



**Comments of the Ohio Environmental Council**  
**Re: Air Curtain Incinerators that Only Burn Wood Wastes, Yard Wastes, and Clean Lumber (EPA-HQ-OAR-2025-0068)**  
*Submitted May 4, 2026*

The Ohio Environmental Council (“OEC”) is a statewide non-profit, non-partisan environmental and conservation organization, composed of thousands of members across Ohio. Over the past five decades, the OEC has advocated to protect the environment and health of all Ohio communities through legal and policy advocacy, decision-maker accountability, and civic engagement. The OEC appreciates the opportunity to comment on the U.S. EPA’s proposed rulemaking relating to pyrolysis units.

Pyrolysis units are currently classified as municipal waste combustion units under the Clean Air Act’s Other Solid Waste Incineration (OSWI) standards. In 2005, the U.S. Environmental Protection Agency (“EPA”) declared that “pyrolysis/combustion units (two chamber incinerators with a starved air primary chamber followed by an afterburner to complete combustion)” are considered Other Solid Waste Incinerators.<sup>1</sup> The EPA’s proposed rule removes pyrolysis from the OSWI definition of municipal waste combustion unit. This would effectively deregulate pyrolysis units and allow harmful emissions to go unchecked.

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<sup>1</sup> <https://www.govinfo.gov/content/pkg/FR-2023-06-05/pdf/2023-11476.pdf> (Page 1).

The EPA has long recognized that pyrolysis units emit hazardous air pollutants that must be regulated to protect public health and safety. There is no sensible reason to retreat from that position now. In 1990, Congress regulated pyrolysis as incinerators under section 129 of the Clean Air Act—a section specifically enacted to address harmful emissions resulting from solid waste combustion. If the proposed rule goes into effect, it will leave pyrolysis units—and their harmful emissions—nearly completely unregulated. If pyrolysis units are classified as simple manufacturing facilities, they will only be subjected to section 111 of the Clean Air Act which regulates fewer pollutants than section 129.<sup>2</sup>

Pyrolysis units produce a number of hazardous chemicals that are harmful to human health and public safety. For example, the pyrolysis process emits particulate matter, volatile organic compounds, carbon monoxide, nitrogen oxides, sulfur oxides, hydrogen sulfide, dioxins, and polychlorinated biphenyls.<sup>3</sup> These pollutants can cause a range of negative human health impacts including cancer, respiratory disease, cardiovascular disease, developmental problems, and chronic illnesses.<sup>4</sup> Deregulating pyrolysis facilities and their harmful pollutants will harm the surrounding people and environment.

This rulemaking combines two separate proposals. The rule primarily focuses on Air Curtain Incinerators (“ACI”); this is reflected in the rulemaking’s title “Air Curtain Incinerators

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<sup>2</sup> <https://wgn.com/technology/ap-epa-may-ease-regulation-of-chemical-plastic-recycling-and-environmentalists-worry/> (See “Alarm over changing how pyrolysis is regulated”).

<sup>3</sup>

[https://www.environmentalhealthproject.org/\\_files/ugd/a9ce25\\_9c5988a23eda4c33bc1256db4ce45eec.pdf?index=tr ue](https://www.environmentalhealthproject.org/_files/ugd/a9ce25_9c5988a23eda4c33bc1256db4ce45eec.pdf?index=tr ue) (Page 1).

<sup>4</sup>

[https://www.environmentalhealthproject.org/\\_files/ugd/a9ce25\\_9c5988a23eda4c33bc1256db4ce45eec.pdf?index=tr ue](https://www.environmentalhealthproject.org/_files/ugd/a9ce25_9c5988a23eda4c33bc1256db4ce45eec.pdf?index=tr ue) (Page 4)

that Only Burn Wood Wastes, Yard Wastes, and Clean Lumber.”<sup>5</sup> Much of the rule discusses how ACIs can respond to clean up after natural disasters. Additionally, the rule summary only covers the ACI portion of the rule. The summary never references the proposed pyrolysis change. Similarly, the EPA’s press release only mentions pyrolysis in the last paragraph after its notification of a 45-day public comment period.

Buried in this rulemaking is an important change that is largely unrelated to ACIs. On the eleventh page of the seventeen-page proposal is one paragraph about deregulating pyrolysis. This is extremely misleading. The lack of transparency regarding a consequential regulatory change undermines democracy by discouraging public participation. The deregulation of pyrolysis, if adopted, will undoubtedly impact thousands, if not millions, of Americans. The public deserves a rulemaking process that facilitates informed decision-making and encourages public discourse.

Ohioans will be particularly affected if this rule is adopted. There are seven existing, proposed, and currently under construction pyrolysis plants in Ohio.<sup>6</sup> The oldest pyrolysis plant is located in Akron, Ohio. In 2021, the plant produced 16,343.3 tons of greenhouse gasses, 14,060 pounds of hazardous air pollutants, 3.9 tons of particulate matter, 34.7 tons of volatile organic compounds, and the list goes on.<sup>7</sup> The Akron community has expressed concerns about toxic

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<sup>5</sup> <https://www.epa.gov/stationary-sources-air-pollution/air-curtain-incinerators-only-burn-wood-wastes-yard-wastes-and> (See title).

<sup>6</sup> <https://benohio.org/issues/plastic-incineration/> (See “Communities Affected by Pyrolysis”).

<sup>7</sup> <https://oilandgaswatch.org/facility/5859> (See “Projects” section).

chemicals being released into the air and the negative public health issues stemming from the emissions.<sup>8</sup>

Hebron, Ohio is home to a pyrolysis facility that has been in operation since 2024. The surrounding community has since complained about black clouds of smoke to flames and sooty emissions.<sup>9</sup> The Ohio EPA has issued four informal violation notices to the company operating the plant—all were Clean Air Act Violations.<sup>10</sup> A spokesperson from the Ohio EPA reported that the facility’s visible particulate emissions exceeded an opacity limit 18 times from February 1<sup>st</sup> through March 31<sup>st</sup>, 2025.<sup>11</sup> The bottom line: even with the protections afforded by the Clean Air Act, pyrolysis plants in Ohio pose serious threats to Ohio communities. If this rulemaking is adopted, the EPA will exacerbate these harms through its deregulation of pyrolysis units.

The damage that deregulation of pyrolysis plants will do to Ohio will be significant. Not only will the nearby communities be impacted, but the unchecked emissions, namely greenhouse gasses, will worsen climate change. The OEC urges the EPA to reject this rulemaking because of the negative consequences that are sure to follow pyrolysis deregulation. Thank you for the opportunity to provide this comment.

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<sup>8</sup> <https://signalakron.org/alterra-energy-seeks-environmental-permit-public-hearing-scheduled-wednesday-in-akron/> (See “Opposition concerned with ‘pollution of toxic chemicals into the air’”); <https://www.popakron.org/permit> (See “What’s Going On?”).

<sup>9</sup> <https://insideclimateneews.org/news/20042026/plastic-waste-plant-violating-pollution-rules-expands/> (See ¶2).

<sup>10</sup> <https://insideclimateneews.org/news/20042026/plastic-waste-plant-violating-pollution-rules-expands/> (See “Ohio EPA Opens an Enforcement Case”).

<sup>11</sup> <https://insideclimateneews.org/news/20042026/plastic-waste-plant-violating-pollution-rules-expands/> (See “Ohio EPA Opens an Enforcement Case”).

Sincerely,

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