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Pyrolysis/Gasification Units - U.S. Environmental Protection Agency Advance Notice of Proposed Rulemaking: American Forest & Paper Association Comments

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The American Forest & Paper Association ("AFPA") submitted November 8th comments on the September 8th Advance Notice of Proposed Rulemaking ("ANPRN") titled:

Potential Future Regulation Addressing Pyrolysis and Gasification Units

The ANPRM was published in the Federal Register on September 8th at 86 Fed. Reg. 50296.

The United States Environmental Protection Agency ("EPA") stated it was seeking information to assist in the potential development of regulations for pyrolysis and gasification units used to convert solid or semi-solid feedstocks to useful products such as:

- Energy
- Fuels
- Chemical commodities

The solid or semi-solid feedstocks referenced include:

- Solid waste (e.g., municipal solid waste, commercial and industrial waste, hospital/medical/infectious waste, sewage sludge, other solid waste)
- Biomass
- Plastics
- Tires
- Organic contaminants in soils and oily sludges

EPA states it is soliciting comments and data to assist the agency in considering potential changes to the Section 129 Clean Air Act regulations or in the alternative development of regulations pertaining to pyrolysis and gasification units undertaking the previously referenced activities. The agency states it has received inquiries about Section 129 Clean Air Act regulations for solid waste incineration units and potential applicability to pyrolysis and gasification units for a number of process and feedstock types. Such inquiries apparently led EPA to believe that there is:

... considerable confusion in the regulated community regarding the applicability of CAA section 129 to pyrolysis and gasification units.

EPA describes pyrolysis and gasification as:

. . . heat induced thermal decomposition processes.

Pyrolysis is specifically described as a process where materials are thermally decomposed or rearranged under process conditions where extremely or little to no oxygen is present.

Gasification is described as a process of converting feed materials (primarily carbonaceous) into syngas (carbon monoxide and hydrogen) and carbon dioxide.

AFPA describes itself as serving to advance United States paper and wood products manufacturers through fact-based public policy and marketplace advocacy.

By way of introduction, AFPA states it opposes:

. . . regulatory action that seeks to conflate the distinction between recycling and energy recovery. In particular, we oppose efforts by the plastics industry to advocate for the expansion of the definition of “recycling” to include pyrolysis and gasification, which is attempting to conflate breaking down post-use polymers into original monomers for use in making new plastic products (chemical recycling) with thermochemical conversion of post-use polymers into fuels for energy production (pyrolysis and gasification). They are not the same and it is important for U.S. EPA to recognize the difference between them.

The organization also argues:

- Using pyrolysis and gasification to convert post-use plastics into fuel for energy production is not “recycling” and should not be defined as such.
- The International Organization of Standardization definition of “recycling” in ISO 18604 (2013) specifically excludes energy recovery.
- Defining energy recovery as “recycling” creates a competitive advantage for the plastics industry.
- Defining energy recovery as “recycling” creates a precedent to use commonly recycled paper for energy recovery and call it “recycling.”
- Several state environmental protection agencies define pyrolysis and gasification as “thermochemical conversion” technologies, not as “recycling.”
- Defining pyrolysis and gasification used for energy recovery as “recycling” is inconsistent with Circular Economy concepts.

A copy of the comments can be downloaded [here](#).