

EXHIBIT 2

NDEP Bureau of Air Pollution Control Letter, April 3, 2025

A.J. Brown

SEC Appeal of Permit No. SW1900REV00



NEVADA DIVISION OF
**ENVIRONMENTAL
PROTECTION**

STATE OF NEVADA
Department of Conservation & Natural Resources

Joe Lombardo, *Governor*
James A. Settelmeyer, *Director*
Jennifer L. Carr, *Administrator*

April 3, 2025

Ryan Oganessian
President
MediWaste Disposal LLC
1850 E. Basin Avenue
Pahrump, Nevada 89060

**RE: Nevada Division of Environmental Protection – Bureau of Air Pollution Control Response to
MediWaste Disposal LLC Air Permit Determination Request**

Dear Mr. Oganessian:

The Nevada Division of Environmental Protection – Bureau of Air Pollution Control (BAPC) has reviewed the draft and unsigned Air Quality Operating Permit (AQOP) application submitted by MediWaste Disposal LLC (MediWaste) on February 28, 2025, via email. MediWaste's planned facility anticipates processing non-hazardous medical waste to be located at Pahrump, Nevada. The draft and unsigned AQOP application has been used to evaluate the potential applicability of federal regulations which will determine which type of air quality operating permit will be required.

MediWaste's draft and unsigned AQOP application provided the following information regarding their anticipated process:

- a. The unit that will be used to destroy medical waste will be a **Vulcan Systems Model BUR-B-25-4** (System) in combination with a thermal oxidizer model **Vulcan Systems IFTO-E-10** (TO).
- b. The medical waste will be loaded into the System on pallets and contained in Gaylord cardboard containers or polypropylene bulk bags, all in a batch process. Once the waste is loaded into the System, the door is closed and sealed.
- c. There are three separate stages to ensure pyrolysis of the medical waste, packaging, pallets, and wrapping. The first stage is carried out in the primary pyrolytic chamber in which waste is heated with an external and indirect heat source to the point where molecular torsion and cracking takes place. The chamber heats the waste and packaging material until it is converted to smaller volatile fragments (vapors). The pyrolysis process also generates a small amount of hydrated ash residue (approximately 2 to 5% of the volume of the input material) which is conservatively estimated to have 2.5% moisture content. No effluents, biochar, or liquid fuel is produced in this process. The System will be fully enclosed, with massive stainless-steel piping conveying the vapors out of the pyrolytic chamber. The System will be monitored by a process logic control and an operator.
- d. The vapors are then sent to the second stage where they are formed into plasma. At this point, the pyrolysis process of the medical waste is complete. This stage of the System takes the VOCs to the TO component where the volatile molecules are further reduced in size through a free radical process as well as a traditional torsional and vibrational strain. Following this point in the process, excess air is quantitatively introduced to begin the oxidation process by converting the VOCs to carbon dioxide and water vapor.
- e. The third and final stage will send the carbon dioxide and water vapor to a vent where the inert gases are then exhausted from the stack. All steps occur in a fully enclosed system with no transfer points or fugitive emissions.
- f. The utilities required for operation of the System are natural gas or liquid propane, and 480-volt electrical power supply.

Using the information provided in MediWaste's draft and unsigned AQOP application, the following federal regulations were evaluated for potential applicability:

- 40 CFR Part 60 Subpart Ec "Standards of Performance for New Stationary Sources: Hospital/Medical Infectious Waste Incinerators"
 - The units at the MediWaste facility will operate using endothermic gasification of hospital waste and/or medical/infectious waste using indirect and external energy, in the absence of oxygen, and therefore meet the definition of pyrolysis unit. As such, the pyrolysis units at the Facility are exempt from NSPS Subpart Ec.
 - Please keep in mind that the federal definition of "any pyrolysis unit" is subject to change and potential future applicability shall be considered.
- 40 CFR Part 60 Subpart Ce "Emissions Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators"
 - Per 40 CFR Part 60.32e(f), any pyrolysis unit (defined in Part 60.51c) is not subject to this subpart.
 - As determined by the BAPC above, MediWaste's unit meets the exemption for "any pyrolysis unit" and hence is not subject to this subpart.
 - If any change to MediWaste's process at any time fails to meet the definition of "any pyrolysis unit", they will be subject to this subpart.
- 40 CFR Part 60 Subpart HHH "Federal Plan Requirements for Hospital/Medical/Infectious Waste Incinerators Constructed on or before December 1, 2008"
 - Because the facility will be new construction, MediWaste will not be subject to this subpart.
- 40 CFR Part 60 Subpart CCCC "Standards of Performance for Commercial and Industrial Solid Waste Incineration Units"
 - Because MediWaste does not combust solid waste nor utilize an open chamber or pit, it is not subject to this subpart.
- 40 CFR Part 60 Subpart DDDD "Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units"
 - Because MediWaste will not be operating a solid waste incinerator unit nor an air curtain incinerator, this subject does not apply.
- 40 CFR Part 60 Subpart EEEE "Standards of Performance for Other Solid Waste Incineration Units for which Construction is Commenced after December 9, 2004, or for which Modification or Reconstruction is Commenced on or after June 16, 2006"
 - Because medical waste is excluded from the municipal solid waste definition, MediWaste is not subject to this subpart.
- 40 CFR Part 60 Subpart FFFF "Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units that Commenced Construction on or before December 9, 2004"
 - Because MediWaste will not be operating a solid waste incinerator unit nor an air curtain incinerator, this subject does not apply.

To operate the facility in the Pahrump, Nevada, MediWaste may proceed with submitting a Class II Air Quality Operating Permit Application. The application forms can be downloaded in PDF or Microsoft Word format via this website <https://ndep.nv.gov/air/permitting/download-permit-forms> and under the "Class II Source" category. The appropriate fees must be submitted with the corresponding application, and a rundown of the appropriate fee amount can be found via this website https://ndep.nv.gov/uploads/air-aqm-docs/200701_ndep_air_program_application_fees.pdf. If there are changes to the process described, an additional applicability determination will be required.

Finally, BAPC requests MediWaste to consider the following items as they prepare their air quality operating permit application and evaluate the requirements of other regulatory agencies as appropriate:

- Provide a comprehensive list of the types of medical waste MediWaste plans on processing at the facility.
- The potential for an equipment malfunction that may result in a fire or explosion at the site due to the unique nature of the process design; and consideration of impacts to air quality.
- Projected traffic-related aspects of project construction and operation for evaluation on air quality.
- The draft application shows there will not be an emergency bypass stack. Please detail what will happen in the event of an emergency (ie. power loss where controls can't be operated) to the emissions. Include permitted application pages if applicable.

If you have any questions, please contact Jennifer Schumacher at (775) 687-9551 or jschumacher@ndep.nv.gov.

Sincerely,



Jennifer Schumacher, EI, CPM
Chief
Bureau of Air Pollution Control

JK/JS/JM/mt
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