



March 25, 2024

U.S. Environmental Protection Agency  
EPA Docket Center, OAR, Docket EPA-HQ-OAR-2017-0183  
Mail Code 28221T, 1200 Pennsylvania Avenue NW  
Washington, DC 20460

Re: Docket ID No. EPA-HQ-OAR-2017-0183, Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Large Municipal Waste Combustors Voluntary Remand Response and 5-Year Review – EPA Proposed Rule

Dear Administrator Regan,

WESTAR formally submits these comments for your consideration regarding the proposed rule, Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Large Municipal Waste Combustors (LMWC) Voluntary Remand Response and 5-Year Review. WESTAR supports the clarification of requirements for air curtain incinerators (ACIs) which eliminates them from the title V permitting requirements if they “only burn wood wastes, yard wastes, and clean lumber and are not located at a major source or subject to title V for other reasons.” It is important for EPA to include these specific circumstances for exemption as it allows entities to use ACIs for forest management in place of pile burning. The title V permitting requirements for air curtain incinerators are a technically complex hurdle for air curtain incinerator operators and represents a significant barrier to increasing their use for land clearing and forest treatment projects at a time when we need to make tools available for forest treatment quickly.

Air curtain incinerators create far fewer emissions than traditional burning methods which reduces impacts on air quality in nearby residential areas and visibility in mandatory Federal Class I areas subject to the Regional Haze Rule. A study in Oregon showed that ACIs emit 83.3% fewer particulate matter (PM) emissions than pile burning, and 75% fewer PM emissions than open burning.<sup>1</sup> ACIs are an effective tool for forest treatment projects that mitigate wildfires and address disease and pest infestation while balancing air quality protection. The permitting requirement is a barrier that deters land stewards (both private and public) from using cleaner burning air curtain incinerators as an alternative to pile burning or when pile burning is inappropriate for forest treatment projects.

While EPA’s commitments to removing administrative barriers that promote clean air are admirable, we note that a remand of only the LMWC rule will not affect the necessity of a Title V permit for the

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<sup>1</sup> Oregon Department of Environmental Quality, “Air Curtain Incinerator Emission Testing,” 2023, <https://www.oregon.gov/deq/aq/cao/pages/aci-emissions-testing.aspx>. (See DEQ Results Summary)

operation of an ACI unit and may not supply the intended relief to operators this remand seeks to produce. The Other Solid Waste Incinerators (OSWI) and the Commercial and Industrial Solid Waste Incinerators (CISWI) rules require ACI units to acquire Title V permits, conduct testing, and provide reporting similar to the rules EPA is proposing to remand. WESTAR strongly encourages EPA to review and explore a remand of the OSWI and CISWI rules where ACI units are concerned. A remand of these rules pertaining to ACI units would help maintain consistency in EPA's stance on ACI units and support related commitments of EPA to make significant progress towards aligning air quality and land management goals for wildfire risk mitigation as outlined in the November 8, 2023, Wildland Fire and Air Quality Coordination MOU between EPA, USDA, DOI and CDC. Consistency in the rules would reduce confusion for ACI unit operators and reduce barriers to their expanded use for disposal of wood waste, yard waste, and clean lumber. WESTAR appreciates EPA's commitment to improving air quality and visibility in the west by removing administrative and technical barriers that will facilitate the increased use of cleaner technologies for disposal of wood waste, yard waste, and clean lumber.

Sincerely,



Daniel Czecholinski, President  
Western States Air Resources Council