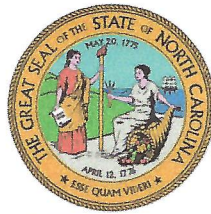


JOSH STEIN
Governor

D. REID WILSON
Secretary

MICHAEL ABRACZINSKAS
Director



NORTH CAROLINA
Environmental Quality

February 28, 2025

Jeffrey A. Hall, Principal Deputy Assistant Administrator
U.S. Environmental Protection Agency
Office of Enforcement and Compliance Assurance
Mail Code 2201A
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Re: Request for Extension of the No Action Assurance for the Use of Air Curtain Incinerators to Manage Debris Caused by Hurricane Helene in North Carolina

Dear Mr. Hall:

The State of North Carolina and the North Carolina Department of Environmental Quality (DEQ) respectfully request an extension of the "No Action Assurance (NAA) for the Use of Air Curtain Incinerators (ACIs) to Manage Debris Caused by Hurricane Helene in North Carolina," that was issued by the U.S. Environmental Protection Agency's (EPA's) Office of Enforcement and Compliance Assurance, signed on November 21, 2024. The NAA extension request is intended to help facilitate efficient and safe processing of certain disaster debris using ACIs in western North Carolina following the widespread and tragic destruction caused by Hurricane Helene.

North Carolina first started experiencing impacts from Hurricane Helene on September 26, 2024. The unprecedented magnitude of flooding, landslides, and wind damage from this storm produced devastating impacts in western North Carolina, including tragic losses of lives and significant infrastructure and property damage. As a result, on September 28, 2024, the President of the United States approved an Expedited Major Disaster Declaration, FEMA-4827-DR, for the State of North Carolina under the Stafford Act. Recovery efforts are underway, including major repairs to water and wastewater infrastructure, transportation, and other critical infrastructure. All options for managing disaster debris, including the use of ACIs for burning wood waste, clean lumber, and yard waste, have been considered with public health and safety in the forefront. DEQ has been assisting a wide range of stakeholders, including federal, state, and local governmental agencies, to navigate complex federal regulations that apply to ACIs for disaster debris management.

The significant challenge of managing the extraordinary amount of disaster debris caused by Hurricane Helene has involved all available methods of disposal while considering site specific facts and logistical challenges. Best practices and guidance on all available methods of processing disaster debris have been shared with all entities involved in the cleanup efforts. In situations where the burning of vegetative debris was the only remaining option for disaster debris management, DEQ encouraged use of ACIs (regardless of size) over open burning due to it being



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better for public health (producing less particle pollution) and public safety (from a wildfire prevention perspective).

The NAA allowed the use of new ACIs with capacities greater than 35 tons per day in North Carolina without first obtaining a Title V permit pursuant to 40 C.F.R. § 2242. This NAA was in the public interest because reduction of debris with larger capacity ACIs is cleaner and safer than other options, which include open burning without any controls. It also allowed the state to manage debris disposal quicker than would be possible with the smaller capacity ACIs, thereby advancing recovery efforts across the state. The NAA was granted through March 1, 2025.

On December 13, 2024, North Carolina's former Governor Cooper and the Office of State Budget and Management (OSBM) released a Revised Damage and Needs Assessment related to Hurricane Helene Recovery. In the document, it noted that the storm added an estimated 6.8 million tons of vegetative fuels into the environment. Timber and associated debris are ignitable fuels on the forest floor that increase wildfire risk. Furthermore, it mentioned that debris removal is progressing, with 108 active Temporary Debris Storage and Reduction Sites across 20 counties. A staggering 10,445,000 cubic yards of debris have been cleared from 27 counties.

In light of this updated information, it is important that Hurricane Helene vegetative debris reduction continues in North Carolina by using larger capacity ACIs. As such, DEQ respectfully requests that the U.S. EPA grant this NAA extension for an additional six-month period, through September 1, 2025.

If you have any questions about this request, please contact me at (919) 707-8447 or by email at Michael.Abraczinskas@deq.nc.gov.

Sincerely,



Michael A. Abraczinskas, Director
Division of Air Quality, NCDEQ

cc: Kevin J. McOmber, P.E., USEPA
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