

July 6, 2020

The Honorable Andrew Wheeler, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Submitted via Regulations.gov

RE: Comments - Docket ID No. EPA-HQ-OAR-2018-0195: Proposed Amendments to Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces

Dear Administrator Wheeler:

The American Lung Association appreciates the opportunity to provide these comments on the U.S. Environmental Protection Agency's Proposed Amendments to the Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces (Docket ID No. EPA-HQ-OAR-2018-0195).

The American Lung Association opposes the proposed delay in full implementation of the more health protective Step 2 New Source Performance Standards (NSPS) for Residential Wood Heaters. Allowing six (6) months of additional sales of high polluting wood heaters will mean real health harms for Americans. The COVID-19 pandemic makes it more important – not less – that EPA fully implement and enforce the Step 2 standards pursuant to the established timeline for compliance.

As the country's trusted champion of lung health, the Lung Association's top priority is the public's health and well-being. This is especially true as we collectively face the COVID-19 pandemic. The pandemic is not, however, justification for the action that EPA is proposing. It is a public health imperative to clean up dangerous wood smoke pollution.

The 2015 New Source Performance Standards placed more protective limits on pollution from new wood-burning boilers, furnaces, and stoves – the first updates to the standards for these types of devices in twenty-seven (27) years. Given that the Clean Air Act requires EPA to review and revise New Source Performance Standards from these sources every eight (8) years¹, the Agency was already significantly delayed in carrying out its statutory duty, unduly exposing the public to health risks.

The 2015 standards reflected significantly improved technology for reducing emissions from wood heating devices. In fact, this technology is already widely in use, and has been for the better part of a decade. The Lung Association advocated in strong support of updating these standards, and, notably, asked that they be even more protective than what EPA proposed and ultimately finalized.² Strong protections against wood smoke emissions are critical because these emissions contain particulate

¹ 42 U.S.C. § 7411(b)(1)(B).

² <https://www.lung.org/getmedia/af84cd61-0534-43e4-8288-70dba7c478ac/comments-to-epa-woodburning.pdf.pdf>.

matter (PM), carbon monoxide, nitrogen oxides, volatile organic compounds, and hazardous air pollutants that include several carcinogens.

In the short time since the updates were finalized in 2015, the science on the health harms of particulate matter has grown even more alarming. The evidence is clear that PM causes premature death, short- and long-term respiratory problems, and cardiovascular harm.³ Particle pollution also causes lung cancer. The research likewise shows that long-term exposure to PM is likely to cause nervous system harm⁴ and may also cause reproductive and developmental impacts – including low birth weight in babies – and the development of diabetes.⁵

No threshold level exists for harm from particulate matter, and the risk is not shared by everyone equally. Someone in every family is at increased risk of health harms from air pollution. But in too many cases, entire families are at greater risk. In its 2019 Integrated Science Assessment for PM, EPA found that nonwhite populations – and especially Black populations – face higher risk from particle pollution.⁶

While the emerging nature of COVID-19 means that much uncertainty remains, early evidence suggests links between exposure to particulate matter and more severe disease outcomes. It is long-established that air pollution exposure is linked to greater risk of respiratory infections. Now, specific to the COVID-19 pandemic, a recent study from Harvard’s School of Public Health found that an increase of only 1 $\mu\text{g}/\text{m}^3$ in long-term average exposure to fine particulate matter is associated with an 8% increase in the COVID-19 death rate.⁷ During this pandemic, people who live near polluting sources will face multiple threats to their lungs at once. And even when the COVID-19 risk has subsided, the dirty woodstoves that would be sold during the proposed delay would continue polluting communities for years and even decades to come.

When the 2015 New Source performance Standards were under development, the Lung Association urged EPA to reduce the uncommonly long timeframe for compliance. We said in 2014:

EPA has neglected its responsibility to update the standards for new devices for 17 years, increasing the need to provide the best systems of emission reduction as soon as possible, not five or eight years down the road. Normally, new source performance standards must be met immediately by the affected industry. ... [T]he technology needed to meet these standards exists and is in use today. The European System shows that comparable units are possible and produce greater efficiency in wood use

³ U.S. EPA, *Integrated Science Assessment (ISA) for Particulate Matter* (Final Report, 2019). U.S. Environmental Protection Agency, Washington, DC, EPA/600/R-19/188, 2019. Available at <https://cfpub.epa.gov/ncea/isa/recordisplay.cfm?deid=347534>.

⁴ U.S. EPA, 2019, Section 8.2.9.

⁵ U.S. EPA, 2019, Section 9.1.2, especially Section 9.1.2.3.1. and Section 9.1.2.6.

⁶ U.S. EPA, 2019, Section 12.5.4.

⁷ Wu X, Nethery RC, Sabath MB, Braun D, Dominici F. Exposure to air pollution and COVID-19 mortality in the United States: A nationwide cross-sectional study, 2020. medRxiv 2020.04.05.20054502; doi: <https://doi.org/10.1101/2020.04.05.20054502>

and heat production [citation omitted]. Furthermore, many American manufacturers produce many product lines that already meet these standards.⁸

EPA did not heed our request in the final rule, and instead included what we deemed an “unusually long phase-in period” before the limits would come into effect in 2020. EPA ultimately gave manufacturers and retailers five (5) years to come into compliance with the 2015 NSPS, more than enough time to comply by the May 15, 2020 deadline.

Significantly, just a few months ago, in April 2020, EPA declined to finalize a two-year sell-through period for more polluting wood heaters after finding that the evidence did not support manufacturers’ and retailers’ claims of harm of complying with the original timeline.⁹ For purposes of this new proposed extension, in that final rule EPA made two significant findings: 1) that the Step 2 standards were achievable, and 2) that manufacturers and retailers have already had a significant time in which to come into compliance:

Finally, it is important to note that manufacturers have had since May 2015 to develop Step 2-compliant wood heating devices, and that retailers have had since May 2015 to manage their inventory of Step 1-compliant wood heating devices and replace them with Step 2-compliant wood heating devices ahead of the May 2020 deadline. The record shows that Step 2-complaint model lines have been available to retailers for a considerable amount of time.¹⁰

EPA also noted that the peak selling season for new woodstoves ends in March. Yet now, in this new proposed delay, EPA cites retailers’ claims that the COVID-19 pandemic began impacting sales on March 15. It is extremely difficult to imagine how a maximum of sixteen (16) days of sales impacted in March could possibly justify the six-and-a-half-month extension that EPA is now proposing, especially given the already long compliance timeline and EPA’s own finding that Step 2-compliant devices have been available for a considerable amount of time. As it did in April, EPA should again determine that retailers’ claims do not justify additional time to comply.

Any delay in the full implementation and enforcement of the 2015 standards will mean that homeowners will install new wood-burning boilers, furnaces and stoves that produce far more dangerous air pollution than modern, state of the art, cleaner units. The American Lung Association accordingly asks EPA to prevent real harm to American families and reject this proposal.

Thank you for consideration of these comments.

Sincerely,



Harold Wimmer
National President and CEO

⁸ <https://www.lung.org/getmedia/af84cd61-0534-43e4-8288-70dba7c478ac/comments-to-epa-woodburning.pdf.pdf>

⁹ 85 Fed. Reg. 18448 (April 2, 2020).

¹⁰ 85 Fed. Reg. 18445, 18452.