



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
Seattle, WA 98101

AIR & RADIATION
DIVISION

September 23, 2020

Ms. Jenna Hassinger
Solid Waste Manager
Kodiak Island Borough
710 Mill Bay Road
Kodiak, Alaska 99615

Re: Rural Institutional Waste Incinerator Exemption under NSPS EEEE

Dear Ms. Hassinger:

This is a response to your letter to the U.S. Environmental Protection Agency, Region 10 dated June 24, 2020, as well as additional information submitted to the EPA on July 6, 2020, and August 20, 2020, requesting a determination that a SmartAsh incinerator to be located at the Providence Kodiak Island Medical Center would qualify for the rural institutional waste incinerator exclusion in 40 CFR Part 60 Subpart EEEE: Standards of Performance for Other Solid Waste Incineration Units (NSPS EEEE) at 40 CFR 60.2887(h). The EPA has determined that your request does not meet the criteria for approval based on the information provided.

Background

In March of 2020, the Kodiak Island Borough discovered that fuel oil had infiltrated the sewer system adjacent to Providence Kodiak Island Medical Center, which is located more than 50 miles from the nearest metropolitan statistical area. The source of the oil was discovered to be the Kodiak Island Long Term Care facility, which is operated by Providence on property leased from the Borough. At the time of the request, the Borough had collected seventeen 55-gallon barrels of absorbent pads, socks, and booms contaminated with #2 fuel oil and sewage.

A July 6, 2020, email identified two options for waste disposal: combustion in a SmartAsh burner, which is a form of cyclonic burn barrel, and transporting the waste off-island to a waste disposal site on the mainland. According to Kodiak Island Borough, combustion in a SmartAsh burner is estimated to cost about \$5,000. Transporting the waste to the mainland is estimated to cost over \$19,000, plus additional costs for laboratory testing for fecal coliform bacteria.

Regulatory Authority

Rural institutional waste incinerators are excluded from NSPS EEEE if the unit combusts waste at an institutional facility and an application is submitted to the Administrator demonstrating that the unit is located more than 50 miles from the boundary of the nearest MSA and alternative disposal options are not available or are economically infeasible. See 40 CFR 60.2887(h).

Because the Alaska Department of Environmental Conservation has not requested, and the EPA has not granted, delegation of NSPS EEEE to ADEC, the EPA is the agency with the authority to review this request.

Determination

The proposed incinerator meets one of the criteria for the rural institutional waste incinerator exception because it would be located more than 50 miles from the nearest MSA. The Borough has not demonstrated that the additional costs associated with removing the waste to a landfill makes this option economically infeasible. For example, the Borough has not provided an analysis of the costs associated with removing the waste to a landfill considering its budget. See 70 Federal Register 74870, 74878, 74886 (Dec. 16, 2005). Therefore, the EPA is unable to determine that the proposed SmartAsh incinerator to be located at the Providence Kodiak Island Medical Center would qualify for the rural institutional waste incinerator exclusion provided in 40 CFR 60.2887(h).

If you have any questions about this matter, please contact Mr. Geoffrey Glass of my staff at (206) 553-1847 or glass.geoffrey@epa.gov.

Sincerely,

**Johansen,
Amy**

Digitally signed by
Johansen, Amy
Date: 2020.09.23
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Amy Johansen, Chief
Air Permits and Toxics Branch

cc: Mr. James Plosay
ADEC

Ms. Kathie Mulkey
ADEC