text{m}^3$  of forecasted daily  $\text{PM}_{2.5}$  levels, does not mean there will be twice as many burn bans.

Changes in the burn ban trigger reflect a shift from  $\text{PM}_{10}$  (coarse particles like dust) to  $\text{PM}_{2.5}$  (fine particles like smoke). The trigger in SRCAA's rule was changed from  $\text{PM}_{10}$  to  $\text{PM}_{2.5}$  in 2007. Smaller finer particles can be breathed more deeply into the lungs and pose a greater health risk.

Changes in the burn ban trigger also reflect improvements in forecasting which allows SRCAA to call burn bans more precisely. In 2007 the trigger for a stage 1 burn ban was amended to observed daily  $\text{PM}_{2.5}$  levels of 20  $\mu\text{g}/\text{m}^3$ . In 2014, it changed to forecasted daily levels of  $\text{PM}_{2.5}$  of 35  $\mu\text{g}/\text{m}^3$ .

In response to Comment No. 20, Ecology is providing a table (starting on page 32) showing how often burn bans have been called in Spokane County from 1974 to 2014. This table shows that burn bans have been called for only a few days each year, even since 2007 when the trigger was changed to  $\text{PM}_{2.5}$ .

For more information, visit <https://www.spokanecleanair.org/wood-heating/burn-bans>.

***8. Spokane is meeting National Ambient Air Quality Standards. With improvements in air quality, no further restrictions on wood burning devices are necessary and Spokane should not have to comply with stricter air quality standards. There is insufficient scientific evidence to support stronger standards. Fine particle standards are too strict. EPA will keep lowering the standards. We should not adopt these standards. SRCAA and Ecology are not or should not be subject to national standards or EPA air quality requirements. Standards should be established by the state or on a more regional basis. (paraphrased summary)***

**Alene Lindstrand**

“I am writing to you because I am greatly unhappy with new countywide woodstove burning ban standards recently lowered by the EPA. After attending a public meeting held here in Spokane April 2nd, it is outrageous to even begin to comprehend, as we were told, that Spokane County needs to meet EPA statewide standards EVEN THOUGH WE HAVE HAD NOT BEEN OUT OF COMPLIANCE since 1995, and additionally, Washington state has the highest clean air standards in the nation!! So, we need to meet even stricter and more draconian rules "just because." This does not make sense to meet some standard you've been exceeding all along!

How can the DoE be taken seriously when they aren't using any reasonable standards or measurements (because we already exceed standards that they want even lower) "just because." Where's the SCIENCE? and I am not referring to modeling, which is only one tiny part of a multitude of data that needs to be gathered and processed, along with peer reviewed scientific data. We were told this new standard will be for the "health" of the people. Again, where's the scientific data, and who put it together (name, degrees, books written, bias held)? Where's the discussion of long term consequences, such as, NO ONE will be able to use a wood stove by 2020 since the standards will be stricter than nature even. Is the DoE attempting to play God, is nature is not "good" enough for them? Good management and the best scientific uses WILL look at long term consequences, and that is not being done. I would be happy to have your explanation since there was nothing reasonable explained at the meeting.

My goal is to attempt to communicate with you clearly, but I have a strong suspicion that, while my words are defined in Webster's Dictionary, the DoE's words have quite different meanings and I don't know their definitions.

Please DO NOT enforce these lowered impossible standards upon us because we ARE in ambient air compliance and PEOPLE MUST COME BEFORE a bureaucracy's rules that don't make any sense and don't HAVE THE FACTS behind the rules.”

**Alene Lindstrand**

“My husband sent me with a statement as well. He says people depend on wood burning for our main source of heat. And the government has required over the years the wood stoves to be efficient and to reduce emissions, and we ourselves, my husband and I, have purchased two stoves that have met those requirements. And now they want to put further restrictions on us. It's as if we're moving towards more and more restrictions and more and more banning. It's not as if you're happy with what has already been put in place and not content, especially by all of the information that we've even seen that your website offers us as factual. And I know growing up in this area in 1974, I think it was Rene that referred to it, 1974, I remember driving into Spokane

and seeing a black haze over Spokane. And that was from a lot of emissions, probably maybe fire places added to that. Regulations have helped clean that up. But I know businesses also cleaned up. We are in such, I mean, driving in today, it's beautiful, beautiful blue skies with white fluffy clouds out there. It's as if the government has nothing else to do but continue adding regulations. And we're asking to stop with the regulations, to sit back and look at the facts and really make a determination on what the facts are and not to just add to it.

So as far as my husband and I are concerned, we're against any furthering of regulation and any alignment of what you're doing with the state and federal. If we're happy in this area with what we've got going and if we're clean air, let's stick with what we've got. Thank you."

**Cindy Zapotocky**

"Since Washington State and Spokane County are currently within the particulate levels that the EPA has put in place, I fail to see why our citizens here should be pressured to meet new lower standards that are unscientifically substantiated as a threat to our health."

**Gloria Clark**

"The Spokane region has been in compliance with the National Ambient Air Quality Standards since 1996, so there is no need to update burn ban rules or comply with EPA's anti wood stove new emission rules.

First, SRCAA's own 2009 pamphlet titled Clean Healthy Air, shows a graph on page 2 that [https://www.spokanecleanair.org/documents/our\\_air/Clean-Air-Brochure.pdf](https://www.spokanecleanair.org/documents/our_air/Clean-Air-Brochure.pdf) the Spokane region has NOT exceeded the National Ambient Air Quality Standards since 1995. The number of days we exceeded the NAAQS in 1980 was 107 days, in 1985, 51 days, in 1990, 31 days, in 1995, 4 days and since 1996 or the last 19 years, we have had 0 (ZERO) days in which we exceeded the NAAQS."

**Judy Crowder**

"According to your air quality brochure found at:

[www.spokanecleanair.org/documents/our\\_air/Clean-Air-Brochure.pdf](http://www.spokanecleanair.org/documents/our_air/Clean-Air-Brochure.pdf)

the air quality in Spokane had not exceeded the National Air Quality Standard since 2000. As a State agency perhaps a more regional county by county approach is warranted and the counties with a air quality problem could look for solutions to minimize air pollution without taking the people's right to heat their homes is the way they choose."

**Marilyn Montgomery**

"At your April 2nd Public Hearing in Spokane which I attended, SRCAA's employee Margee Chambers stated that the purpose of the Statewide Implementation Plan is to update solid burning device rules to align with state rules to call burn bans. It is my understanding that the Spokane region has not exceeded the National Ambient Air Quality Standards since 1995, and therefore it is nonsensical - and ridiculously restricting - to proceed with increasing the non-attainment standards when Spokane hasn't exceeded them in 19 years!"

**Rene' Holaday**

“The car emissions in this area, well, actually, throughout the whole United States, have been reduced so much that they say that the emissions from cars today is actually almost 100 percent better than car emissions from, say, 1974. The fact that that part of the air pollution has been cleaned up so much in addition to the fact that we have 19 years of falling within attainment in this area makes this law, as well as any enforcement of the law, absolutely illogical and has absolutely, there's no reason to even have it or enforce it.”

**Dan Clark**

“I object to this because I think what you're doing is you're addressing a problem that doesn't exist. I think this was taken care of about 20 years ago. I haven't noticed any real pollution and I think I would have noticed it. You talk about the farming and the road dust being kicked up and being part of the problem. Perhaps at times it is, but I don't know that you can avoid that.

A larger issue here is that I see this as being a situation of mission creep. I think that the Department of Ecology and the Environmental Protection Agency was created to address industrial problems like the Pittsburgh Steel Mills, Love Canal, perhaps Hanford area. And now here they are creeping into Spokane Regional boards where they now want to abandon the industrial sites and come into our homes and look at our wood stove. And that's just a little bit too much, you know, and I think we should all be very concerned with that. For one thing, we're paying taxes for this. So that is what I had to say. Again, I object to this. So thank you for your efforts, I'm sure you mean well, but I think you're misdirected.”

**John Charleston**

“Then the other part that really concerns me is that by federal law, the Clean Air Act requires the EPA to revisit these rules every five years. So it's, you know, to me, I've said in essentially coming down here, my gosh, here it is. This is a perfect example of how we expand government and then we create jobs. I read the information about the filters. I went through the rules and looked at all the plans because I was just, I was amazed, I was stunned. I know how much that costs to produce those drawings, just even that. I mean, it's like this is just huge and all, and not to be off of this, but this is really, 'cuz I'm going to find out I didn't call Karen in Pend Oreille, but she was telling me last week, she says, 'You know, what our population in Pend Oreille County, that 57 percent of the population are government employees. 57 percent. In an area that used to have their main income came from the forestry industry, which is down now to one and a half percent of everything.’

So this kind of stuff, I just, you know, where's it going to end? That's my concern. Keep us healthy, I get that part too.”

**Jim Robinson**

“I've resided in the Spokane Valley for almost 50 years and much has changed during that time. I recall the daily commute to Spokane during which I recall observing an almost perennial haze over Spokane Valley. During that same time that the haze disappeared, wood stove technology as well as automobile technology has taken a quantum leap as an efficiency. The number of burn bans has dwindled also from the bad old days, and with the exception of geoengineering

contractors crisscrossing our skies with plumes of who knows what, our air in Spokane County is remarkably clean and clear.”

### **Ecology Response:**

Thank you for your comment. You are correct that EPA recently adopted new standards for wood stoves. EPA’s rules provide that, until 2020, new wood stoves must meet standards that are identical to Washington’s current wood stove standards. Starting in 2020, new wood stoves will need to meet stricter standards. These standards do not place any restrictions on existing wood stoves currently used in people’s homes.

You are also correct that Spokane County is currently in attainment with NAAQS. In the early 1990s, Spokane was not meeting the federal health based standards for PM<sub>10</sub>. SRCAA’s old 1994 regulation on solid fuel burning devices was one of the control strategies approved in the SIP to bring the area back into compliance with the PM<sub>10</sub> standard. In 2005, the area was redesignated as in attainment with the PM<sub>10</sub> standard. In order to be redesignated as in attainment, the state must provide to EPA a plan providing for the maintenance of the standard for at least 10 years after the redesignation. Then the state must submit to EPA an additional plan for maintaining compliance with the standard for the second 10 years after redesignation. Although Spokane has been redesignated as in attainment of the PM<sub>10</sub> standard, Spokane is still within the 20 year period during which maintenance plans are required. Moreover, Spokane still has days with unhealthy air quality where pollution levels exceed NAAQS.

State and local rules help ensure that the number of days with unhealthy air is minimized, and that Spokane County is meeting federal standards. If Spokane does not meet the standards, strict federal requirements will be applied, including stricter permitting requirements that impact businesses, sanctions, and possible loss of federal highway funding. If the state does not act effectively to bring the area back into attainment, EPA could implement its own plan for the area.

A wealth of scientific studies document that concentrations of fine particle pollution in the air above the NAAQS cause problems for human health. Many other studies document the harm caused by breathing smoke from wood fires, including fires in wood stoves.<sup>2</sup>

Federal law requires EPA to review the NAAQS every 5 years to ensure the standards adequately protect public health and welfare. To comply with this requirement, EPA undertakes a comprehensive review of any significant new scientific peer-reviewed studies on health effects published since the previous review. An independent scientific advisory board, the Clean Air Scientific Advisory Committee, or CASAC, reviews EPA’s recommendations and advises EPA in this process.

In light of new scientific studies on the health effects of fine particle pollution, or PM<sub>2.5</sub>, EPA strengthened the PM<sub>2.5</sub> standard significantly from 65 µg/m<sup>3</sup> to 35 µg/m<sup>3</sup> in 2006. Spokane is meeting this standard but the area is at risk of violating the standard. We encourage residents to comply with applicable laws and rules to avoid pushing the Spokane area into nonattainment.

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<sup>2</sup> Washington Dept. of Ecology (2009 and 2012); American Lung Association (2015); U.S. EPA (2010)

SRCAA updated the regulation on solid fuel burning devices several times since 1994, and most recently in 2014. This SIP revision is needed to replace the old outdated 1994 regulation in the SIP with the 2014 regulation currently in effect in Spokane County. The 1994 regulation was initially included in the SIP as one of several strategies to bring the area back into attainment. The revised regulation is needed to help Spokane County continue to meet the current air quality standards. If the old regulation is retained in the SIP, it creates legal uncertainty and confusion for residents. EPA and citizens can enforce the old regulation, whereas SRCAA enforces the regulation currently in effect. In addition, the state statutes governing burn bans apply in Spokane whether SRCAA adopts them or not.

Ecology and SRCAA are not making any changes to state or local standards or rules in this SIP revision, and the SIP revision will not result in tighter restrictions on wood burning and wood stoves than those already in place in state and local rules.

## **Support efforts to reduce wood smoke**

*9. I support improvements in air quality and have concerns about neighbor's smoke coming onto my property. (paraphrased summary)*

### **Catherine Isabel**

“Yesterday I attended the public hearing about Spokane Solid Fuel Burning Devices Rule and a Required Revision to the State Implementation Plan(a long plan!).

It became clear to me after some comments by other attendees that all objected to interference “by governments being told what to do or what not to do, even coming on their properties.”

I would have liked to say my part, but after listening to those uneducated comments, I decided to rather be quiet instead of being crucified by these people. Revenge is known around here when one differs from their way.

Being European born, I am appalled by this Wild West attitude and culture to object to any improvement of air quality (probably water quality as well) toward the common good for all. The selfishness and inconsideration I have experienced in this part of the US is far from how I was brought up and I have learned in my long life in other parts of the world.

I am very glad and appreciative that there is an EPA, despite all the law suits and opposition what the EPA has done and is still doing. Keep going and don't let the corporations run the show despite all the money and buying politicians. There are many more of us who oppose being governed that way. This selfish and often insane generation will be gone one day. The younger ones, it is hoped, will have more common sense and change will eventually happen.

Unfortunately I have lived next to one of those selfish, uneducated, drunk and pot smoker wackoes (it's supposed to be a good neighborhood, coming from another state I did not know) who has been burning wood and whatever else ever since he moved here, before I moved. I wish

I had known and would have never bought a house next to him. My garden work is no joy. I inhale this polluted air when the wind is blowing toward my property. I have to retreat inside with doors and windows closed. There have been complaints by others about him, I have heard. I will take photos of the black smoke when I observe it.

I do not use the two fireplaces in my house because of adding to air pollution, rather had an energy efficient gas furnace installed. It's costly but then I do not drink, never smoked, never used drugs and do not have a tattoo. That is costly as well. It depends what one's value is.

Please do what needs to be done and make sure that you do not fall into the trap of so many liars in order to get what they want and do what they want. With so many people in a country, there need to be restrictions, otherwise we all live in chaos and lawlessness. The present world situation clearly shows what such condition is like. Who wants to live in polluted Chinese air? Common sense needs to win instead of the "wild ones" who prefer anarchy."

### **Ecology Response:**

Thank you for your comment and for expressing your concerns about neighborhood wood smoke impacts. SRCAA Regulation I, Section 8.05 prohibits excessive chimney smoke. Smoke is measured as opacity percentages. Smoke is in violation when it obscures objects viewed through it by more than 20% for six consecutive minutes in any one-hour period. If the smoke is in Spokane County, please call SRCAA (509-477-4727) or visit their website ([www.SpokaneCleanAir.org](http://www.SpokaneCleanAir.org)) to file a complaint. Please provide the address of the smoke, and the date/time of smoke, so that air quality inspectors can follow-up.

## **Concern about bans on wood stoves**

*10. I am concerned about a trend towards taking away people's wood stoves. I am concerned that we will have to remove wood stoves and board up fireplaces in our homes and forbid barbecues. Our neighbors will be called upon to snitch on wood burners and this is draconian and Orwellian. (paraphrased summary)*

### **Cindy Zapotocky**

"I am very, very concerned about this issue. SPOKANE COUNTY ALREADY MEETS OR EXCEEDS CURRENT NATIONAL AMBIENT AIR QUALITY STANDARDS. DOE and SCRPA inspections will be possible after Jan. 1st 2016, and stoves could be torn out of private homes or rendered inoperable as in Oregon. This could be done without the "due legal processes" that are guaranteed not only under our U.S. Constitution but under our State Constitution. Remember, you are supposed to be protecting the citizens of Spokane County, not harassing and hurting them."

### **Citizens' Alliance for Property Rights**

"The Spokane Chapter of CAPR is very concerned about the trend that the Department of Ecology (DOE) and the Environmental Protection Agency (EPA) are taking against private property owners who use wood to heat their homes and businesses."

**Marilyn Montgomery**

“Is my understanding correct that the EPA may force homeowners to physically block up their fireplaces "permanently" and remove their wood stoves, and - for heaven's sake! - forbid all citizens from barbecuing if the standards are not met? Such restrictions are draconian and would deny families from the natural enjoyment of their homes, reducing our beloved amenities that help make life worthwhile. Do I also understand that our neighbors are called upon to "snitch" on anyone whom they think may be contributing to non-attainment? That is just Orwellian! There are many families who use wood exclusively to heat their homes, and even many more who partially heat their homes with wood when inclement weather takes hold. They do not need the stress of these new restrictions with the threat of censure and fines, and perhaps the mandate that they replace their stove with a much more expensive one in order to "comply."

**Mary Jo King**

“Are there bans being proposed permanently for residential fireplaces in Spokane County and is it only for the county? Does this include Spokane city as well?”

**Ecology Response:**

Thank you for your comment and for your concern about bans on the use of wood stoves. Neither SRCAA’s revised regulation nor this SIP revision will result in tighter restrictions on wood burning and wood stoves than those already in place in state statute. Neither state law nor SRCAA’s revised regulation authorize Ecology to tear stoves out of homes or render them unusable. Nor is EPA, Ecology or SRCAA authorized to force residents to board up their barbecues or fireplaces.

Spokane County residents will continue to be able to heat their homes with their current devices using wood or pellets as long as they follow clean burning requirements, burn only dry, seasoned wood (or pellets), minimize smoke coming from the chimney (state law prohibits excessive chimney smoke). Also, residents will still be required to comply with burn bans when pollution reaches unsafe levels, unless granted an exemption.

State law does give Ecology and local air agencies authority to prohibit uncertified wood heating devices in areas that were not meeting National Ambient Air Quality Standards for fine particle pollution as of January 1, 2015. Since Spokane County is meeting these standards, Ecology and SRCAA are not authorized to, and will not, restrict uncertified devices. Even if the Spokane area goes into nonattainment for fine particle pollution, the requirements of the current law will not apply, since Spokane was in attainment as of January 1, 2015.

It is also not true that residents are called upon to snitch on their neighbors. Spokane residents may voluntarily file a complaint with SRCAA regarding smoke from chimneys. Smoke does not respect private property boundaries and may negatively affect people’s health or enjoyment of their own private property. Each year, SRCAA gets on average over 200 complaints regarding smoke from chimneys.

When a complaint is filed, SRCAA’s air quality inspectors investigate the complaint, and if necessary, provide educational materials, give verbal or written warnings, or issue a Notice of

Violation and assess a civil penalty if the resident is not complying with requirements to restrict wood moisture, not burn illegal materials, restrict smoke density, and comply with burn bans.

*11. I am very alarmed by 2012 legislation (SHB 2326) that allows Ecology or local clean air agencies to remove uncertified wood stoves and make them inoperable. (paraphrased summary)*

**Gloria Clark**

“Second, at the hearing, I read from a wood stove bill (SHB 2326) that was passed by our state legislature in 2012 in the 62nd Legislature. I am especially alarmed over a portion of the bill which states on p. 6 that, ”If the area is designated as a nonattainment area as of January 1, 2015, or required by the US EPA, the local air pollution control agency or the DOE may prohibit the use of uncertified devices. ... Prohibit the use or prohibition may include requiring disclosure of an uncertified device, removal, or rendering inoperable, as may be approved by rule by a local air agency or DOE. The effective date of such a rule may not be prior to January 1, 2015. “ The DOE and SRCAA made no mention at the public hearing that they could remove wood stoves and make them inoperable. Since, the Spokane region has met the National Ambient Air Quality standards since 1996 or 19 years, it appears to me that Spokane citizens who use wood to heat their homes are already compliant with national standards. Thus, our Spokane citizens should not have to comply with new non-attainment state or EPA standards.

In conclusion, SRCAA’s pamphlet titled Clean Healthy Air states that our region has met National Ambient Air Quality Standards since 1996. It appears to me that DOE and SRCAA are wrongfully blaming wood stoves as polluters. But, we must face facts. Spokane’s air is already in compliance with national standards. Just because EPA wants to outlaw 80 percent of wood stoves in America, our Spokane citizens already enjoy clean air and following EPA’s ridiculous new rules will leave our citizens in the cold.”

**Gloria Clark**

“Three years ago, I got a call from a gal, Sharon Hanek, Research Mom, and she told us about a bill, substitute [sounds like - 00:10:30] House Bill 2326. She called it the Wood Stove Bill. It passed, the governor signed it. The purpose of this bill was that Pierce County was not meeting their wood stove quality, they were in noncompliance or I guess you call it nonattainment. OK, that’s the terminology. So this bill was basically written because the people over there were freaking out because they didn’t want the EPA to dictate to them what they’re supposed to do in their county. So foolishly, the Democrats and Republicans, some of them, got together and passed this bill.

Now I’m going to read a little bit from this bill that especially alarms me. Number one, it does lower the particulates from 35 down to 30, which is alarming because your very, your website shows that we have not, we have actually stayed below the 35, but let me tell you, we haven’t stayed below the 30, so we’re going to have more burn bans according to what SCRAPA shows right here, in my opinion. Anyway, in the law, I want to tell you on page, well, anyway it’s not written on pages, but it says, ‘If the area is designated as a nonattainment area as of January 1<sup>st</sup>, 2015 or required by the EPA, the local air pollution control authority or the department, that’s DOE, may prohibit the use of uncertified devices.’ Then you might ask, ‘Well, what does that

mean?' Well, I'll tell you what it means. Prohibit the use or prohibition may include requiring disclosure of an uncertified device removal or rendering inoperable as may be approved by rule by a local air pollution control authority or the department, that's DOE. The effective date of this rule may not be prior to January 1<sup>st</sup>, 2015.

I have a feeling that's why this meeting is now and wasn't before January 1<sup>st</sup> of 2015. I don't like, I mean, you know, Obama rendered inoperable many of the cars. We gave my son-in-law a car, a Subaru that has 300,000 miles on it. He's still using it, because it was a pretty good car. And so basically, you guys do have the authority, according to this law, correct? To render inoperable? So what does that mean? That means that basically if you exceed these standards, you're not going to be able to use your woodstove. I think people need to read this bill. Be sure to look 2012, look that up, substitute [sounds like - 00:12:57] House Bill 2326, 62<sup>nd</sup> legislature. I think everybody needs to be very alarmed.

I've used wood heat, I know how to do it. You have to put the, it better be dry, you'd better put them in vertically so they don't fall out. I mean, we live with wood heat and I'm not going to give it up. And I just think it's just outrageous, and it is EPA approved, and that should be good enough. It shouldn't be lowered any more. We had to move out of a neighborhood because it was so polluted back in the 70s. Let me tell you, it's not that way in Spokane anymore."

#### **Ecology Response:**

Thank you for your comment and for your concern regarding prohibitions on uncertified solid fuel burning devices. The provisions of Substitute House Bill (SHB) 2326, Chapter 219, Laws of 2012; codified in RCW 70.94.473, authorizing the prohibition of uncertified wood stoves apply only in an area in nonattainment of the fine particle pollution (PM<sub>2.5</sub>) standards as of January 1, 2015. Since the Spokane area is in attainment and is meeting the national health-based standards for PM<sub>2.5</sub> pollution, these provisions of SHB 2326 do not apply, and Ecology and SRCAA do not have authority to prohibit uncertified devices.

State and local agencies do provide financial assistance when funds are available to help people replace older, more polluting uncertified wood burning devices with cleaner, more efficient heating devices. This helps improve air quality, reduce health risks, and saves residents money on heating.

We also educate residents about clean burning and compliance with burn bans on days with unhealthy air quality. This helps prevent the area from violating national air quality standards, and helps avoid the potential for additional federal, state, or local controls.

## Concern about tighter federal wood stove standards

*12. I am concerned that the costs of wood stoves will increase. EPA will outlaw 80% of wood stoves in America. No one will be able to use a stove by 2020. EPA will come into our homes for inspections. This is draconian and violates our liberty. Wood burning devices are more efficient and tighter standards are not needed. WA already has the cleanest standards in the nation. (paraphrased summary)*

### **Citizens Alliance for Property Rights**

“COSTS OF NEW WOOD STOVES WILL INCREASE: Spokane residents who use wood to heat their homes will experience financial hardships if SRCAA adopts EPA’s newly proposed federal rules for wood stoves. WA State already has cleaner air standards than EPA. But, EPA’s ‘5 Year Clean Air Dream Scheme’ would lower the stove emissions allowed from 4.5 grams of particulate per hour this year to 2.5 grams per hour by 2020. Wood stoves have come a long way since the 70s and 80s when they emitted 65 grams of particulate per hour. In order to achieve the 2.5 grams per hour that EPA wants by 2020, manufacturers will need to redesign stoves which could more than double the cost of wood burning appliances. According to the National Federation of Independent Business, manufacturers of wood stoves have estimated that the proposed new emission requirements could virtually end the burning of wood for heat in the US. That’s why several states are pushing back the new wood stove proposed emission rules by the EPA.

SRCAA should not follow EPA’s one size fits all rule which would effectively ban production of 80% of all wood stoves in America. EPA is proposing rules which will mostly impact folks on fixed incomes and or rural residents.

We all want clean air, but won’t accept cold homes. Don’t impose EPA’s emission scheme which the National Federation of Independent Business says could eventually end the burning of wood for heat in America.”

### **Dennis Reed**

“The wood stove industry has done an incredible job of improving the efficiency of their products over the last 15 years and new technology is continuing to advance. I’ve seen no scientific data published that would support any tightening of wood stove standards in the Spokane area, let alone Eastern Washington, the Inland Empire, the West Plains, North Idaho or any other designated research area.”

### **Alene Lindstrand**

“Spokane residents who use wood to heat their homes will experience financial hardships if this is adopted. Washington State already has cleaner air standards than the EPA. The EPA’s five year clean air dream scheme would lower the stoves’ emission allowed from 4.5 grams of particulate per hour this year to 2.5 grams per hour by 2020. Wood stoves have come a long way since the 70s and 80s when they did emit 65 grams of particulate per hour. In order to achieve the two and a half grams per hour that the EPA wants by 2020, manufacturers will need to redesign stoves, which would more than double the cost of wood burning appliances according to the National Federation of Independent Businesses. Manufacturers of wood stoves have estimated that the proposed new emission requirements could virtually end the burning of wood

for heat in the US, which is why several states are pushing back these new wood stove proposed emissions.”

**Marilyn Montgomery**

“I’ve been hearing draconian things like we have to board up our fireplaces, we can’t have barbecues anymore. Heaven knows what else there might be. But this is such an infringement. And again, they say you are illegally operating. You very sweet people and intelligent, but nevertheless, you perhaps are operating against the Constitution. And to try to take away the modest amenities of our life like barbecues and like fireplaces and board them up inside our homes, I don’t know if that’s true, so I want to hear back from you whether or not that is so. But it’s most ridiculous and a great infringement on our freedoms and our love of our homes and our lifestyles.”

**Ecology Response:**

Thank you for your comments and your concerns regarding tighter federal standards for new wood burning devices. The SRCAA rule that is the subject of Ecology’s action at this time was adopted in 2014, before the new EPA standards were issued in February 2015. The SRCAA rule does not adopt the new federal standards.

EPA’s new rule strengthened the standards for **new** residential wood heaters. That means that the new federal standards only apply to new wood heaters and there are no requirements for wood heaters currently in use in people’s homes. Moreover, the new federal emission standards requirement applies to **manufacturers** of new wood heating devices. If a resident decides to purchase a new wood heater, the heater will have to meet these federal standards. It is not true that EPA will go into people’s homes to inspect or enforce the requirements.

Ecology respectfully disagrees with the commenters and strongly supports the standards for new residential wood heaters recently adopted by EPA. This is the first time that EPA has strengthened these standards since they were initially established in 1988. The standards reflect the significantly improved technology that is now available and will result in important cost-effective reductions in pollution and health benefits. Every dollar spent on bringing more efficient heaters to markets is estimated to result in \$74 to \$165 in health benefits.<sup>3</sup>

It is not true that 80% of the current wood stoves in America will be illegal. Residents will continue to be able to use their existing devices. Spokane residents are not required to replace or discontinue use of their existing devices. Note that in Washington it is illegal to sell or give away an uncertified wood stove; however, selling a house with an uncertified wood stove is legal.

Washington State already has strict standards for new residential wood heaters. Therefore, we don’t anticipate that the costs of new devices will significantly increase as a result of this new federal requirement. The new federal standards will be phased in over five years to allow manufacturers time to adapt emission control technologies. Installing more efficient wood

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<sup>3</sup> U.S. EPA (2015a)

heating devices can save residents money by producing more heat using less wood and also producing less smoke.

Ecology and local clean air agencies provide assistance when funds are available for people to replace their older uncertified devices with cleaner more efficient ones. SRCAA just wrapped-up their grant funded wood stove change out program. The program changed out 340 old, non-certified wood stoves/fireplace inserts to newer, more efficient wood stoves, fireplace inserts, natural gas stoves or electric heat pumps.

Participants in the program had to meet a list of criteria, including using a non-EPA certified wood stove/insert and living in the Smoke Control Zone, to receive a discount on the device they were going to upgrade too. As part of the grant funds, SRCAA also offered a low-income change out program as well. SRCAA plans to apply for additional wood stove change out grant funds when they become available.

This SIP revision does not make any changes to wood stove emission standards or fines for non-compliance.

***13. How do we measure the particles coming out of stoves? If it is burning properly you should not be able to see the smoke. (paraphrased summary)***

***Gary Cummins***

“And I think these regulations that we’re taking, accepting from the EPA, first of all, they’re a bunch of bureaucrats that live in DC that haven’t the foggiest idea of what real life is about. Because they, somebody mentioned Chicago, there is, in the United States, there’s 146 different boutique blends of gasoline for cars and 46 of them are in the city of Chicago. Now, that makes good sense. But the thing about it is this. If you’ve got a good stove and it’s burning properly, you can’t see anything coming out of the chimney, nothing. Even if you’re standing inches from it, you can’t see it. And they’re going to measure the particles that are coming out of there at one millionth of a meter? 39 and a quarter inches is a meter and you’re going to measure one millionth of that? How? Do you know how?”

But the thing about it is this. Now us dummies who don’t have a college education, and that’s most of us, are not near as stupid as they think we are. But the thing about it that makes me angry is this. You accept Chicago, or I should say you accept Seattle. You accept California air standards, because that’s where the EPA gets theirs, without even questioning the fact that there’s no science on that at all. And that’s easy to prove. EPA tested, when they first started out on car emissions, they had one model Ford that failed every time. And finally, they measured the ambient air and it was four times dirtier than what was coming out the exhaust pipe. So the thing about it is this. The science that they’re using leaves a little bit to be desired. And me, personally, the power goes out, my wood stove gets lit. But if you haven’t got one, you’re going to get cold. And that’s what I have to say.”

**Ecology Response:**

It is true that if it is burning properly you should not be able to see any smoke. For tips on clean burning, see <http://www.epa.gov/burnwise/bestburn.html>. To ensure new wood stoves are meeting new EPA standards, manufacturers must use specific EPA testing methods to measure the amount of particles from different wood heating devices and obtain certification. For more information on standards and test methods, visit <http://www2.epa.gov/residential-wood-heaters/fact-sheet-summary-requirements-woodstoves-and-pellet-stoves>.<sup>4</sup>

*14. Instead of regulating why not focus on more affordable technology such as electrostatic scrubbers for wood stoves? (paraphrased summary)*

**Jeff Broadhead**

“And the last thing is with all the dollars spent on regulating, why not come up with something such as electrostatic scrubbers for woodstoves that are affordable? I mean, we have electrostatic air filters in houses. Cleanable scrubbers that can go on your chimney would seem like a lot of sense.”

**Ecology Response:**

We agree with the commenter that encouraging new affordable pollution reduction technology is important. Ecology worked with Puget Sound Clean Air Agency to sponsor a wood stove retrofit open challenge to find innovative retrofits that would reduce pollution from old wood stoves. The four semi-finalists are receiving testing of the wood stove retrofits in an EPA accredited lab. The final results on the performance of these innovative pollution reduction technologies will be available in the fall of 2015. For more information, see <http://www.pscleanair.org/priorities/woodheating/woodstoveprogram/Pages/WSChallenge.aspx>.

*15. The 2020 limit is laughable. It is too strict. Where is the science? (paraphrased summary)*

**Cindy Zapotocky**

“New lower EPA standards went into affect nationwide April 3, 2015. (Washington already has the highest clean air standards in the nation.) Stove emissions--which includes pellet stoves-- must currently be below 4.5 grams of particulates per hour --the new standards will be lowered every year to 2.0 grams of particulates per hour by 2020....such a tiny amount according to local scientist Dave Boleneus as to be laughable as being labeled "dangerous". (Where is you science?) Consequently, no one will be able to use a wood stove by then.”

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<sup>4</sup> U.S. EPA (2015c)

### **Ecology Response:**

This SIP revision does not make any changes to wood stove emission standards.

The scientific evidence of the negative health effects of fine particle pollution is well established. (See our response to Comment No. 8). Every time EPA reviews and considers revising the fine particle pollution standard they review the new peer reviewed scientific literature on health effects and factor that into their decision making. An independent scientific advisory board advises EPA on this process.

EPA conducted a robust cost-benefit analysis in establishing the new wood stove standards. The standards reflect the significantly improved technology that is now available and will result in important cost-effective reductions in pollution and health benefits. Every dollar spent on bringing more efficient heaters to markets is estimated to result in \$74 to \$165 in health benefits.<sup>5</sup> For more information on EPA's analysis see:

<http://www2.epa.gov/sites/production/files/2015-02/documents/20150204-residential-wood-heaters-ria.pdf>.<sup>6</sup>

## **Concerns about burn bans and enforcement**

*16. Banning wood stoves is equivalent to a gun ban, a property rights ban, or a water usage ban, and is one of the bare essentials necessary for human life. (paraphrased summary)*

### **Rene' Holaday**

"This subject on "woodstoves" and the banning of them in any way, shape, or form, is the equivalent to a gun ban, a property rights ban, or a water usage ban, and don't think for a minute it is anything of less importance than those other things. You are talking about cutting into, or completely cutting out, a part of "the bare essentials necessary for human life" in our State. We are not Arizona... in case the DoE has failed to notice that important fact.

Nobody over here is going to allow any sort of a woodstove ban or partial woodstove ban to be enforced in this state, and furthermore, the people even thinking of pushing this idea are completely insane."

### **Ecology Response:**

Thank you for your concern regarding a ban on wood stoves. SRCAA's new rule does not ban wood stoves. Adopting SRCAA's rules into Washington's SIP does not ban wood stoves. In fact, there is not a ban on wood stoves in Washington. Wood stoves are legal in Washington State. However, state law authorizes Ecology and local clean air agencies to call burn bans and restrict the use of certain wood heating devices on days when air is stagnant and pollution reaches unhealthy levels. The purpose is to protect people's health and comply with air quality

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<sup>5</sup> U.S. EPA (2015a)

<sup>6</sup> U.S. EPA (2015b)

standards.

Wood smoke does not respect private property lines and can affect other people's health. Everyone has a right to clean air as a bare essential necessary for human life.

This SIP revision does not place any restrictions on wood stoves that are not already implemented in state and local rules.

***17. We do not want more burn bans. Tighter burn ban thresholds and will result in more burn bans and our ability to burn with wood will significantly be reduced. PM<sub>2.5</sub> to PM<sub>10</sub> is a big change. Threshold reduced from 35 to 30 will result in more burn bans. How did they come up with that limit? (paraphrased summary)***

### **Cindy Zapotocky**

“In my view, we do not need any more "Burn bans" in Spokane County. We do not need to force people to tear out stoves or other wood or pellet burning devices that keep them warm. We do not need inspectors knocking on the doors of our citizens because the color of the smoke coming out of their chimneys is "suspect".

This constitutes an over zealous government abusing the rights of our citizens to privacy and freedom from needless harassment from agency officials.”

### **Citizens Alliance for Property Rights**

“BURN BANS WILL INCREASE: State rules for burn bans in the 2012 WA State wood stove bill (SHB 2326) are being implemented this year. As a result, thresholds for determining when DOE or air agencies may call bans have gone from 35 micrograms to 30 micrograms per cubic meter. This will lead to more burn bans in Spokane, since a chart I reviewed showed that Spokane did not go below the 35 limit with burn bans very often in the last few years. But, if the threshold is lowered to 30, more burn bans will be called. Just as Avista is raising rates to update their system, more and more Spokane residents will look to wood heat to supplement their heating bills. They won't be able to rely on using wood heat if more frequent and unnecessary burn bans are called to meet lower thresholds.

FINES AND FINANCIAL HARDSHIPS WILL INCREASE: The Puget Sound Clean Air Agency went even further than the EPA when it banned wood burning in King County for several days and levied \$1,000 fines.”

### **Unknown**

“The Burn Ban trigger was revised from PM<sub>10</sub> to the more stringent PM<sub>2.5</sub> standard? (Burn Ban – CFR Title 40, Part 40, Appendix L)

This is 300% more stringent than what has been in place for years – even prior to 1997 – as a Federal Standard, I assume this regulation is the same as used in highly populated American cities?”

**Alene Lindstrand**

“State rules for burn ban in 2012 Washington State Wood stove Bill SHB 2326 are being implemented this year as a result. Thresholds for determining the Department of Ecology or Air Agencies may call bans that have gone from 35 micrograms to 30 micrograms per cubic meter. This will lead to more burn bans in Spokane since the chart I reviewed showed that Spokane did not go below the 35 limit with burn bans very often in the last few years. But if the threshold is lowered to 30, more burn bans will be called. Just as Avista’s raising rates to update their system, more and more Spokane residents will look to wood heat to supplement their heating bills. They won’t be able to rely on using wood heat if more frequent and unnecessary burn bans are called to meet these lower thresholds.”

**John Charleston**

“This is, this is, we’re treated, like I said earlier, just like Chicago. You know, it’s a national thing. It’s nice to know that I live in the green area, but, you know, that could change. All of this can change. And the part that really got me, that was stunning to me, was the different size of the particulate matter. Maybe over a beer, I could really understand it, but I don’t quite now. But 2.5 from 10 is a big change, it is a big change.

The other thing that concerns me, of course, is the burn ban. 24 hours on the burn ban, we had the chart up there, there was one time one about 10 days in burn zone two. I would be cold for ten days, you know, if I had to do that. I don’t think that that’s right and I don’t think that, you know, when we get to that sense of it, that 2.5 and we’re going to have to turn off the heat. I don’t know. We’ve had it for decades at 10 and over, so why all of a sudden is that thing? But then I do understand that the agency can deem it to be an emergency and blow off the rules, so that’s all good, I get that part.”

**Gene Vin**

“I’ve got a couple of questions, one of which the limit, the PM to 2.5 is proposed to from 10 to 2.5. My question is, first of all, how did they come up with that limit? Second of all, if, in the common sense reality, if you guys, if there is no problem, then why to try to fix something? For instance, if we are at PM 10 and we don’t really have that many bans, why try to redefine something to make it even more specific, which technically should not produce more bans. But on the other hand, if we’re seeing the micro, what is it, micrograms per, from 35 to 30, that will obviously produce more bans. And if this agency already knows that by proven charts and graphs of a historical record, then why create something and impose a tax and fines on the public if you guys have a historical record that shows will produce more of these bans?”

**Ecology Response:**

Scientific studies show that fine particles, less than 2.5 microns in diameter (PM<sub>2.5</sub>), can damage health. See answer to Comment number 8 above. In 2006, EPA responded to these studies by adopting stricter National Ambient Air Quality Standards for fine particle pollution. In 2007, SRCAA changed the burn ban pollutant from PM<sub>10</sub> (dust) to PM<sub>2.5</sub> (smoke) to align with state law, protect public health, and help the area meet the significantly stronger national health-based standards for PM<sub>2.5</sub> put in place by EPA in 2006. In 2014, SRCAA made additional changes to the burn ban thresholds to align with 2008 and 2012 changes to state law.

Currently, a stage 1 burn ban may be called when average 24 hour PM<sub>2.5</sub> levels are forecasted to exceed 35 µg/m<sup>3</sup> within 48 hours. A Stage 2 burn ban may be called when several criteria, which match state law, are met. See SRCAA Regulation I, Section 8.07

[https://www.spokanecleanair.org/documents/regulation\\_docs/ARTICLE-VIII.pdf](https://www.spokanecleanair.org/documents/regulation_docs/ARTICLE-VIII.pdf).

In 2012, changes to burn ban thresholds for PM<sub>2.5</sub> nonattainment areas were authorized and signed into law (SHB 2326, Chapter 219, Laws of 2012; codified in RCW 70.94.473). The changes authorize a stage 1 burn ban to be called in certain counties (not including Spokane County) when PM<sub>2.5</sub> levels are forecasted to reach or exceed 30 µg/m<sup>3</sup>, as measured on a 24 hour average, within 3 days. The changes also authorized stage 2 burn bans for certain counties (not including Spokane County), to be called without calling a stage 1 burn ban if PM<sub>2.5</sub> is forecasted to reach or exceed 30 µg/m<sup>3</sup>, as measured on a 24 hour average, within 1 day. These changes only apply to counties with a PM<sub>2.5</sub> Nonattainment area or counties that meet a specific definition of at risk for nonattainment. The changes do not affect Spokane County.

Because this SIP revision does not place any restrictions on wood stoves that are not already implemented in state and local rules, this SIP revision will not result in increases in the number of burn bans. The SIP revision does not make any changes to state or local rules. It updates the old 1994 rule currently adopted in the SIP with the current 2014 rule.

***18. Request clarification on what types of devices can be used to meet the standard? (paraphrased summary)***

**David Bolenus**

“I also want to know what devices can or cannot be used to meet your standard. You mention woodburning stoves yet give examples of other devices, certified and uncertified stoves, pellet stoves, oil furnace, coal furnace, gas furnace, fireplace. I want you to conduct courses at colleges on how to understand these limits so that people can appreciate and have the time to think about it. I want you to broadcast all the negatives about what you are doing, not just the "feel good" attitudes that now we are protecting the public when they are instead being swindled.”

**Ecology Response:**

Thank you for your clarifying question. Regulation I, Section 8.07 describes what devices are prohibited during burn bans:

[https://www.spokanecleanair.org/documents/regulation\\_docs/ARTICLE-VIII.pdf](https://www.spokanecleanair.org/documents/regulation_docs/ARTICLE-VIII.pdf).

During a stage 1 burn ban, only pellet stoves and wood stoves certified by Washington, Oregon, or EPA may be used, unless an exemption is granted. During a stage 2 burn ban, use of all wood burning devices is prohibited, unless an exemption is granted. Contact Ecology or SRCAA if you have a question if your device is certified.

**19. What devices can be used during an emergency? (paraphrased summary)**

**David Bolenus**

“I also want to know what devices can or cannot be used in time of emergency, in time of an other ice storm or during a electrical outage, in time when the Governor orders we pay more for fuel to battle non-existent climate change that many cannot afford that fuel. Will you then fund the poor to pay for fuel from the Governor's new tax? He intends his tax to stop climate change (how ridiculous, again) but it would then be a Robin Hood tax of the rich to give to the poor. What will be the policy on all of this? We are told to toe the line on the pm2.5 but what about these other situations.”

**Ecology Response:**

Thank you for your clarifying question. If there is no burn ban during the emergency, there are no restrictions on the use of wood heating devices.

If there is a burn ban, all residents who reside within the Smoke Control Zone (or Spokane County, if conditions require countywide ban) and have a solid fuel burning device must comply with the burn ban, unless they have an exemption. If SRCAA determines a state of emergency exemption is applicable for a certain geographic area, the exemption applies automatically in that area.

SRCAA Regulation I, Section 8.08, outlines the criteria for a state of emergency exemption. If a state of emergency is declared by an authorized local, state or federal government official due to a storm, flooding, or other disaster, which is in effect during a burn ban, the Control Officer (agency director) may temporarily issue a state of emergency exemption. This exemption serves as a general exemption of solid fuel burning devices (fireplace, wood stoves, fireplace inserts, pellet stoves, etc.) from burn ban provisions. The temporary approval will reference the applicable state of emergency, effective date, expiration date, and limitations (specific geographic areas affected, etc.)

**20. How many times over past few years has a stage 2 burn ban been called? Last year? (paraphrased summary)**

**Unknown**

“How often over the past several years has a Stage 2 Burn Ban been reached in Spokane County? Eastern Washington? Western Washington?”

How many times last year was a Stage 2 Burn Ban reached? (with the new PM2.5)

Considering the importance of this subject upon those that heat with wood it seems unlikely my question has not been discussed and draws the question as to why you not prepared to answer it.”

**Ecology Response:**

Thank you for your interest in the history of burn bans in Spokane County. See the table below for a 40-year history of burn bans 1974-2014. This history includes stage 1 and 2 burn bans declared by SRCAA. The table also includes “forecasts” which are notices of the potential for adverse air quality issued by the state as part of an emergency episode plan, and Air Stagnation Advisories (ASAs) declared by the National Weather Service. Not all forecasts and ASAs trigger a burn ban. Often forecasts and ASA’s request voluntary curtailment of wood heating devices.

**Table 2: Historical Burn Bans in Spokane County**

Year	Start	End	Duration (Days)	Type
1974	1/10	1/12	2	Forecast
	10/16	10/27	11	Forecast
1975	10/24	10/27	3	Forecast
	12/8	12/9	1	Forecast
1976	1/21	1/23	2	Forecast
	12/2	12/6	4	Forecast
	12/21	12/23	2	Forecast
1977	1/20	1/21	1	Forecast
	1/24	2/8	15	Forecast
1978	11/14	11/16	2	Forecast
1979	11/19	11/16	7	Forecast
1980	9/16	9/18	2	Forecast
	10/30	10/31	1	Forecast
	12/9	12/10	1	Forecast
1981	1/12	1/17	5	Forecast
	10/15	10/20	5	Forecast
	11/9	11/11	2	Forecast
1982	10/13	10/16	3	Forecast
1983	12/30	1/3	4	Forecast
1984	-	-	-	-
1985	1/3	1/5	2	Forecast
	12/12	12/29	17	Forecast
1986	10/15	10/25	10	Forecast
1987	10/21	10/25	4	Forecast
	12/24	12/28	4	Forecast
1988	12/1	12/3	2	Forecast
	12/1	12/5	4	Stage I
	12/5	12/6	1	Stage I
	12/16	12/19	3	Stage I
1989	2/6	2/12	6	Stage I

<b>Year</b>	<b>Start</b>	<b>End</b>	<b>Duration (Days)</b>	<b>Type</b>
	11/1	11/3	2	Stage I
	12/11	12/17	6	Forecast
1990	12/7	12/9	2	Stage I
1991	1/22	1/24	3	Stage I
	1/25	1/26	2	Stage I
	10/30	11/1	1	Stage I
1992	2/3	2/7	4	Forecast
	12/5	12/7	3	Stage I
1993	2/4	2/5	1	Stage I
	2/5	2/6	1	Stage I
	2/6	2/9	3	Stage II
	2/9	2/10	1	Stage I
	2/11	2/13	2	Stage I
	2/26	3/2	4	Stage I
	3/10	3/14	3	Stage I
	11/10	11/14	5	Stage I
1994	1/18	1/21	4	Stage I
	1/28	1/30	3	Stage I
	3/7	3/11	5	Stage I
	3/30	4/1	3	Stage I
	10/22	10/23	2	Stage I
	12/30	12/31	2	Stage I
1995	2/28	3/1	2	Stage I
	11/1	11/4	4	Stage I
1996	2/12	2/17	6	Stage I
1997	1/16	1/17	1	Stage 1
1998	4/29	5/2	3	Forecast & Stage 2
1999	-	-	-	
2000	10/26	10/27	1	Stage 1
	11/16	11/21	5	Forecast & no ban
	11/21	11/23	2	Forecast & Stage 1
2001	-	-	-	

<b>Year</b>	<b>Start</b>	<b>End</b>	<b>Duration (Days)</b>	<b>Type</b>
2002	11/4	11/7	3	Stage 1
	11/27	12/10	13	Stage 1
	12/23	12/25	3	ASA & no ban
2003	1/6	1/9	3	ASA & no ban
	2/6	2/14	8	Stage 1
	2/25 2:30 p.m.	2/28 8:30 a.m.	3	Stage 1
	11/6 8:30 a.m.	11/8 8:00 a.m.	2	Stage 1
2004	2/20 3:00p.m.	2/23 9:00 a.m.	2	Stage 1
2005	2/16 9:00 a.m.	2/19 4:00 p.m.	4	Stage 1
	2/22 9:00 a.m.	2/28 9:00 a.m.	6	Stage 1
	11/15	11/25	10	ASA no ban
	12/9	12/19	10	ASA no ban
2006	11/1	11/4	3	Voluntary- Stage 1
	12/4 11:30 a.m.	12/9 12:00 p.m.	5	ASA & Voluntary- Stage 1
2007	10/30 11:00 a.m.	10/31 11:00 a.m.	1	Stage 1
	11/21 10:00 a.m.	11/26 8:00 a.m.	5	Stage 1
2008	2/19 11:00 a.m.	12/21 12:00 p.m.	2	ASA no ban
	11/14 10:00 a.m.	11/18 12:00 p.m.	4	ASA no ban
2009	1/13 9:50 a.m.	1/23 12:00p.m.	11	ASA no ban
	12/24 4 am	12/30/2011 10 am	6	ASA no ban

Year	Start	End	Duration (Days)	Type
2010				
2011	1/3	1/5	2	Stage 2
	11/7 11 am	11/8 11 am	1	Stage 2
	12/3 9:16 am	12/19 12 pm	16	Stage 1
2012	9/20/2012 2:04:00 PM	10/1/12 9 am	11	Stage 1
2013	1/15/13 1 pm	1/18/13 3:30 pm	3	Stage 1
	1/18/2013 15:30	1/23/2013 8:00	5	Stage 2
	11/22/13 12 pm	11/24/13 1 pm	2	Stage 1
	11/24/13 1 pm	11/29/13 10 am	5	Stage 2
	11/29/13 10 am	12/1/13 11 am	2	Stage 1
2014	11/15/14 12:00 PM	11/21/14 12:00 PM	6	Stage 1

**21. Through SHB 2326, DOE has enforcement capability for burn bans through working with other agencies, including the Sherriff.** (paraphrased summary)

**Cindy Zapotocky**

“There is real danger in our county submitting the SIP revision plan that EPA is requesting for their approval. Please don't do it!!! (Right now Spokane County is NOT under EPA authority on the SIP implementation plan.) Your staff admitted at the hearing that SHB2326 (passed in 2012) gives to DOE "enforcement capabilities" thru working with "other agencies" including the County Sheriff's Department. There are also fines possible for selling a stove alluded to in one of the D.O.E. brochures titled "Which wood burning devices can be sold in Washington?". A citizen could be fined as much as \$10,000 for selling a non compliant stove. (Most stoves sold commercially in recent years are complying with the current 4.5 standard NOT the "new" 2.0 standard. Many of us have purchased these stoves recently, and they were not cheap.)”

**Ecology Response:**

In 2012, SHB 2326 (Chapter 210, Laws of 2012) was signed into law. Section 2 of the bill, codified in RCW 70.94.477, amended enforcement authorities for PM<sub>2.5</sub> nonattainment areas. It authorized Ecology or local clean air agencies to develop agreements with a city, county, or jurisdictional health department to assist with enforcement activities. Under the law, only Ecology or the local air agency are responsible for actual enforcement of the prohibition. The purpose of this change was to help the Tacoma PM<sub>2.5</sub> nonattainment area come into compliance

with the PM<sub>2.5</sub> national ambient air quality standard. These agreements for enforcement assistance are not allowed in Spokane since it is not in a PM<sub>2.5</sub> nonattainment area.

This SIP revision does not make any changes to state or local rules regarding burn ban enforcement

***22. I am concerned about burn ban enforcement. I believe that enforcement will get progressively stricter and will start looking more like law enforcement. Who has authority to enforce burn bans? How are they enforced? Do people receive fines? Will you seek assistance from law enforcement or use weapons? Can you arrest people? (paraphrased summary)***

**Marian Lonan**

“Number two, I want to know who the authority is and I want to know how you’re going to enforce it and have you been offered or have been given ammo and weapons as the post office has been, as also the IRS, all these different agencies have been given ability to arrest citizens who are the people who put you into place. So I want to make sure that’s on the record.”

**Julian Hale**

“So first, I just want to say, you know, some of these rules really actually make a lot of sense. Tracking 2.5 micron particles rather than 10, to track wood stove, you know, wood smoke instead of road dust makes a lot of sense. My concern here is that there has been a general, over time, sort of a ratcheting process where it’s always turning in the direction of less and less ability for people to, in this particular case, it would be heating with wood stoves. I really appreciate that the regional, the Spokane Regional Clean Air Agency’s policy is to not use law enforcement, is to not go into people’s homes, is to not do any particular kind of enforcement beyond, say, writing a ticket.

But I also recognize that while that may have been the past policy and the current policy, that that may not continue on into the future. And that the rules that are being put into place do potentially allow for a lot more enforcement than currently goes on. And so we don’t want to put rules in place that create the possibility of future law enforcement action or disabling of people’s heating sources or what have you. So that’s my big concern with the rules that are going in here, is that it enables future action. That even though it’s not something that’s taking place right now, we don’t know who’ll be running the Clean Air Agency in five years or ten years or fifteen years. And so that’s why people are here and concerned about the rules that are being put into place. Because we don’t know what future administrations will have in store for us.”

**Ecology Response:**

In Spokane County, SRCAA is responsible for issuing burn bans and ensuring compliance. SRCAA has inspectors that enforce burn bans and respond to solid fuel burning device complaints and look for smoky chimneys. If possible problems are found, the inspector contacts the resident. The inspectors provide education material, give oral and written warnings and when necessary, may issue a Notice of Violation and assess a civil penalty.

It is not true that stoves can be torn out of private homes. Inspectors do not carry weapons and do not arrest people. SRCAA inspectors have not needed assistance of law enforcement during burn bans.

## **Oppose and request clarification on air quality standards**

### **23. What is the limit/standard? 35 $\mu\text{g}/\text{m}^3$ or $\text{PM}_{2.5}$ ? (paraphrased summary)**

#### **David Bolenus**

“Topic item:-emission level greater than 35 microgram per cubic meter ( $\mu\text{g}/\text{m}^3$ ) is considered a violation of the clean air act, or  $\text{pm}>2.5$  represents a violation.

I have many and very serious complaints about this limit but I will try here to include all. I don't have time to do my job, which my employer prefers, do your job too, and counter or submit all comments in organized prose, so here goes.

What is the limit, one or both: 35  $\mu\text{g}/\text{m}^3$  or  $\text{pm}2.5$ ? (there are more questions below)

You mentioned that emissions that exceed the limit of 35 micrograms per cubic meter are in violation of the clean air act but in your next breath you say the limit is  $\text{pm} 10$  or  $\text{pm}>2.5$ . A microgram is a measure of mass where the  $\text{pm} 2.5$ , which is 2.5 microns (a millionth of a meter) is a measure of length. Do you know this difference? You confuse these measures. They are not the same.

Also if you are confused, as seems apparent from your casual acceptance of this limit, which I consider extremely egregious, it is also then impossible for you to communicate the very serious concerns and the meaning of this limit to the public.”

#### **Ecology Response:**

$\text{PM}_{2.5}$ , or fine particle pollution, refers to particles in the air that are 2.5 micrometers in diameter and smaller. This includes fine dust, dirt, soot, smoke, and liquid droplets. The small size of the particles makes it possible for people to breathe them deeply into the lungs, where they can affect the heart and lungs and cause serious health effects.

The daily national ambient air quality standard for  $\text{PM}_{2.5}$  is 35 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ). This standard is given as the maximum allowed mass of fine particle pollution in a volume of air, that is, micrograms of fine particle pollution per cubic meter of air. A microgram is one millionth of a gram. A cubic meter is equal to 1,000 liters.

There are two NAAQS for fine particle pollution: an annual standard and a daily standard. The annual standard is 12 micrograms per cubic meter, measured as the annual mean averaged over three years. The daily (24-hour) standard is 35 micrograms per cubic meter, measured as the annual 98<sup>th</sup> % value averaged over three years.

**24. PM<sub>2.5</sub> is very small. Outlawing small particles is ridiculous. Do we plan to cite small sources? (paraphrased summary)**

**David Bolenus**

“The first point I want to make is your agency’s cavalier use of this limit of 35 ug/m<sup>3</sup> and pm 2.5. Your use of these figures is so loose that people are led to believe that its “no big deal” or that it’s of “no significance” when it is exactly the opposite. Well it is significant. It’s a really big deal and you do not communicate just how incredibly small this particle is. It is so big a deal that this limit will be impossible to meet. I do not believe you have a mental concept of how small is this amount. You certainly have not communicated this to the public, completed any due diligence, a cost analysis, an analysis of the impact upon people, or compared it to other particles or said what impact this will have on peoples lives. People want to know what they cannot do it they must meet this standard. Do you know this?

For example, compared to a cubic meter of rock of average density, since you use this measure, is about 2600 kg (kilograms or 2.9 tons), the cubic meter of rock contains 2,600 billion micrograms if my calculation is correct, but in your third breath you say, without knowing this, that 1/74,000,000,000<sup>th</sup> (one 74 billionth) of this ton represents a violation of the law. What!! Just because today's analytical equipment in the laboratory can measure to this level doesn't mean its logical. This demonstrates the total ignorance of your words. You believe you can say this but it is obvious you are lacking knowledge of its relevance.

For example, pollen particles range from 10 to 150 microns. So are you going to fine the food producer with your next ruling because pollen particles are larger than pm2.5, say, for apples the largest agric. crop in Washington, when the pollen particle from his/her orchard exceeds your pm 2.5? Are you going to fine wheat and corn farmers for growing food in the Columbia Basin when the wind blows to carry dust away that exceeds pm2.5? Are you going to fine people for using antiperspirant when its particles are larger than pm2.5 which they always are? Are you going to fine people when they exhale or sneeze when such particles are larger than pm2.5? Are you going to fine people for using coffee or cayenne pepper or yeast to make bread because coffee dust or cayenne pepper or yeast particles exceed pm2.5?

Here are other examples of particle sizes, mold spores-3 microns, end of needle 1230 microns, moss-150 microns, fertilizer-10 microns, cayenne pepper-15 microns, saw dust-30 to 4000 microns, dust mites-30 microns, coffee-5 to 400 microns, cement dust-3 to 300 microns, mold-10 to 30 microns, red blood cells-5 to 10 microns, mustard-6 to 10 microns, antiperspirant-6 to 10 micros, sand that fell in Spokane from Mt St Helens-1230 microns, hair-200 microns, a dot on this page-615 microns, face powder-30 microns, copier toner-15 microns, yeast-1 to 50 microns, insecticide dust-10 microns, liquid droplets from your breath or sneeze-0.5 to 5 microns, pollen from corn in Washington grown for food, anthrax spores-5 microns, dust from farm fields in Washington that grow wheat for food that keeps families' in business reaching Spokane when the wind blows-10 to 400 microns .....*and best of all is that your home vacuum cleaner only captures particles larger than 40 microns.*

I am a farmer and I am concerned and so should be you.

The last two examples show how ridiculous is the pm 10 standard, while you so cavalierly promote the pm2.5.

If a mother is baking in this kitchen using flour or dad is frying bacon, both are exceeding this standard for pm2.5

Do you plan on stopping all of these particles now that the limit is pm2.5? Where does this stop? Is any logic engaged?

So I want to know if you plan on presenting citations to all of these sources after the fireplaces, wood stoves? Is it then on to the orchardists, the wheat farmers...? These examples show just how ridiculous is this plan. This plan does not represent reality. It is a dream.

I am not asking you these questions for you just to provide answers. I am telling you that you must do this. You must do this if you serve Washington. It is your duty to serve Washington.

Frankly, I do not understand why I must waste my time telling you how ridiculous are these standards. This is a perfect example of how people in government have now exceeded their level of competence in dealing with such matters. To people knowledgeable, it should be so plain that our state should reject this standard outright without needlessly involving the public. You have lost sight of your job of serving people of the state of Washington and instead serve the EPA.

It appears to me, by your apparent cavalier acceptance of this standard, that rather than serve Washington, you instead acquiesce to extortion by the EPA?"

#### **Ecology Response:**

You are correct that PM<sub>2.5</sub>, or fine particles, are very small, or about 1/30<sup>th</sup> the average width of a human hair. The small size of fine particles means that they can lodge deeply in the lungs.

The main sources of fine particle pollution are from fuel combustion from wood burning, motor vehicles, industrial processes, and power plants. Federal, state, and local agencies efforts generally focus on reducing the main sources of fine particle pollution, and do not regulate or cite ambient air quality impacts from the small sources that you list here, such as deodorant, or cooking.

NAAQS are for the outdoor air, and do not apply to indoor fine particle levels. In some cases wood stoves can create unhealthy levels of fine particle pollution in people's homes or their neighbor's homes. For more information, contact Ecology or SRCAA. EPA and the Washington Department of Health also have more resources on indoor air quality.<sup>7</sup>

The focus of this SIP revision is to update current SRCAA regulation on solid fuel burning devices into Washington's SIP. It does not address other sources of pollution. You raise

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<sup>7</sup> U.S. EPA (2012); Washington Dept. of Health

important questions. These other sources of fine particle pollution could pose health concerns for sensitive populations.

## Concerns about EPA and government overreach

*25. EPA is unconstitutional. We should not follow EPA's overzealous air quality directives which could outlaw 80% of wood stoves in America. The federal government is trying to intimidate, control, tax and regulate people to take away our freedoms and property rights. We are already taxed too much. We're giving into national control. (paraphrased summary)*

### Dennis Reed

"I see this as another taxing authority trying to justify their annual budget and punish residents who already pay too much tax. It's time to get financially organized and consider moving out of this state. Never in my life have I use the term "Ex-Pat". May be it's time."

### Judy Crowder

"The Federal government has grossly overstepped its constitutional bounds which the States enumerated in the U.S. Constitution at Article I Section 8. Without question there are 18 enumerated powers the Federal government can legally take charge of : **CLAUSE 1** To lay and collect Taxes, Duties, Imposts and Excises, and to provide for the Common Defense and general Welfare: **CLAUSE 2** To borrow Money: **CLAUSE 3** To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes: **CLAUSE 4** To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States: **CLAUSE 5** To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures: **CLAUSE 6** To provide for the Punishment of counterfeiting the Securities and current Coin of the United States: **CLAUSE 7** To Establish Post Offices and Post Roads: **CLAUSE 8** To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries: **CLAUSE 9** To constitute Tribunals inferior to the supreme Court: **CLAUSE 10** To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations: **CLAUSE 11** To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water: **CLAUSE 12** To raise and support Armies, but no Appropriation of Money to that Use shall be for longer than two Years: **CLAUSE 13** To provide and maintain a Navy: **CLAUSE 14** To make Rules for the Government and Regulation for the lands and naval Forces: **CLAUSE 15** To provide for call forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions: **CLAUSE 16** To providing for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the U.S. reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress: **CLAUSE 17** To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the U.S., and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards and other needful Buildings:--And: **CLAUSE 18** To make all laws which shall be necessary and proper for carrying into Execution the **foregoing** Powers, and all other

Powers vested by this Constitution in the Government of the U.S. , or in any Department or Officer thereof. In addition to the above 18 enumerated and limited federal power, the states gave the Federal government the authority to make treaties at U.S. Const. Art. II sec.2, cl.2 and authority to dispose of land at U.S. Art. IV,sec 3, cl. 2.

Since the beginning of our country the Federal government has attempted to take powers it was not delegated and James Madison and Thomas Jefferson address the misuse of the general welfare clause to gain unconstitutional power in the Kentucky and Virginal Resolutions of 1798. Kentucky Resolution Approved December 3rd, 1799 ; *“That if those who administer the general government be permitted to transgress the limits fixed by that compact, by a total disregard to the special delegations of power therein contained, annihilation of the state governments, and the erection upon their ruins, of a general consolidated government, will be the inevitable consequence: . . . That the several states who formed that instrument, being sovereign and independent, have the unquestionable right to judge of its infraction; and that a nullification, by those sovereignties, of all unauthorized acts done under colour of that instrument, is the rightful remedy:”*. Virginia Resolution Agreed to by the Senate, December 24, 1798 *“RESOLVED, That the General Assembly of Virginia, doth unequivocally express a firm resolution to maintain and defend the Constitution of the United States, and the Constitution of this State, against every aggression either foreign or domestic... That this Assembly doth explicitly and peremptorily declare, that it views the powers of the federal government, as resulting from the compact, to which the states are parties; as limited by the plain sense and intention of the instrument constituting the compact; as no further valid that they are authorized by the grants enumerated in that compact; and that in case of a deliberate, palpable, and dangerous exercise of other powers, not granted by the said compact, the states who are parties thereto, have the right, and are in duty bound, to interpose for arresting the progress of the evil, and for maintaining within their respective limits, the authorities, rights and liberties appertaining to them.... That the General Assembly doth also express its deep regret, that a spirit has in sundry instances, been manifested by the federal government, to enlarge its powers by forced constructions of the constitutional charter which defines them; and that implications have appeared of a design to expound certain general phrases (which having been copied from the very limited grant of power, in the former articles of confederation were the less liable to be misconstrued) so as to destroy the meaning and effect, of the particular enumeration which necessarily explains and limits the general phrases; and so as to consolidate the states by degrees, into one sovereignty, the obvious tendency and inevitable consequence of which would be, to transform the present republican system of the United States, into an absolute, or at best a mixed monarchy.”*

The U.S. Constitution does not give the EPA the power to dictate anything in regard to States air or our ability to heat our homes with the God given abundant energy source provided by our forests. To require us to heat our homes with a source that is controlled by a third party is a taking of property rights and our ability to live independently as freemen.

The very purpose of the State government is to protect individual rights as stated in Article I Section 1 of the Washington State Constitution *“All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.”* In the Northwest without heat a family cannot survive thus a monopoly on the source of heat which can legally be used is the taking of one’s individual right to live on ones land year round. Article 1 Section is even clearer on this issue, *“No person shall be deprived of life, liberty or property, without due process of law.”* If the State government deprives a person the right to use the wood of their land to heat their homes and

force them to use what today has become a local monopoly on electricity or gas they have in fact deprived the people of their liberty and property making use of their property dependent on a third party. In an emergency when the electricity is taken out it could conceivably deprive them of life. My young family experienced 6 days without power in the Spokane County ice storm and without our fireplace we would have been forced out of our home. Americans should enjoy freedom from dependency.

The Clean Air Act has no constitutional authority to require states develop a general plan to attain and maintain the [National Ambient Air Quality Standard \(NAAQS\)](#) and no power to interfere with a State Implementation Plan.”

### **Stephen Dunham**

“I would like to make a few comments about the proposed SIP revision. First, The SIP does not have to be submitted to the EPA for approval and Washington State does not have to meet EPA requirements for national air quality. The EPA is an unconstitutional agency that Congress created in the 1970's. Article I Section 8 of the Constitution lists the only specific government expenses for which it has the power to tax. Protecting the environment, regulating air quality, and restricting the use of wood stoves are not on this list. The tenth amendment to the Constitution states "The powers not delegated to the United States, nor prohibited by it to the States, are reserved to the States or to the people. In other words it is up to the States or the people to regulate the environment not the federal government. In the Kentucky Resolution of 1799 Thomas Jefferson called nullification the "rightful Remedy" for any and all unconstitutional acts of the federal government. Nullification is founded on the fact that the sovereign States formed the union, and as creators of the contract, they retain ultimate authority to enforce the constitutional limits of the power of the federal government. Simply stated nullification recognizes each state's reserved power to nullify, or invalidate, any federal measure that a state deems unconstitutional. Over the years many states have nullified unconstitutional federal laws in the areas of gun control, ObamaCare, NSA surveillance, and national ID cards. The article from the New American below tells how in Alaska local politicians attempted to regulate wood burning to comply with EPA requirements. The residents of Fairbanks passed a citizen initiative that nullified the implementation of the regulations on wood burning. They said they would rather not freeze to death to satisfy federal bureaucrats. This nullification of unconstitutional EPA regulations should be done in Spokane, the State of Washington and all across the country. SRCAA has the job of enforcing the EPA's unconstitutional regulations which makes many of their activities such as running around town spying on people and levying fines illegal and unlawful under our Constitutional form of government.

Finally, I believe the EPA and sadly our local SRCAA is being used much like the IRS as a tool of the federal government to intimidate, control, tax and regulate the American people in an effort to take away our freedoms and property rights. I totally agree with the bumper sticker that says, "Eliminate the EPA, It's Them or Us."

### **Rene Holaday**

“Since this is being addressed to EPA, first of all, I wanted to let you know that this is UN agenda and we are fully aware that this is UN agenda operating through the federal branch of the EPA. Second of all, I am an author of a book about that UN agenda called “The Perils of

Sustainable Development” that has been received nationwide. Third, what you’re proposing to do here has absolutely nothing to do with public health and everything to do with taxation through ongoing seasonal fees and is also about control over personal and private property, which I absolutely object to.”

### **Marian Lonan**

“And I also want to state that this is taxation without representation. When you’re charging me a fine or you’re making me go to you and beg for you to give me the ability to heat my house, please, I need a \$25, it’s like this is ridiculous. You’re continually taxing us as time goes by. We’re going to be taxed for even breathing the air, which we all know that’s coming next.”

### **Judy Crowder**

“And I want to thank you all for what you’ve done. The air is really clean now and you’ve come a long way from the 90s. And so you’re doing a good job. But what we do want to do is keep this local and not let the EPA, which has no constitutional authority, to put any requirements on us here in Spokane County. We need to stop it. OK, local government closest to the people is the best.

Now, I’m going to do a little bit on that constitutional thing, but first I do want to say, so this Section 8.01 and the particles of 10 and you are going to reduce those, that’s what your regulations are asking for now, to 2.5. So we have clean air now, we have not had an area that has been above, what is the terminology, the ambient, the national standard, in 15 years. So we have clean air and yet you are going to reduce the amount of particulates by up to 80 percent? That’s going to be a lot more bans, that’s a movement towards totally reducing our ability to burn with wood. The ability to burn with wood is ability to live independently and a lot of people now are very concerned with independent. We don’t have to go to a third party who now, who has a monopoly, to get our power. So this is a freedom issue, this is a liberty issue.

OK, so on the Constitution, I say the US Constitution does not give the EPA the power to dictate anything in regard to the state air or our ability to heat our homes with the God-given abundant energy source provided by our forest. So that is based on Article 1, Section 8 and I have a paper I’m going to give you all that shows the 18 clauses which are the specific enumerated powers that we the people in the States have given the federal government, our EPA. And air quality in our local county is not on this list. You all can all look.

And since, I’m just going to read this. Since the beginning of our country, the federal government has attempted to take power it was not delegated and James Madison and Thomas Jefferson addressed the misuse of the general welfare clause to gain unconstitutional power in the Kentucky and Virginia resolutions of 1798. Here is what the Kentucky Resolution says. Quote, ‘That if those who administer the general government be permitted to transgress the limits fixed by that compact by a total disregard to the special delegated powers therein contained, alienation of the state governments and the erection upon their ruin of a general consolidated government will be the inevitable consequence. That the several states who form that instrument being sovereign and independent have the unquestionable right to judge of its infractions and that a nullification by those sovereignties of all unauthorized acts under the color of law of that instrument is the rightful remedy.’”

**Stephen Dunham**

“I just wanted to go back to a couple basic things, the EPA to start with. The EPA was put through in the Nixon administration in the 1970s, but it was never done constitutionally. Article 1, Section 8 of the US Constitution has a list of enumerated powers that Congress can dictate what they can do. There’s nothing about Environmental Protection. So the Federal Government, according to Article 1, Section 8, what the EPA is doing is totally illegal according to the US Constitution. It’s totally a rogue agency. It’s totally, and we all know in this room, is totally out of control. I’m a building contractor that’s been put out of work by the EPA because of their lead paint directives. So you are enforcing federal EPA standards that are illegal. That’s something you should consider.

I believe, and most of the people in this room believe, that this whole thing is all about control, regulation, taxation, and standards based on very questionable and subjective science. One of you stated earlier, which I thought was very interesting, you had the 35 micrograms per cubic meter. And I was reading in other articles that some areas in the country, and I must be wrong because you said that’s a national standard, they were lowering it from 15 to 12 micrograms. But one of you stated tonight that no level is safe. So, and I totally agree with that’s what the EPA would say, no level is safe. So I assume that means that over time, this 35’s going to go to 30 to 25 to 20 to whatever it takes to take total control over us as individual citizens.”

**Gene Vin**

“And to build on top of what Steve and a few others were saying, going back to the EPA, we’re basically putting ourselves into, giving ourselves up into a national control. To an agency that is illegally operating. And my request, as a new generation coming up, to the parents and to the grandparents, is please review our history, please review the world’s history. We’re following the same path that leads to destruction. And if we don’t accept responsibility and step up to the plate but willfully give ourselves up into government just because we get paid by them, then we should really question our existence on this planet, in this state, and just as a human being, as a common morality. Why are we here? To impose taxes and fines upon our neighbors and our citizens? We are the same type of people as you. We’re trying to make a living and there is no point to create something more stringent just to please some of the bureaucracies who do not understand the low-level lifestyle, if you want to put it that way, that most of us are living.”

**Jeff Broadhead**

“I basically believe that natural law supersedes constitutional law because that’s where all the authority came from for the Constitution and I’d like to know, do the SRCAA employees swear an oath of office to uphold the Constitution? Also, what is the constitutional line of authority regarding the EPA, the state agencies, the local agencies, where does all that authority come from? All the way back to the state and the national, the general Constitution.

The Federal Government doesn’t have our health in mind, we can tell by how they side with Big Pharma and yeah, Monsanto and the whole gang. They have nothing, there is no interest at all in our health. They’re interested in power.”

**Ecology response:**

Thank you for your comments and expressing concern about the federal government and air quality regulations. Article II of the U.S. Constitution addresses the executive branch of government. The President is responsible for implementing and enforcing the laws written by Congress, and federal agencies are responsible for the day-to-day enforcement and administration of federal laws. Congress created the EPA in 1970, the same year it passed the federal Clean Air Act, which was later revised in 1990. For an overview of the federal Clean Air Act, see [http://www.epa.gov/airquality/peg\\_caa/index.html](http://www.epa.gov/airquality/peg_caa/index.html). The U.S. Supreme Court has determined that the Clean Air Act is constitutional. See for example *Whitman v. American Trucking Ass'n*, 531 US 457 (2001).

Ecology is required under federal and state law to comply with federal and state air quality standards to protect public health and welfare. The federal Clean Air Act establishes national standards and states are responsible for taking the lead to make sure these standards are met. The federal Clean Air Act establishes safeguards to ensure that states do their job. Please contact your representative if you have concerns regarding federal or state law.

As mentioned in earlier responses, the stronger standards for the manufacturing of residential wood stoves recently adopted by EPA only apply to new wood stoves. They do not apply to existing woodstoves in use currently in people's homes. EPA is not restricting the use of wood stoves in people's homes and will not inspect or tear out wood stoves. EPA's new standards apply to manufacturers of woodstoves.

Since Washington already has strict state standards for new wood stoves, we anticipate the Washington manufacturers will benefit from these new federal standards being adopted nationwide. The standards reflect the significant improvements in technology that have been made since wood stove standards were first put in place in 1988.

**26. EPA has no authority. Should remove or revise certain sections of the SIP revision.**  
(paraphrased summary)

**Judy Crowder:**

"I believe government closest to the people is best and that is why the American system has been so successful allowing the checks and balances of Local, County, State and Federal governments with the planned decentralization of power. Spokane Regional Clean Air Agency should follow the WASHINGTON CLEAN AIR ACT RCW CHAPTER 70.94 and should not be obligated to national standards.

The U.S. Constitution does not give the Federal government or it's agency any power over the air quality in the States and the State is correct to limit EPA control over the clean air policies of State policy.

In fact RCW 70.94.230 specifically outlines who has authority to make rules an it does not mention any national agency. The local agencies are to follow rules made by the Authority "*The rules and regulations hereafter adopted by an authority under the provisions of this chapter*".

The authority is defined RCW 70.94.030 (5) and is not the EPA. Other areas of the State law which concern our local air quality are RCW 70.94.450 Woodstoves-Policy , RCW 70.94.456 Woodstoves – Definitions, RCW 70.94.455 , RCW 70.94.457 Solid fuel burning devices – Emission performance standards and WAC 173-433-100 EMISSION PREFORMANCE STANDARDS. The State has adopted rules for when advisory alerts and burn bans maybe called RCW 70.94.473 which list the level necessary to began the bun ban process. That is not the same as saying that is the annual or 24 hour standard for the State of Washington.

Control of the Standards for our air quality are and should be established by the State. It is the intent of the State to comply with the requirements of the federal clean air act however the legislator’s did not directly tie the State air quality standards to the EPA standards. (RCW 70.94.011)

The State has maintained control over the clean air policy in Washington State and has used CFR Title 40 Part 60 & 61 national regulations to provide the standard of testing methods and to provide the list of contaminates considered as pollutants. CFR Part 60 for testing standards and Part 61 for air pollutants. The State has adopted rules for when advisory alerts and burn bans maybe called RCW 70.94.473 which list the level necessary to began the bun ban process. That is not the same as saying that is the annual or 24 hour standard for the State of Washington. One of the main goals SRCAA listed on page one of the Public Review Draft, March 20155 is to meet EPA air quality requirements. I strongly believe that should be changed to Washington State air quality requirements. I am requesting you not submit the Spokane Regional Clean Air Agency (SRCAA) State Implementation Plan (SIP) to EPA for approval as your letter included in the Public Review Draft of Feb 25, 2015 is suggesting.

I have attached a excel spread sheet of the history of the record of Spokane County and I commend the people of Spokane and your agency for making it possible that we have never exceeded the PM2.5 microgram National Annual Standard and have only twice exceeded the Annual National Annual PM10 micogram standard in 1987 & 1988. I believe those exceedent years were years of Northwest fires and I know 1988 was the year of the Yellowstone fires. As we go down the path of cleaner and cleaner air we must balance the citizen’s rights to use natural resources on their land and their right to remain independent of third party energy providers.

I recommend (red is your suggested changes):

**SECTION 8.03 – DEFINITIONS**

Do not add (I) National Ambient Air Quality Standards (NAAQS; 40 CFR 50) means outdoor air quality standards established by the United States Environmental Protection Agency under authority of the federal Clean Air Act. EPA set standards for six principal air pollutants, called “criteria” pollutants, under the NAAQS. The criteria pollutants are carbon monoxide, sulfur dioxide, nitrogen dioxide, lead, ozone and particulate matter (PM2.5 and PM10).

Do not add (K) Nonattainment Area means a clearly delineated geographic area which has been designated by the Environmental Protection Agency because it does not meet, or it affects ambient air quality in a nearby area that does not meet, a national ambient air quality standard or standards for one or more of the criteria pollutants defined in 40 CFR 50, National Ambient Air Quality Standards.

## **SECTION 8.04 - EMISSION PERFORMANCE STANDARDS**

Remove existing language with reference to National Air quality Standards and replace section to read: **Add:** The Agency adopts RCW 70.94.457 and WAC 173-433 by reference “ Emissions Performance Standards.

## **SECTION 8.09 - PROCEDURE TO GEOGRAPHICALLY LIMIT SOLID FUEL BURNING DEVICES**

Do not add :(A) **If the EPA finds that the Spokane PM10 Maintenance Area has violated a National Ambient Air Quality Standard for PM10 and After July 1, 1995, if the EPA finds that the Spokane PM10 Nonattainment Area, as defined in CFR Title 40, Part 81, has either: 1. failed to make Reasonable Further Progress, or 2. failed to timely attain a National Ambient Air Quality Standard for particulates ten microns and smaller in diameter (PM10), as defined in CFR title 40, Part 50.6, or 3. violated a National Ambient Air Quality Standard for PM10 after redesignation as an attainment area, emissions from solid fuel burning devices are determined by the EPA, in consultation with Ecology and the AuthorityAgency, to be a contributing factor to such failure or violation, then one year after such determination, the use of solid fuel burning devices not meeting the standards set forth in RCW 70.94.457 and WAC 173-433-100, is restricted to areas outside the Smoke Control Zone.**

**Do add:** (A) If the Spokane is outside the Washington State guidelines for air quality and has failed to make Reasonable Further Progress, or failed to timely attain State Ambient Air Quality Standards for particulates ten microns and smaller in diameter (PM10), as defined in CFR title 40, Part 50.6, then one year after such determination, the use of solid fuel burning devices not meeting the standards set forth in RCW 70.94.457 and WAC 173-433-100, may be restricted to areas outside the Smoke Control Zone.”

### **Ecology response:**

Thank you for your comment and for your suggested revisions to SRCAA’s rules. Ecology cannot change SRCAA’s rules because they were adopted by SRCAA. SRCAA’s rule adoption process includes public notice and an opportunity for public comment. We forwarded your comment to SRCAA so that they can inform you the next time their regulation is being revised and you can make your comments to them at that time.

Under the federal Clean Air Act and the state Clean Air Act (RCW Chapter 70.94), Ecology and local clean air agencies are required to meet ambient air quality standards. Congress has given EPA the authority and responsibility to determine if Spokane meets these standards. The Clean Air Act includes a number of actions that must be taken if the standards are not met. If you have concerns regarding federal or state law or the framework for managing air quality in Washington, please contact your federal or state representatives.

**27. Ecology should not submit the SIP revision to EPA. (paraphrased summary)**

**Christine Keck**

“Should Ecology submit the revised SFBD rule to EPA for approval in Washington's SIP?  
I say -NO!”

**Ecology Response:**

Thank you for your comments. Under the federal Clean Air Act (sections 109 and 110), each state is required to develop a SIP to meet and maintain federal health-based air quality standards. If a state does not comply with these requirements, EPA can step in and impose its own air pollution controls. In addition, the public's health would be threatened, and the state could be subject to sanctions, and loss of federal highway funding. Moreover, the state Clean Air Act directs Ecology to “take all action necessary to secure to the state the benefits of the federal clean air act.” See Revised Code of Washington (RCW) 70.94.510 (2). The statute also says that it is “the policy of the state of Washington through the department of ecology to cooperate with the federal government in order to insure the coordination of the provisions of the state and clean air acts.

The purpose of Ecology's action is to update the SIP with the current local regulation implemented and in effect in Spokane County. Ecology is making no changes to the regulation and inclusion in the SIP imposes no new restrictions on burning wood or using wood burning devices. SRCAA's solid fuel burning device regulation adopted in 1994 was originally included in the SIP to meet the requirements in federal law to attain and meet NAAQS for PM<sub>10</sub>. This rule has been revised several times since 1994, however the rule in the SIP has not been updated. SRCAA requested that Ecology submit the updated rule to EPA for approval in the SIP.

Inclusion of local rules in the SIP provides a safeguard and allows citizens and the federal government the ability to enforce the rules in federal court if they believe SRCAA is not adequately enforcing local rules.

Ecology is submitting the updated regulation to EPA for approval in the SIP to comply with federal and state law, and to meet SRCAA's request. Please contact your state or national representatives if you have concerns about state or federal law.

## Support wood burning

*28. Wood is a plentiful renewable resource. Forests stay healthier and are less prone to forest fires if dead trees are thinned for firewood. We burn our stoves clean. I depend on wood heat as a source of pain relief. (paraphrased summary)*

### **Bill Demers**

“I am 55 years old and suffer from severe Osteo and Rhumatoid Arthritis and Neuropathy from Gulliiian-Barre' Syndrome. In fact these malady's are severe enough to make me disabled with SSDI my sole source of income. In Winter I am at times restricted to a wheel chair.

I depend on my wood stove for heat as a form of documented medical treatment for pain relief.

Internationally wood heat is well known remedy for pain relief. I am unable to receive pain relief comparable with wood heat. I use an EPA certified stove and burn dry wood so as to prevent smoke. But in the end I will not comply with any regulations attempting to stop me from using my stove for pain relief. Because of my fixed low income wood heat is the only remedy I can afford. Candidly the only way the State can stop me from burning wood for pain relief is to take me away in a body bag.”

### **Citizens Alliance for Property Rights**

“WOOD IS A RENEWABLE RESOURCE: Firewood is plentiful in the Spokane region. Forests stay healthier and are less prone to forest fires if dead trees are thinned for firewood. How much pollution was released due to the Carlton Fire Complex in one day compared to one year of wood stove usage in the Spokane area? Spokane area residents are being good stewards by using a renewable resource that helps to keep our forests healthy.”

### **Allen Randall**

“OK. I kind of laugh about all this stuff. In Deer Park last year and going back to 2008 when I talked to the DNR, I owned 20 acres of wood and they told me they wanted me to limb my trees up seven feet, they wanted me to thin the trees so that if we had a forest fire, it wouldn't keep going. So I've been working on that now for eight years. And I probably barely touched it because there are so many trees out there and so many limbs. Now, what are you going to do with the limbs once you fall the tree and pile up the limbs? They've got to be burnt sometime. And if they don't, somebody's going to be coming to me and saying, 'Why don't you clean up your property?' So I'm trying to be the responsible owner. The other thing is what do I do with all that wood? Most of it is not suitable for building. Depending upon the market, it's sometimes really not suitable.

So I'm wondering what I'm supposed to do with all this wood stacked all over the place, whether it's in limbs or whether it's in trees. I look again at the power company. Inland Power's pretty happy with me because I'm not wasting electricity on stuff and we burn wood in our certified wood stove that cost me \$3500 when I put it in. We burn that stuff, thank you, we burn that stuff to supplement our heat, especially on cold days. Thank you.”

### **Alene Lindstrand**

“Firewood is plentiful in the Spokane region. Forests stay healthier and are less prone to forest fires if dead trees are thinned for firewood. How much pollution was released due to the Carlton Fire Complex in one day compared to one year of wood stove usage in the Spokane area. Spokane area residents are being good stewards by using renewable resource, keeping our forests healthy. The Puget Sound Clean Air Agency went even further than the EPA when it banned wood burning in King County for several times and levied \$1,000 fines. We should not, this organization should not follow EPA’s one size fits all rule, which would effectively ban production in 80 percent of all wood stoves in America. These rules are being proposed that mostly impact folks on fixed incomes and rural residence. Thank you.”

### **Ecology response:**

Thank you for your comment. We agree with that Washington’s forests have an abundant, renewable supply of wood, and that removing wood from forests in ecologically sustainable ways can improve forest health and reduce wildfire risk. Ecology also agrees that one way to dispose of the wood removed is to burn it in a residential wood stove, using clean burning techniques that reduce levels of harmful pollution. Ecology and local agencies work to educate people and communities about ways to burn clean.

Ecology’s action does not limit the ability to burn wood in a residential wood stove any more than it is already limited by state and local law.

Ecology encourages the commenter who uses wood heat as a source of pain relief to contact SRCAA to see if he qualify for an exemption allowing him to burn during burn bans, or to contact his doctor for alternative pain remedies.

### **Request air monitoring data**

*29. I want to see the data that is used to monitor Spokane's air. Where are they doing these measurements for air quality to determine that? (paraphrased summary)*

### **David Bolenus**

“I want to see the data that is used to monitor Spokane's air. Is it secret? I want to see it. I want to examine and analyze it. I want the raw data, not data massaged first then made available. I want to see an explanation of the data, the data, and how decisions are made by its use. You need to broadcast where the data is made available.”

### **Dennis Paradis**

“My question is where are they doing these measurements for air quality to determine that? You know, most of the time, we burn our stove, it’s pretty darn clean. And if there’s a problem, we shut it off. But I’m wondering if they’re doing these tests in Spokane in the city or what’s happening, I’d like to find out about that.

And I also agree that your organization is pretty much infringing on our rights way too much. I know you don’t care about it, but that’s my opinion.”

Thank you for your air monitoring question. You can find information on all of the air quality monitor locations and monitoring data for Spokane County on SRCAA's website, <https://www.spokanecleanair.org/air-quality/air-monitoring-2> and on WA State Department of Ecology's website, <https://fortress.wa.gov/ecy/enviwa/>. An air monitoring station is located on the roof of SRCAA at 3104 E. Augusta Avenue in Spokane. The monitoring data is used to determine compliance with the PM<sub>10</sub> and PM<sub>2.5</sub> NAAQS. Ecology performs rigorous quality assurance and quality control to ensure that the monitoring data is accurate. Please contact SRCAA or Ecology for additional information.

To comply with the PM<sub>10</sub> standard, average daily PM<sub>10</sub> levels cannot exceed 150 µg/m<sup>3</sup> more than once per year, averaged over three years. To comply with the daily PM<sub>2.5</sub> standard, the annual 98<sup>th</sup> percentile average daily PM<sub>2.5</sub> levels cannot exceed 35 µg/m<sup>3</sup>, averaged over 3 years. Air quality is influenced by many factors, especially meteorology. EPA bases standards on 3 year averages to ensure that compliance isn't unduly influenced by a single year with poor meteorological conditions.

In addition to the monitors in Spokane, Ecology, EPA, tribes, and local clean air agencies maintain a network of air monitoring stations around the state to measure air pollution. These monitors tell us if the air we breathe is healthy at a given time at a given location. Using continuous monitoring data, Ecology or local clean air agencies inform the public when air pollution reaches unhealthy levels so that people can minimize unhealthy effects.

The agencies also use monitoring data to monitor and ensure compliance with the NAAQS.

## **Carbon dioxide (CO<sub>2</sub>) and climate change**

*30. CO<sub>2</sub> is one of the six pollutants with National Ambient Air Quality Standards. Is CO<sub>2</sub> classified as a pollutant under the CAA? (paraphrased summary)*

### **Stephen Dunham**

“Second, The Dept. of Ecology flyer we were given at the meeting on April 2nd states that the EPA sets national air quality standards for six common pollutants. One of those six is human breath (CO<sub>2</sub>) . Yes the totally out of control EPA under the clean air act has established CO<sub>2</sub> as a regulatory "pollutant " even though all plants need CO<sub>2</sub> for photosynthesis and all animals exhale carbon dioxide.”

### **Ecology Response:**

Thank you for your comment. Carbon dioxide (CO<sub>2</sub>) is not one of the six pollutants for which EPA sets National Ambient Air Quality Standards. The pollutant you are probably thinking of is carbon monoxide (CO), which does have a national ambient air quality standard. Carbon monoxide is not a greenhouse gas.

There are six main greenhouse gases, including carbon dioxide, which have been found by scientists to endanger public health and welfare. These greenhouse gases are considered

pollutants. However, States are not required to address carbon dioxide or the five other main greenhouse gases in SIPs.

***31. CO2 is not a pollutant. CO2 is human breath. It is a miracle molecule and helps us breathe and supports crop and tree growth. CO2 production from humans is far below what is happening naturally in the environment. Science has not proven global warming is caused by CO2. Climate change is a natural process. Climate change is a government lie. Please do not waste our tax dollars and learn the truth about global warming. (paraphrased summary)***

**Bill Demers**

“Spend the time and a few tax dollars to read and learn the truth about Global Warming, then implement knowledge/science driven decisions while directing your agency. The current agenda driven policies of DOE waste money, energies and produce a worsened environment. Not to mention a despicable assault on Liberty.”

**Clarice Ryan**

“If concerns over missions from these stoves, is being largely based upon CO2 production, we should acknowledge that it is far below what is happening naturally in the environment: forest fires, volcanoes, and respiration by all living creatures on earth. The science has not yet proven that global warming has been caused by CO2, or even that Climate Change has resulted from it. Climate has changed since the formation of the earth and the origins of humanity living on it. All of these unproven concepts are negatively impacting the economy of our communities and the entire country, basically the world.”

**Dennis Reed**

“And don't even talk to me about "carbon footprint" another one our government's big lies.”

**Stephen Dunham**

“About 8% of man made worldwide CO2 emissions are due to simple human breathing. The EPA says they do not want to regulate our breathing...for now. The excuse for the EPA's need for regulatory powers to limit CO2 is the "threat" of global warming. About 186 Billion tons of CO2 enters the atmosphere every year. Only 3.3% is from human activity. 57% is given off by oceans and 38% is breathed out by animals. In other words if you take out the 8% that humans breath out from the 3.3% of total CO2 from human activity you end up with about 3%. So if we eliminated all cars and trucks, all wood burning, all coal burning etc. we would reduce only 3% of the CO2 that enters the atmosphere every year hardly enough to effect global warming or cooling. Modern commercial greenhouses often use CO2 generators to increase the daytime CO2 content to 1,000 ppm or higher for optimum plant growth. Our atmospheric CO2 content now of 400 ppm is hardly dangerous. Higher CO2 levels lead to bigger crops and more food. In 2007 Al Gore publicly warned the North Pole would be ice free in the summer by around 2013 because of alleged man made global warming. Instead of melting, sea ice worldwide is at the highest levels since records began. The RSS (Remote Sensing Systems) set of global satellite temperature data report that the period WITHOUT global warming has now been extended to 18 years and three months, stretching back to October of 1996. This fact of global cooling makes us ask why the EPA is so intent on further limiting CO2 emissions and restricting the use of wood stoves when the science is simply not there to support their actions.”

**Allen Randall**

“And the other thing is the CO<sub>2</sub>, which I believe is not a pollutant, that we put back into the atmosphere so that we can all breathe, by the way, and we can grow our crops more successful, it also allows trees to develop a better solid lignin in their cells and so they may become, over time, more suitable for building materials. So I’ve researched this thing; CO<sub>2</sub> is not a pollutant, no matter what anybody says, it’s a miracle molecule and it allows us, by the way, after it’s gone through a tree or a plant, to breathe. Isn’t that amazing?”

**Stephen Dunham**

“And just one other comment since I was doing a little research on this. You did mention the Clean Air Act of was it 2008? When the federal, the EPA classified CO<sub>2</sub>, which is human breath, a pollutant under Section 202 of the Clean Air Act. I think the EPA has to be reined in just a little bit and, in my opinion, totally eliminated because it is unconstitutional and it’s illegal.”

**Jim Robinson**

“To give you an idea of the proportion of the amount of pollution in general that man contributes in relation to all other sources, we can look at the amount of CO<sub>2</sub> contributed by Homo sapiens. With the concentration of CO<sub>2</sub> in the Earth’s atmosphere just a little under 400 parts per million, that means that about four one hundredths of a percent of the Earth’s atmosphere is carbon dioxide. Put another way, if the entire atmosphere was represented by \$10,000, the amount of CO<sub>2</sub> would only be 40 cents. Of all the greenhouse gases, water vapor accounts for 98 percent with CO<sub>2</sub> in second place at about one and a half to 1.8 percent. Taken from figures posted by the US Department of Energy in October of 2000, man’s activities at that time account for about 3.2 percent of all greenhouse gas emissions, ignoring, rather, the water vapor which takes up most of it. The amount, therefore, of CO<sub>2</sub> attributable to man is only about 1 penny out of that \$10,000. In terms of concentration of the entire atmosphere, it would be about 1 penny out of a million dollars.

Trained as a chemist in the 60s, I learned that carbon dioxide was a key compound in the carbon cycle and was referred to then as a gas of life, not a pollutant as the EPA does today.”

**Ecology Response:**

Thank you for your interest in CO<sub>2</sub> and climate change. These comments are not relevant to the action Ecology is taking at this time because Ecology’s proposal to include SRCAA’s rules in the SIP is not related to CO<sub>2</sub> emissions or climate change.

Ecology agrees with the majority of scientists who are highly confident that many of the changes in climate that we are currently experiencing are linked to high levels of carbon dioxide and other greenhouse gases in our atmosphere caused by human activities. Scientists project that current trends will continue and in some cases worsen, posing significant risks to Washington State.

Reducing carbon dioxide emissions and other greenhouse gases is a high priority for Ecology. Ecology also works to prepare for and adapt to changes in climate. For more information on

Ecology's climate change work contact us or see <http://www.ecy.wa.gov/climatechange/index.htm>.

## Concerns about chemical trails

*32. We need to stop the chemtrails. They're spraying chemicals on the American people. This is more dangerous than wood smoke. (paraphrased summary)*

### **Marian Lonan**

"Thank you for hearing us and I'm going to reiterate what I have asked before because I want it on record. And I want to state too thank you very much for this information, wherever she is, right there. However, it is not contrails, these are chemtrails. Chemicals. And you guys are affected by it as much as I am. And you know what? I have been in the military, I have studied under biological chemical warfare. We are under biological chemical warfare. Wake up.

And then we need to stop the chemtrails. This is a multi-national thing that's going on around the world and it needs to stop. And not, that milky rain that we received the other day, it's like that did not come from fires or whatever, and I already stated that. It didn't come from some Russian volcano that happened or whatever. They're spraying stuff on the American people."

### **Mary Ellen Albertson**

"And I would like to call your attention to the skies. I took pictures of the jet streams out there in the skies and people tried to tell me that's because they have to let the gas out. Bull. When you see the airplanes fly in the opposite direction and all this stuff spewing out from behind the airplanes, why are you not concerned about that? Did you come in here with an air mask on today? Because what I hear, in that, is more dangerous than what comes out of our chimneys. And you need to pay attention to that because it's not only endangering my life. And even though you guys get the money to do this to us, you know what they say. When they come after one person and no one stands up for them, so what. But when it gets down to they're coming after you, because they will come after you guys also, who's going to be left to stand for you? You need to stand up for us and not bow down to what Obama is trying to put upon us, and let us have our freedom. And if it's just liberty to have a fireplace, then why not let us have our fireplace?

And I understand that oh, we can sign up and say we're poor, so please allow us to burn, even though you say it's not national, it is national. And even though you say people aren't going to come in and inspect your houses, I heard they are. So pay attention and give yourself a break and figure out what it is in the sky that damages [sounds like – 00:32:06] us. Without history, the nation falls apart and with the crap they're spraying in the sky, you're not going to remember history.

### **Jim Robinson**

The number of burn bans has dwindled also from the bad old days, and with the exception of geoeengineering contractors crisscrossing our skies with plumes of who knows what, our air in Spokane County is remarkably clean and clear."

## **Ecology Response:**

Thank you for your comments and your concerns regarding chemical releases from aircraft. The state and local air agencies do not regulate the release of pollutants from airplanes into the atmosphere. Aircraft emissions are primarily regulated by the federal government, and harmful emissions that could reach ground level are not allowed.<sup>8</sup>

Airplane con-trails are caused by engine combustion products. The visible trail you see in the upper atmosphere is almost entirely water vapor. There are fire-fighting planes that drop flame retardant on forest fires, but the material is usually reddish-orange, is released very close to the ground over the fires, and is critical to reduce more harmful health effects from smoke from the fires.

You may be interested in looking at an informative web page dedicated to discussing the con-trail topic developed by the Federal Aviation Administration (FAA). You can find the web page at <http://www.wrh.noaa.gov/fgz/science/contrail.php?wfo=fgz>.

These concerns raised by the commenters are not related to Ecology's submittal of SRCAA's current solid fuel burning device rules to EPA for approval in Washington's SIP.

## **Focus should be on other air pollution sources**

***33. We oppose wood stove regulations. Ecology should focus on larger pollution problems. Wildfires are a bigger pollution problem. Mismanagement of public lands is a problem. Other problems Ecology should focus include agricultural dust, mills, casinos, cattle feed lots, incinerators, and nanoparticles. (paraphrased summary)***

### **Clarice Ryan**

“Apparently CO<sub>2</sub>, smoke, ash and burned animal carcasses from wildfires of USFS OVERGROWN forests are not being considered a problem from a pollution standpoint. However, firewood collectors (not allowed to collect dead fuels from these federal forests) attempt to find enough firewood elsewhere to sell to customers struggling to reduce their heating costs. Now federal restrictions prevent homeowners from benefitting from burning the waste from dead and dying forests that could be providing heat for their homes. Limits on use of firewood for heat, in my mind constitutes and injustice to citizens by their own government, for no valid constructive reason.”

### **Patricia Dunham**

“Large mills & casinos can omit whatever comes out their chimney stacks ... It's always the small guy who is under siege. Our incinerator can't be without some stink but let's hush that up:) Empty city buses omit plenty of awful diesel fumes & the wealthy who burn in their oval shaped fire pits are not a problem.”

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<sup>8</sup> FAA (2005)

**Steven DePiro**

“Myself and every neighbor and Friend I have talked to regarding wood stove bans are against any regulations on wood stoves that you may be proposing. Cattle Feed lots and cars/trucks are culprits, not wood stoves.”

**Marian Lonan**

“Number two, are you limiting the incineration of the burning thing that we all voted that we did not want in the Spokane area but you went ahead and put it in anyway. And so yet you’re going to come and take my stove away but you’re going to have this thing out there burning tires and everything else out there. You know, so that needs to be looked at.”

**Jeff Broadhead**

“Third, the Department of Natural Resources is known to mismanage public lands, which has led to fires with massive amounts of smoke coming through the Spokane area and the Federal Government is even worse at managing their lands, the public lands.

Next is, without getting into details, nanoparticles are much smaller than these two and a half micron smoke particles that we’re talking about and they’re being distributed over the whole area. I have photos showing massive amounts of that being spewed. And we have no - there’s no public comment. I contacted certain powers that be and they blocked me from any communication. I’m not happy about that but I think if two and a half micron sized particles are dangerous to our lungs, then certainly things that are nano sized are going to be even worse.”

**Jim Robinson**

“In terms of particulate, Spokane is downwind from millions of agricultural acres that routinely share tons of particulates called dust accounting for much of the allergy and asthma reactions in Spokane County. These regulations sound to me like a solution in a desperate search of a problem. Tyranny always comes riding in on a white horse wearing a smiley face. This is tyranny.”

**Ecology response:**

Thank you for your comments and your concerns regarding air pollution in Washington. The focus of this SIP revision is on replacing SRCAA’s old 1994 regulation on solid fuel burning devices in the SIP with the revised regulation adopted in 2014 and currently in effect. Like other areas of Washington, Spokane typically experience high levels of PM<sub>2.5</sub> on winter days with stagnant, cool air. On these days, fine particle emissions from wood stoves can make up over 50 percent of the pollution.

Wildfires do emit high levels of fine particle pollution, typically in the summer months. Ecology and local air agencies monitor air quality during wildfires. The agencies alert the public when pollution reaches high levels and may take additional effort to reduce pollution from other sources. Wildfire prevention and control efforts are implemented by DNR or federal agencies.

Under the federal Clean Air Act, wildfires are generally considered uncontrollable exceptional events. Ecology can submit a demonstration to EPA to exclude monitoring data from wildfires, so the data is not considered for determining NAAQS violations.

Dust from agricultural fields, roads, or industrial operations are a source of coarse particles, or PM<sub>10</sub>. Dust control measures for Spokane County are included in Washington's SIP to help Spokane meet the PM<sub>10</sub> standard. However, in some cases, dust storms, like wildfires, may be considered natural exceptional events. Ecology can submit a demonstration to EPA to exclude monitoring data from dust storms so the data does not count for determining NAAQS violations.

EPA, Ecology and local air quality agencies regulate industrial sources such as mills or incinerators, and also concentrated animal feeding operations. EPA and tribes regulate sources on tribal lands.

Ecology is aware of the growing concerns over the health effects of nanoparticles. Nanoparticles are extremely small particles. A nanometer is one billionth of a meter. EPA is investigating the safety of specific nanoparticles. For more information see <http://www2.epa.gov/chemical-research/research-evaluating-nanomaterials-chemical-safety>.

The focus of this SIP revision is on replacing SRCAA's outdated 1994 solid fuel burning devices rule with the rule adopted and in effect since 2014. Other sources of pollution are outside the scope of this action.

## Other

34. *Does this fall under Growth Management Act RCW70A or is this RCW70? (paraphrased summary)*

### **Rene Holaday**

"My quick question is does this fall under Growth Management Act RCW70A or is this RCW70? Does anybody have that answer?"

### **Ecology Response:**

Requirements regarding air quality and wood burning can be found in Washington's Clean Air Act: 70.94 RCW.

35. *Older generations were good stewards of the environment. (paraphrased summary)*

### **David Bolenus**

"Checking out at the store, the young cashier suggested to the much older lady that she should bring her own grocery bags, because plastic bags are not good for the environment.

The woman apologized to the young girl and explained, "We didn't have this 'green thing' back in my earlier days."

The young clerk responded, "That's our problem today. Your generation did not care enough to save our environment for future generations."

The older lady said that she was right -- our generation didn't have the "green thing" in its day. The older lady went on to explain:

Back then, we returned milk bottles, soda bottles and beer bottles to the store. The store sent

them back to the plant to be washed and sterilized and refilled, so it could use the same bottles over and over. So they really were recycled. But we didn't have the "green thing" back in our day.

Grocery stores bagged our groceries in brown paper bags that we reused for numerous things. Most memorable besides household garbage bags was the use of brown paper bags as book covers for our school books. This was to ensure that public property (the books provided for our use by the school) was not defaced by our scribbles. Then we were able to personalize our books on the brown paper bags. But, too bad we didn't do the "green thing" back then.

We walked up stairs because we didn't have an escalator in every store and office building. We walked to the grocery store and didn't climb into a 300-horsepower machine every time we had to go two blocks.

But she was right. We didn't have the "green thing" in our day.

Back then we washed the baby's diapers because we didn't have the throw away kind. We dried clothes on a line, not in an energy-gobbling machine burning up 220 volts. Wind and solar power really did dry our clothes back in our early days. Kids got hand-me-down clothes from their brothers or sisters, not always brand-new clothing.

But that young lady is right; we didn't have the "green thing" back in our day.

Back then we had one TV, or radio, in the house -- not a TV in every room. And the TV had a small screen the size of a handkerchief (remember them?), not a screen the size of the state of Montana. In the kitchen we blended and stirred by hand because we didn't have electric machines to do everything for us. When we packaged a fragile item to send in the mail, we used wadded up old newspapers to cushion it, not Styrofoam or plastic bubble wrap. Back then, we didn't fire up an engine and burn gasoline just to cut the lawn. We used a push mower that ran on human power. We exercised by working so we didn't need to go to a health club to run on treadmills that operate on electricity.

But she's right; we didn't have the "green thing" back then.

We drank from a fountain when we were thirsty instead of using a cup or a plastic bottle every time we had a drink of water. We refilled writing pens with ink instead of buying a new pen, and we replaced the razor blade in a razor instead of throwing away the whole razor just because the blade got dull.

But we didn't have the "green thing" back then.

Back then, people took the streetcar or a bus and kids rode their bikes to school or walked instead of turning their moms into a 24-hour taxi service in the family's \$45,000 SUV or van, which cost what a whole house did before the "green thing." We had one electrical outlet in a room, not an entire bank of sockets to power a dozen appliances. And we didn't need a computerized gadget to receive a signal beamed from satellites 23,000 miles out in space in order to find the nearest burger joint.

But isn't it sad the current generation laments how wasteful we old folks were just because we didn't have the "green thing" back then?

Please forward this on to another selfish old person who needs a lesson in conservation from a smart ass young person.

We don't like being old in the first place, so it doesn't take much to piss us off... Especially from a tattooed, multiple pierced smartass who can't make change without the cash register telling them how much."

**Ecology Response:**

Thank you for this story reminding us that older generations could be good stewards of the environment.

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# Appendices

The appendices below are posted on Ecology's webpage at:  
<https://fortress.wa.gov/ecy/publications/SummaryPages/1502010.html>

**Appendix A. Copies of all written comments**

**Appendix B. Transcripts from public hearings**

**Appendix C. Certification of public hearing**

**Appendix D. Copies of public involvement notices**