



Air Curtain Incinerators (ACIs)

NC Department of Environmental Quality (DEQ), Division of Air Quality (DAQ)

AAPCA's 2026 Spring Meeting

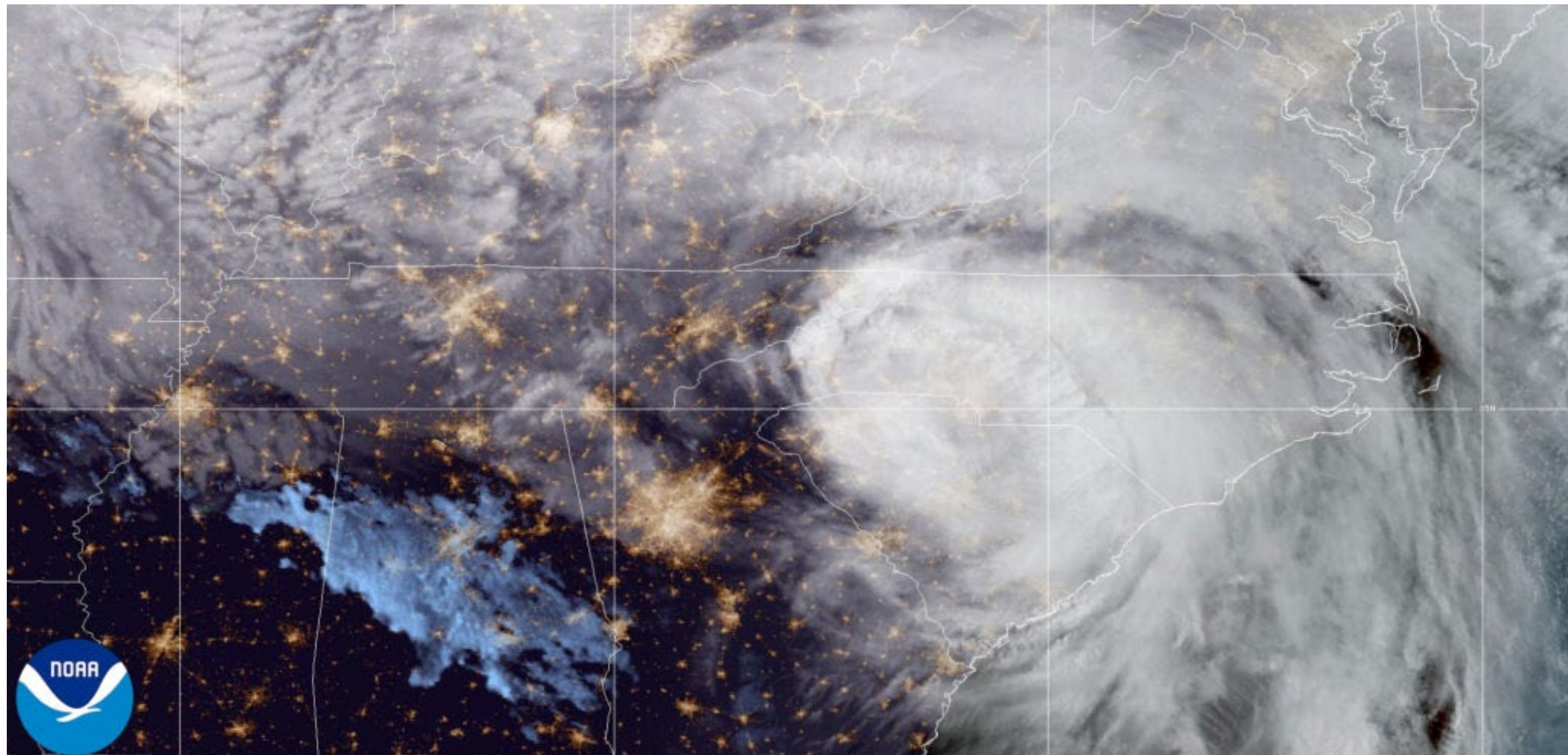
Taylor Hartsfield, Deputy Director

April 9, 2026



Overview

- **Hurricane Helene & NC DAQ Activities**
- **Background on State & Federal ACI rules**
- **Hurricane Helene ACI Guidance**
- **ACIs & Biochar**
- **CAA Section 129**
- **Recent ACI Rule Actions**



27 Sep 2024 12:00Z - NOAA/NESDIS/STAR GOES-East - GEOCOLOR Composite - TS Helene

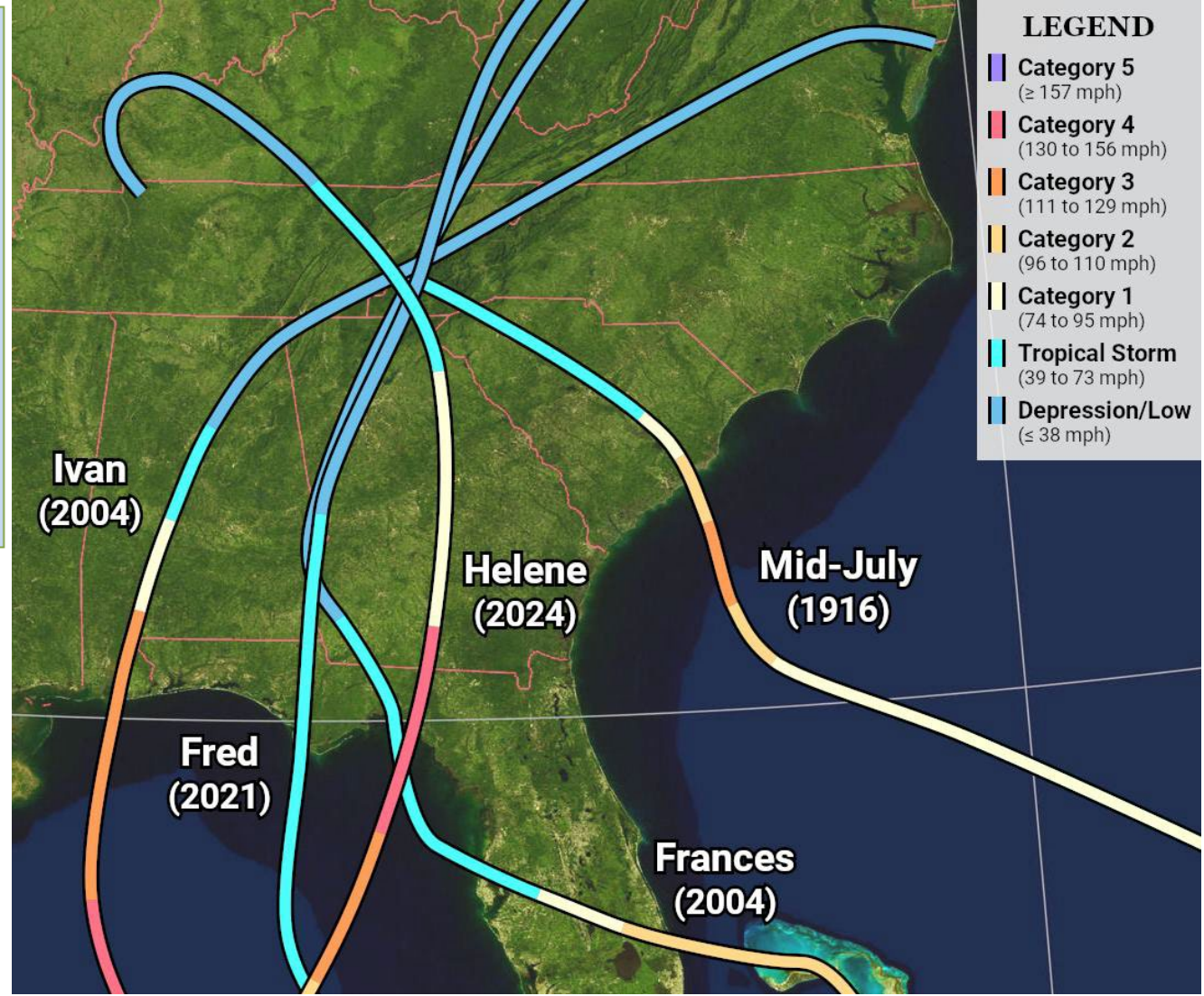
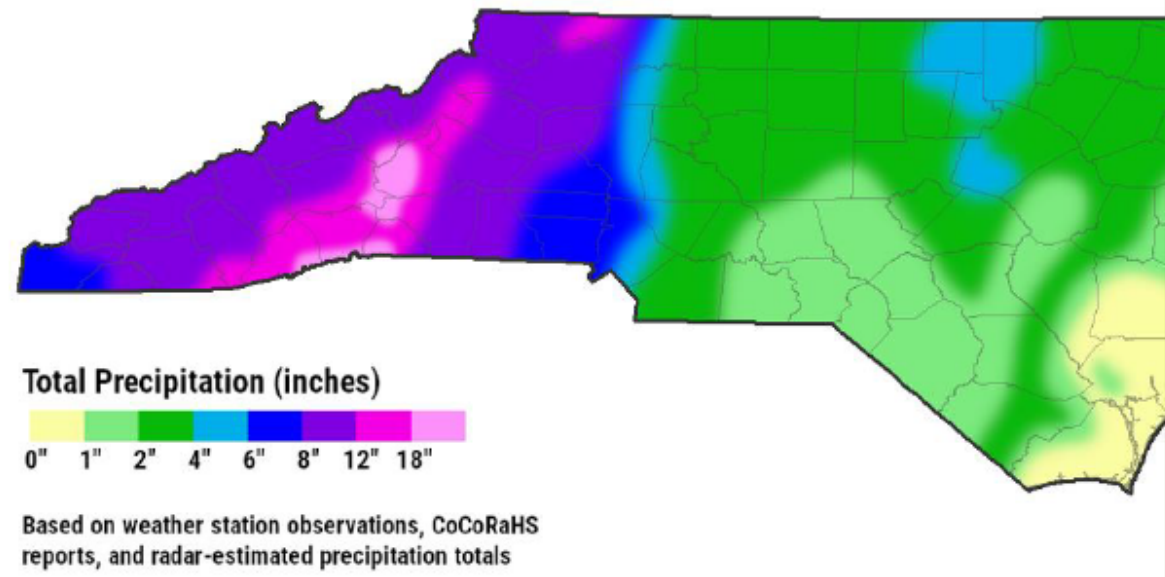
Public Information Statement...CORRECTED
National Weather Service Greenville-Spartanburg SC
159 PM EDT Thu Sep 26 2024

...CATASTROPHIC FLOODING AND LANDSLIDES FOR THE MOUNTAINS AND FOOTHILLS FROM HURRICANE HELENE...

This will be one of the most significant weather events to happen in the western portions of the area in the modern era. ...

The protection of life and property is the overall mission of the National Weather Service, and we pledge to stand by the folks of the western Carolinas and northeast Georgia. We cannot stress the significance of this event enough.

Frontal Event + Helene Sep. 25 to 27, 2024



Courtesy of Kathie Dello, PhD,
(former State Climatologist of NC,
now DEQ's Assistant Secretary
for Resilience)



Hurricane Helene – September 2024

- Over 200 people lost their lives, the deadliest hurricane since Katrina.
- Rural and mountainous geography created complexities.
- Impacts are severe and long lasting. Western North Carolina will be recovering for many years.
- Economic impacts are in billions (\$).
- Debris amounts are in millions (cubic yards).



Hurricane Helene



Hurricane Helene





Hurricane Helene – Division of Air Quality Activities

- **Disaster debris management**
 - Technical assistance & Guidance documents
- **Letters to EPA – Relief sought from specific provisions of Air Curtain Incinerator (ACI) regulations (40 CFR Part 60, Subparts CCCC, DDDD, EEEE, & FFFF)**
- **Provisions in Disaster Recovery Act of 2024 (SL 2024-51)**
 - Open Burning – conditioned relief for “storm-related debris”
 - Air Curtain Incinerator (ACI) permitting – catch state rule up with OSWI rule changes
- **Compliance reports and permit renewals – use compliance and enforcement discretion**
- **Reaching out to facilities subject to Section 112(r)**



Hurricane Helene – Division of Air Quality Activities

- **Getting our ambient monitoring network back up and running**
 - All sites accounted for without major damage!
- **Complementary, non-regulatory PM2.5 ambient air quality monitoring (EBAMs)**
 - Asheville Regional Office (near Swannanoa)
 - Fairview
 - Lenior
 - Boone
 - Hendersonville
- **EPA Sensor Loan Program**
 - 10 PurpleAir sensors
- <https://fire.airnow.gov/>



Temporary Debris Storage and Reduction (TDSR) Site – Enka Commerce Park, Asheville, NC



TDSR Site - 81 Barnardsville Hwy, Weaverville, NC



Whoops!
(Open burn caused by overnight arson)



Background on ACI Rule in North Carolina

- **15A North Carolina Administrative Code 2D .1904 was adopted and became effective on July 1, 1996, to set requirements for air curtain burners. Permits were required for:**
 - Air curtain burners (ACBs) at permanent sites; and
 - Air curtain burners with materials transported in from other sites.
- **Burners that had the potential to burn $\geq 15,000$ tpy were subject to TV permitting. (Later lowered to $\geq 8,100$ tpy, but in the process of changing to $\geq 76,000$ tpy based on updated emission factor data.)**
- **The rule also included requirements for opacity, visible emissions certification, ash accumulation, and daily logs of burned materials.**
- **Additional requirements were added later to match federal rules, including renaming ACBs to ACIs & general TV permit requirements** (categorical; not based on throughput)



Background on Federal Requirements for ACIs

- In December 2000, EPA finalized New Source Performance Standards (NSPS) and Emission Guidelines (EGs) for Commercial and Industrial Solid Waste Incineration (CISWI) Units under 40 CFR Part 60, Subparts CCCC and DDDD, respectively.
- In December 2005, EPA finalized NSPS and EGs for Other Solid Waste Incineration (OSWI) Units under 40 CFR Part 60, Subparts EEEE and FFFF, respectively.
- **Both sets of regulations included provisions for ACIs.**
 - CISWI ACIs: daily throughput $\geq$ 35 tons per day
 - OSWI ACIs: daily throughput $<$ 35 tons per day
- On April 17, 2024, the TV permitting requirement was removed for OSWI units, but it remained a requirement for CISWI units.



Hurricane Helene – Air Curtain Incinerators

- On Oct. 24, 2024, NC DAQ requested regulatory relief from EPA regarding the use of ACIs to handle disaster debris.
- On Nov. 6, 2024, EPA responded with a letter that addressed some of the requests. EPA also shared a Technical Correction notice reinstating 40 CFR §60.2969 on Nov. 4, 2024. (Temporary disaster debris provisions in OSWI NSPS, erroneously omitted on April 14, 2024, but remained in the OSWI EGs.)
- On Nov. 15, 2024, NC DAQ requested a No Action Assurance (NAA) letter from EPA to help facilitate an efficient and safe processing of certain disaster debris using ACIs. EPA provided a NAA letter on Nov. 22, 2024.
- On Feb. 28, 2025, DAQ requested an extension to the NAA from EPA. EPA granted the extension on March 12, 2025. The NAA was extended to Sept. 1, 2025.



Hurricane Helene – Air Curtain Incinerators

- **Guidance for ACIs includes state requirements & restrictions regarding:**
 - Duration of operations
 - Distances from structures
 - Prevailing winds and roads
 - NCFS burn bans and air quality action days
 - Permissible materials (wood waste, clean lumber, yard waste)
- **Written notification is required (8 weeks from startup) including:**
 - Location (300-foot circle from the center of the ACI location on an aerial or satellite map)
 - Date that unit will start operation, duration of operation, and expected end date
 - Identification of the natural disaster
 - Description of the materials being burned
 - Description of the size and design of the unit (make/model and daily/hourly capacity)
 - Statement that there is no other practical method of disposal
 - Signed waivers for any occupied structures within 300 feet
 - Extension request if burning more than 16 weeks, providing reasons why additional time is needed



Air Curtain Incinerator Buncombe Co. Landfill Alexander, NC



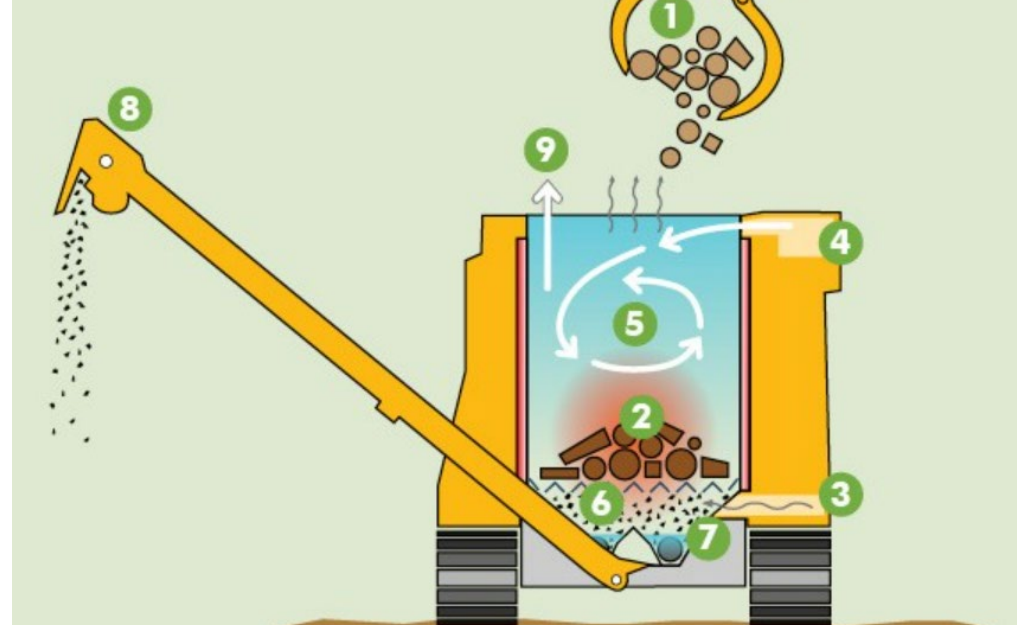




Air Curtain Incinerators & Biochar

- A presentation was given at the NC Environmental Management Commission regarding the Tigercat 6040 Carbonizer and its use to create “biochar” as a soil amendment in Western NC.
- Tigercat approached both NC DAQ and EPA for interpretation on if these Carbonizer units are ACIs. They also asked if the material processed (for wood waste, yard waste & clean lumber) would be considered non-hazardous secondary material (NHSM).
- Tigercat did not want the Carbonizer to be considered an ACI. Claimed their units are more efficient and less emitting.
- Air Burners, Inc. also makes a smaller biochar unit, the CharBoss.





Air Curtain Incinerators & Biochar

- On June 23, 2024, EPA's Office of Resource Conservation and Recovery (ORCR), issued a letter to Tigercat's legal counsel in response to their request for a NHSM determination:
- "...as long as equipment used to produce a biochar product is only processing clean cellulosic biomass as defined in 40 CFR 241.2, the feedstock would not be considered a solid waste or secondary material for the purposes of the Clean Air Act (CAA) and therefore the processing equipment would not be subject to CAA Section 129 standards."
- An email from ORCR to R4 staff on September 8, 2025, explained that the NHSM program is a voluntary federal program, and affected entities are not required to manage their NHSMs as non-waste fuels. Therefore, there is no regulatory impediment to using units that produce biochar in the disaster recovery efforts under the CAA Section 129 standards.



Biochar... If... Then...

- Biochar units, like Tigercat's 6040 Carbonizer, can “opt in” to the provisions for temporary-use ACIs used in disaster recovery if they make it clear that the material they are processing is a waste.
- If the disaster debris processed is a waste (“discarded”), then the biochar unit can avoid categorical TV permitting if they follow the federal rules’ notification requirements.
- If the vegetative material processed is from land clearing or routine property maintenance, then the material being processed is a NHSM. CAA Section 129 standards won’t apply, but air quality permitting may apply based on the emissions profile of the unit.
- I know what y’all are thinking... and yes...



CHOOSE YOUR OWN ADVENTURE®

THE MYSTERY OF BIOCHAR REGULATIONS

BY U.S. EPA

*It's a
“choose
your own
adventure”
scenario!*



GREY CASTLE PRESS



Tigercat Follow-up

- On October 17, 2025, NC DAQ met with Tigercat's Product Specialist and legal counsel and explained the options.
- Tigercat expressed interest in working with NC DAQ to develop a general synthetic minor permit for the 6040 Carbonizers, as their use in the state in the future may go beyond disaster debris processing.
- Tigercat was open to the “opt in” as an ACI pathway, but only for the units operating in Western NC processing solely disaster debris. Currently, there are two, one in Haywood County and one in Yancey County.
- Tigercat may be interested in developing source specific emission factors (TBD).



Clean Cellulosic Biomass

Clean cellulosic biomass means those residuals that are akin to traditional cellulosic biomass, including, but not limited to:

- Agricultural and forest-derived biomass (e.g., green wood, forest thinnings, clean and unadulterated bark, sawdust, trim, tree harvesting residuals from logging and sawmill materials, hogged fuel, wood pellets, untreated wood pallets);
- urban wood (e.g., tree trimmings, stumps, and related forest-derived biomass from urban settings);
- corn stover and other biomass crops used specifically for the production of cellulosic biofuels (e.g., energy cane, other fast growing grasses, byproducts of ethanol natural fermentation processes);
- bagasse and other crop residues (e.g., peanut shells, vines, orchard trees, hulls, seeds, spent grains, cotton byproducts, corn and peanut production residues, rice milling and grain elevator operation residues);
- wood collected from forest fire clearance activities, trees and clean wood found in disaster debris, clean biomass from land clearing operations, and clean construction and demolition wood.

These fuels are not secondary materials or solid wastes unless discarded. Clean biomass is biomass that does not contain contaminants at concentrations not normally associated with virgin biomass materials.

Clean cellulosic biomass that is processed to make a biochar product using pyrolysis or a similar process would not be considered discarded and would not be a secondary material or solid waste for the purposes of the Clean Air Act.



CAA Section 129 regarding ACIs

- NC DAQ (and others) pointed out that 40 CFR Part 60, Subparts CCCC, DDDD, EEEE, and FFFF were inconsistent with the CAA's definition of a "Solid Waste Incineration Unit."
- Title I, Part A, Section 129 *Solid Waste Combustion*, paragraph (g) *Definitions*, subparagraph (1) *Solid Waste Incineration Unit* (42 U.S.C. § 7429) states the following:

"The term 'solid waste incineration unit' means a distinct operating unit of any facility which combusts any solid waste material from commercial or industrial establishments or the general public (including single and multiple residences, hotels, and motels). [...] The term "solid waste incineration unit" does not include [...] (C) air curtain incinerators provided that such incinerators only burn wood wastes, yard wastes and clean lumber and that such air curtain incinerators comply with opacity limitations to be established by the Administrator by rule."



CAA Section 129 regarding ACIs

NC DAQ's questions in June 2025:

- **If ACIs burning wood waste, yard waste, and clean lumber are not solid waste incinerators, then why are they in the CISWI & OSWI rules?** EPA should establish a separate rule for ACIs with only opacity requirements.
- **What is the significance of 35 tons per day with respect to ACIs?** From NC DAQ's research, this comes from the federal rules distinguishing between small and large municipal waste combustors – not ACIs. The SMWC and LMWC rules should also exclude ACIs burning wood waste, yard waste, and clean lumber.
- **ACIs are control devices for open burning. Why are we making it harder for ACI operators versus open burning?**



Interim Final Rule for CISWI... Hooray! 😊

- As a reminder, NC operated under the NAA issued under the Biden-Harris Administration on Nov. 22, 2024, effective from the storm date to September 1, 2025. It waived the need for general Title V permits for CISWI ACIs/ biochar units processing disaster debris from Hurricane Helene.
- EPA publicized this action under the pillar of **advancing cooperative federalism** as “Utilizing enforcement discretion to further North Carolina’s recovery from Hurricane Helene,” on March 12, 2025. (Zeldin’s 31 actions)
- On August 26, 2025, EPA published in the federal register an interim final rule (IFR) that impacted CISWI temporary-use ACIs used in disaster recovery. This interim final rule was effective upon publication, but allowed for a 45-day public comment period.
- The practical impact of this action meant that DAQ did not need to seek an extension of EPA’s NAA for CISWI ACIs used for processing Hurricane Helene disaster debris. The NAA expired effectively on September 1, 2025.



Interim Final Rule for CISWI... Oh no! ☹️

- EPA was challenged about the CISWI IFR in US Court of Appeals for the DC Circuit Docket No. 25-1227, Sierra Club, et al. v. EPA.
- EPA's unopposed motion (filed Feb. 11, 2026) stated that, "Because the 2025 hurricane and wildfire disaster seasons have passed and based on public comments EPA received on the Interim Rule, EPA has determined that it is appropriate to rescind the Rule and propose a new rule through notice-and-comment rulemaking."
- Aaron Szabo's declaration states "EPA intends to sign a final action rescinding the Interim Final Rule by March 13, 2026."
- A Feb. 13, 2026, clerk's order granted EPA's unopposed motion to hold the case in abeyance. The case will be resumed "pending further order of the court," and EPA was directed to "file motions to govern future proceedings" by March 30, 2026.



No Action Assurance... Here we go again!

JOSH STEIN
Governor

D. REID WILSON
Secretary

MICHAEL ABRACZINSKAS
Director



NORTH CAROLINA
Environmental Quality

March 10, 2026

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

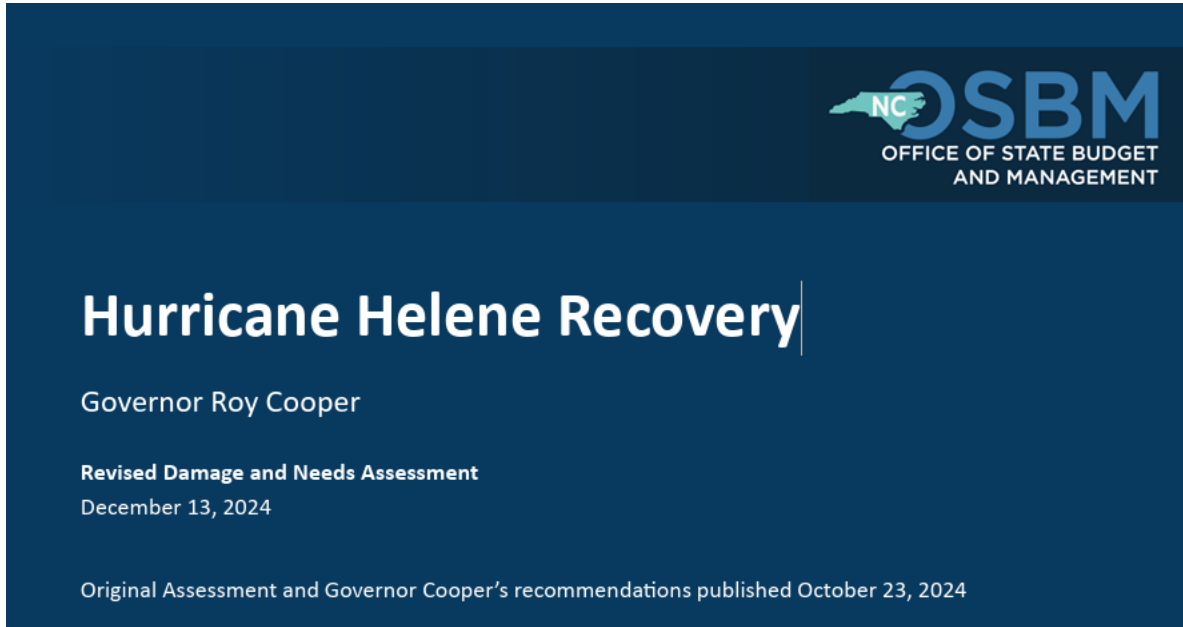
Re: Request for No Action Assurance for the Use of Air Curtain Incinerators to Manage Debris
Caused by Hurricane Helene in North Carolina

Dear Mr. Hall:

The State of North Carolina and the North Carolina Department of Environmental Quality (DEQ) respectfully request a "No Action Assurance (NAA) for the Use of Air Curtain Incinerators (ACIs) to Manage Debris Caused by Hurricane Helene in North Carolina," from the U.S. Environmental Protection Agency's (EPA's) Office of Enforcement and Compliance Assurance (OECA). The NAA 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.



Some References for the NAA



NATIONAL HURRICANE CENTER TROPICAL CYCLONE REPORT

HURRICANE HELENE (AL092024)

24–27 September 2024

Andrew B. Hagen, John P. Cangialosi, Marc Chenard¹,
Laura Alaka, and Sandy Delgado
National Hurricane Center
17 February 2026²



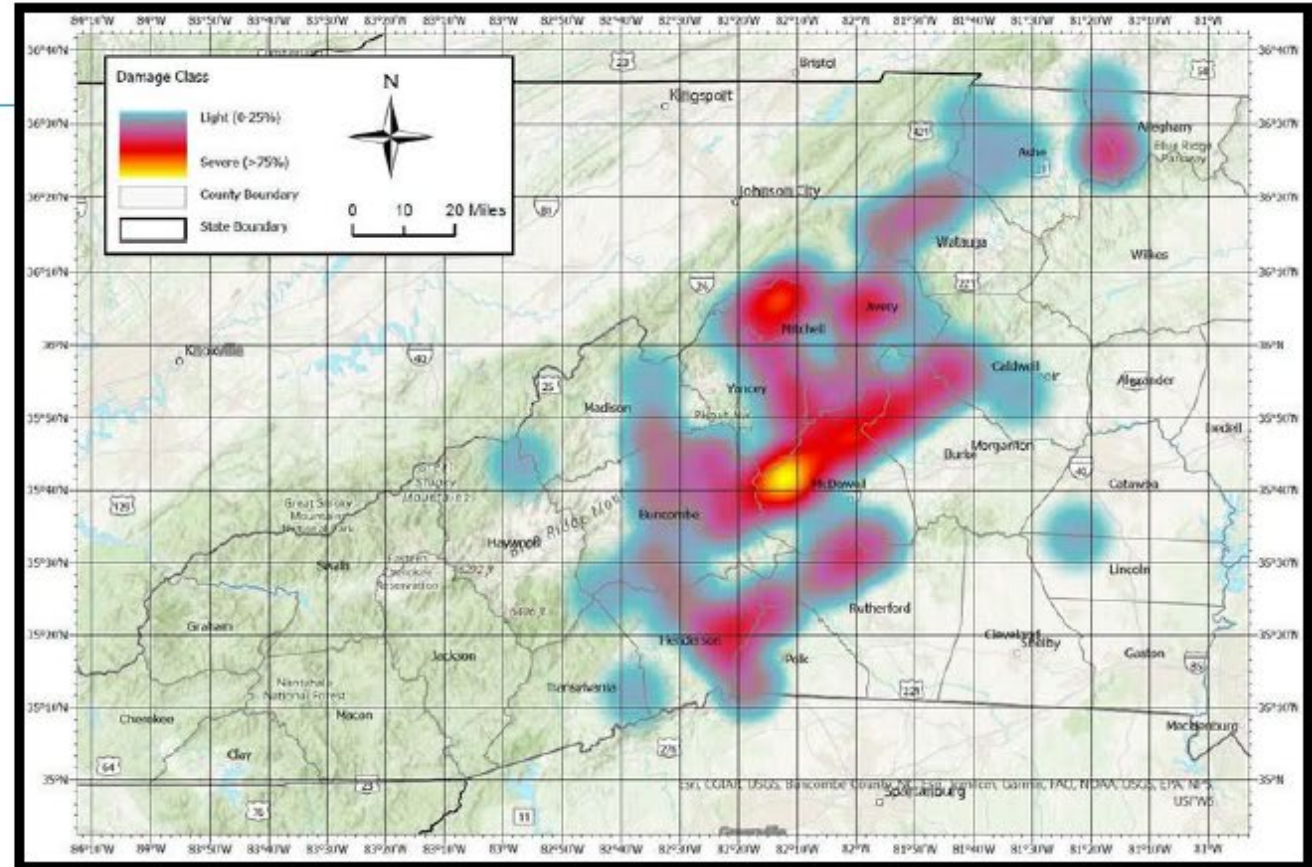
NORTH CAROLINA FOREST DAMAGE APPRAISAL HURRICANE HELENE September 2024



Helene and Wildfire Risk in North Carolina

Courtesy of Stuart Scott, NCFS

Helene Response



Helene and Wildfire Risk in North Carolina

Courtesy of Stuart Scott, NCFS



NCFS Helene Recovery

Acres of major non-urban forest damage from Helene in western NC

County	Major severe conifer damage	Major severe deciduous damage	Likely major forest damage	Possible major forest damage	Overall acres with severe/major damage
Ashe	1,140	519	17,333	38,205	57,196 (29.9%)
Mitchell	3,029	4,517	22,457	26,386	56,390 (48.2%)
Watauga	1,004	663	13,806	30,809	46,282 (31.6%)
Buncombe	1,830	2,502	14,015	26,817	45,163 (16.9%)
Yancey	1,348	1,450	12,402	29,234	44,433 (26.5%)
Avery	1,175	933	14,341	27,900	44,348 (35.3%)
Jackson	360	49	2,730	22,892	26,031 (10.0%)
Haywood	501	163	3,160	22,037	23,862 (8.7%)
McDowell	1,205	1,100	6,552	14,954	23,810 (10.5%)
Transylvania	410	75	2,084	17,133	19,703 (9.8%)
Henderson	1,225	395	3,723	13,874	19,218 (13.3%)
Burke	1,316	238	2,068	8,793	12,414 (5.4%)
Madison	156	165	1,581	8,823	10,725 (4.6%)
Alleghany	272	58	1,756	8,424	10,509 (12.5%)
Caldwell	490	137	1,022	6,519	8,168 (3.7%)

NC Forest Service Fire Locations - CY 2025 (YTD)

Ending 6/18/25 (Preliminary Data)



NCFS Districts

NC Counties

US States

NCFS Fires: YTD - 2025

Fire Size (ac.)

- 0-1
- 1-5
- 5-10
- 10-50
- 50-100
- 100-500
- 500+

Helene Impacts (4 Cat.)
USFS SRS Data

Damage Type

- 1
- 2
- 3
- 4

Date Drawn: 6/19/25
Date Range: 2025, Jan-June
Source: FARS Database
Preliminary Data from
NASF Report Query
Created by: Dunbar

South Carter Cove
150 ac.,
4/2025, DTC: 1

Sam Davis Road
557.2 ac.,
4/2025, DTC: 6

Alarka Road #5
1577.6 ac.,
3/2025, DTC: 5

Freedom Farm Road
132.4 ac.,
3/2025, DTC: 1

Fish Hook
196.2 ac.,
3/2025, DTC: 13

Bee Rock Creek
2089.6 ac., 4/2025,
DTC: 9

North Fork
680.6 ac.,
1/2025, DTC: 22

Crooked Creek
234.9 ac.,
1/2025, DTC: 1

Bailey Drive
136.2 ac.,
3/2025, DTC: 1

Old Hwy 16 #1
250.5 ac.,
3/2025, DTC: 0

Deep Woods
3969.7 ac.,
3/2025, DTC: 10

Iron Circle
147.1 ac.,
3/2025, DTC: 0

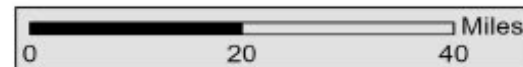
3910
619.1 ac.,
3/2025, DTC: 3

Black Cove
3503.8 ac.,
3/2025, DTC: 22

Table Rock Complex
533.9 ac.,
3/2025, DTC: 14

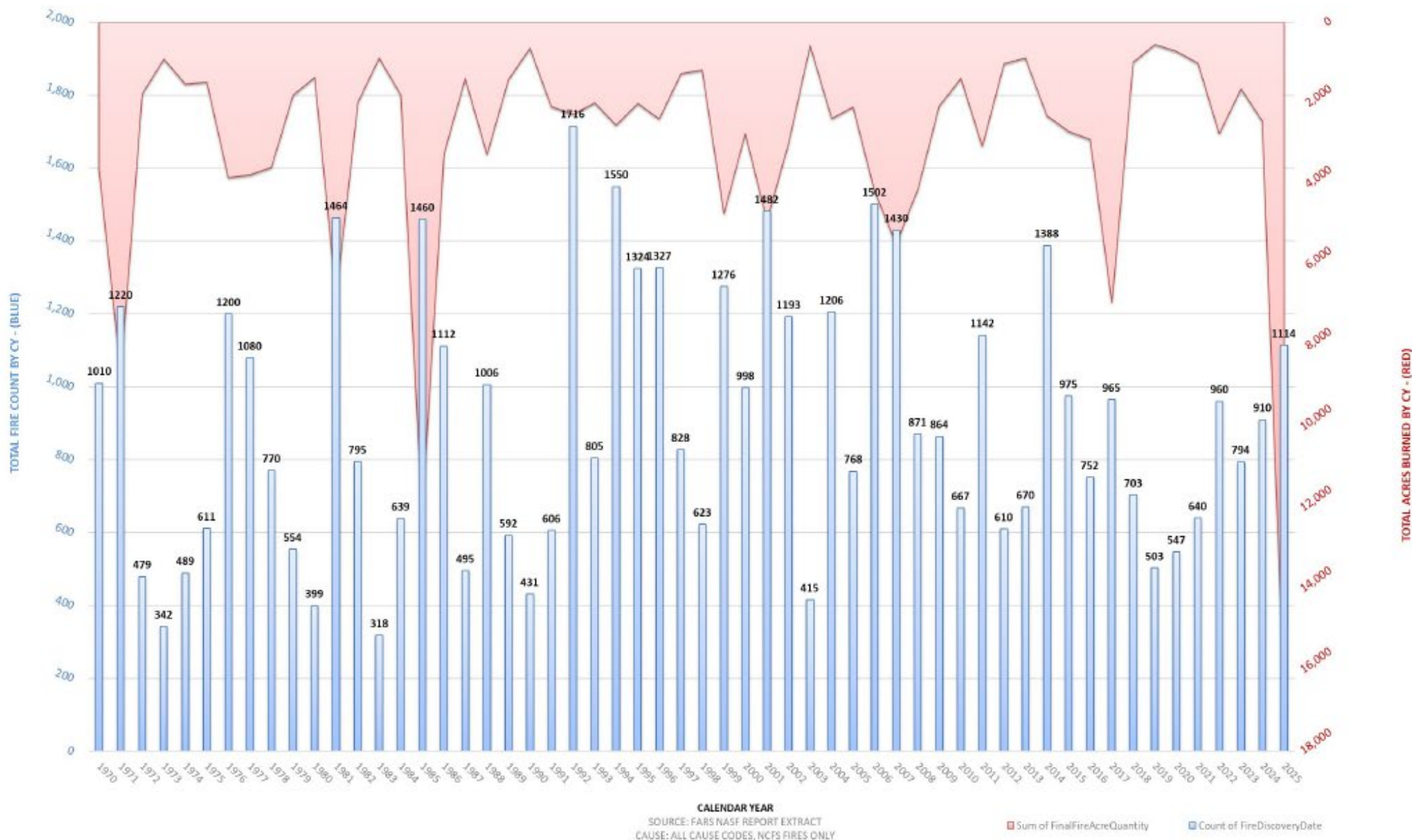
Fires ≥ 100 acres are labeled, State recorded acres only
Fire Containment (Days to Containment, DTC) ≠ Controlled
For more detail on HiForm Helene Data:

<https://hiform.org/projects/2024-hurricane-helene-southern-appalachians>



All Cause Codes - Region 3 Fires by CALENDAR YEAR (1970-2025)

(by discovery date)



EPA Press Release – March 17, 2026



Administrator Zeldin Announces Proposal to Streamline Permitting Requirements for Incinerators Critical to Wildfire Prevention and Natural Disaster Recovery

March 17, 2026

Contact Information

EPA Press Office (press@epa.gov)



EPA Press Release – March 17, 2026

- **WASHINGTON** — Today, U.S. Environmental Protection Agency (EPA) Administrator Lee Zeldin issued a proposal to harmonize existing Clean Air Act (CAA) regulations and cut red tape for incinerators to help state, local, and Tribal governments prevent and respond to natural disasters. EPA's proposal, if finalized, will end decades of confusion surrounding CAA regulations and permits for incinerators, especially regarding how and when they can be utilized for debris cleanup following natural disasters. Untouched debris contributes to poor air, land, and water quality and endangers lives. By streamlining requirements and providing clear parameters, state, local, and Tribal governments will be able to respond immediately to natural disasters, reduce the risk of wildfires by preemptively clearing wood, and ultimately save lives without having to worry about burdensome permitting red tape...



EPA Press Release – March 17, 2026

- EPA is proposing to consolidate requirements for ACI solely used for the incineration of wood wastes, yard wastes, and clean lumber under a new, singular subpart of CAA section 129 and to allow this type of ACI to operate without a Title V permit unless the unit is located at a facility that otherwise requires one. Title V requirements led to an overly burdensome permit process for states as they work to utilize ACI for natural disasters cleanup and wildfire mitigation...
- EPA's second action works to permanently respond to states' requests for more incinerators to be available during disaster cleanup. Following Hurricane Helene, the Biden-Harris Administration did not grant North Carolina's request to use CISWI to accelerate cleanup, citing the lack of temporary provisions for CISWI...



EPA Press Release – March 17, 2026

- EPA will hold a 45-day public comment period on the proposed rule following publication in the *Federal Register*. This includes taking public comment on revising the OSWI definition of “municipal waste combustion unit” to remove the reference to “pyrolysis/combustion units.” Revising the definition would clarify that the OSWI rule does not regulate pyrolysis units used in advanced recycling operations. Public comments received will help inform the development of a proposed rule on advanced recycling...
- **Background** - ... When Hurricane Helene hit in September 2024, states expressed concern over smoke impacts from open burning of waste and debris, and increased likelihood of wildfires. They were unable to take action to address debris in their communities to keep residents safe.



Reading Beyond the Press Release

- EPA is proposing to remove the Title V permitting requirement for ACIs under CAA Section 129 regulations for CISWI, SMWC, and the LMWC Federal Plan.
- This is consistent with the 2024 amendments to OSWI and 2026 amendments to LMWC NSPS and EGs.
- EPA is establishing 40 CFR Part 60, Subpart Ca “Standards for Air Curtain Incinerators that Burn Only Wood Wastes, Yard Wastes, and Clean Lumber.”
 - New and existing ACIs are all under one subpart
 - No TV permit requirement
 - Different title format from other Part 60 subparts



Reading Beyond the Press Release

Subpart Ca includes...

- **A single definition for ACI (based on OSWI definition) =**
“an incinerator that operates by forcefully projecting a curtain of air across an open, integrated combustion chamber (fire box) or open pit or trench (trench burner) in which combustion occurs;”
- **Opacity limits will be the same (10% opacity during regular operation & 35% opacity during startup – first 30 minutes);**
- **Opacity limit will be based on 6-minute averages (consistent with OSWI, LMWC & SMWC; CISWI had a different averaging period);**
- **ACIs don’t require long shakedown period, so initial performance test and results are due within 60 days of startup;**
- **Initial notification requirement – upon startup or by publication date in the federal register, whichever is later;**



Reading Beyond the Press Release

Subpart Ca includes...

- **Annual performance test (usually Method 9) and the results are due within 12 months of the date of the previous test;**
- **Any ACI not in operation at the time the annual test is due is not required to conduct a test for opacity at that time, but it's due the next date the ACI is operated;**
- **Keep records for 5 years (2 years on site & 3 years off site); and**
- **Temporary ACIs used for disaster debris recovery provisions**
 - State or local declared State of Emergency or President declared (Stafford Act) emergency or a major disaster area;
 - Exempt from opacity limits and MRR requirements; and
 - Notification requirement at 8 weeks and Administrator approval needed to operate beyond 16 weeks



Reading Beyond the Press Release

- **EPA is proposing to allow the temporary use of incineration units subject to CISWI regulations during disaster recovery without the need to comply with CAA Section 129 requirements.**
 - State or local declared State of Emergency or President declared (Stafford Act) emergency or a major disaster area;
 - Exempt from opacity limits and MRR requirements; and
 - Notification requirement at 8 weeks and Administrator approval needed to operate beyond 16 weeks; **However, the Administrator role is retained with EPA**
- **Control devices to comply with CISWI requirements would continue to operate unless not technically feasible** (insufficient electricity to operate a control device, lack of water to operate a wet scrubber or quench, and inability to get replacement supplies such as activated carbon or parts for maintenance).



Reading Beyond the Press Release

- “When Hurricane Helene hit in September 2024, States and municipalities expressed concern over smoke impacts from open burning of waste and debris, and increased likelihood of wildfires. To respond to the scale of the disaster and volume of debris generated, the EPA’s Regional offices and Office of Enforcement and Compliance Assurance issued No Action Assurances to allow North Carolina and Tennessee to use their CISWI ACI units to combust non-hazardous disaster debris, as ACI can be easily mobilized to reduce waste volume and minimize harmful environmental impacts.”

Citation for these statements in the proposal:

U.S. EPA, No Action Assurance for the Use of Air Curtain Incinerators to Manage Debris Caused by Hurricane Helene in North Carolina (2024).

<https://www.deq.nc.gov/media/46792/download?attachment>



Reading Beyond the Press Release

- “Quick removal without complying with CAA Section 129 standards allows for the more expedited incineration of dried debris, **which reduces the near-term likelihood of catastrophic wildfires occurring.**”
- As cleanup responses are necessary during and following a disaster or emergency, we anticipate that this action would have minimal adverse environmental impacts, **as the benefits of using CISWI units will outweigh the alternatives of open burning and/or increased risk of wildfires that would degrade air quality.**”

Citation for these statements in the rule proposal:

U.S. EPA, No Action Assurance for the Use of Air Curtain Incinerators to Manage Debris Caused by Hurricane Helene in North Carolina (2024).

<https://www.deq.nc.gov/media/46792/download?attachment>





ASSISTANT ADMINISTRATOR FOR ENFORCEMENT AND COMPLIANCE ASSURANCE
WASHINGTON, D.C. 20460

Via E-Mail

Mr. Michael Abraczinskas
Director
Division of Air Quality
North Carolina Department of Environmental Quality
217 West Jones Street
Raleigh, North Carolina, 27699-1641
Michael.Abraczinskas@dep.nc.gov

RE: No Action Assurance for the Use of Air Curtain Incinerators to Manage Debris Caused By Hurricane Helene in North Carolina

Dear Mr. Abraczinskas:

To assist with the response to Hurricane Helene, I am issuing a No Action Assurance (NAA) for the use of new air curtain incinerators (ACIs) with a capacity greater than 35 tons per day in North Carolina without first obtaining a Title V permit pursuant to 40 C.F.R. § 2242. I am granting this NAA, subject to the conditions below, because the use of new large ACIs will expedite the remediation of what the State estimates is 10 million cubic yards or more of debris created by Hurricane Helene and it is a safer and more environmentally sound than other options for remediation.

*North Carolina
was able
to take action
to address
debris in our
communities
to keep
residents safe...*

...but Spring 2026 Wildfire Season is here



FOR IMMEDIATE RELEASE
TUESDAY, MARCH 31, 2026

CONTACT:

Philip Jackson, public information officer
919-857-4828; philip.jackson@ncagr.gov

Wildfire activity intensifies across the state with 626 new ignitions over a 10-day period

RALEIGH – Spring wildfire season in North Carolina is in full swing, with fire activity surging statewide over the last 10 days. Since Friday, March 20, N.C. Forest Service rangers have responded to 626 wildfires across the state. Not



What do we do now?

- NC DAQ is planning to comment on the proposal.
- Crossing our fingers that we get our NAA from OECA soon!
- But there's a catch...



North Carolina has a Statewide Burn Ban



FOR IMMEDIATE RELEASE
SATURDAY, MARCH. 28, 2026

CONTACT:

Philip Jackson, public information officer
919-857-4828; philip.jackson@ncagr.gov

Statewide burn ban issued for North Carolina due to hazardous forest fire conditions

RALEIGH – Due to increased wildfire risk, the N.C. Forest Service has issued a ban on all open burning and has canceled all burning permits statewide effective 6 p.m. Saturday, March 28 until further notice.



Contact Information

**Taylor Hartsfield, EIT, CPM,
Deputy Director, Division of Air Quality, NC DEQ**
Taylor.Hartsfield@deq.nc.gov
Phone: 919-707-8497

**Mike Abraczinskas, EIT, CPM,
Director, Division of Air Quality, NC DEQ**
Michael.Abraczinskas@deq.nc.gov
Phone: 919-707-8447

