

Testimony Supporting HB166
House Economic Matters Committee
March 5, 2024

Position: SUPPORT

Dear Chair Wilson and Members of the Committee,

As a resident of District 43 in the City of Baltimore, a Maryland energy ratepayer, and a person increasingly affected by the climate crisis, I am writing to express my strong support of **HB166, the Reclaim Renewable Energy Act of 2024.**

The climate crisis is by far the single greatest threat to economic prosperity, here in Maryland, across the U.S., and around the globe. The economic damages from climate disasters are piling up, and will increase sooner, faster, and with more devastating effects than most policymakers seem to appreciate, judging from actions to date.

The environmental case against trash incineration's inclusion in the Renewable Energy Portfolio Standard (RPS) is well-known: that, in contrast to the zero-emission energy production profile of solar and wind, trash incineration produces more greenhouse gasses per unit of electricity than any other power source, including coal, oil and gas. That Baltimore's WIN Waste trash incinerator alone produces at least 640,000 tons of CO₂ per year, while siphoning off millions in public money that could support real, zero-emission renewable energy. That the City of Baltimore's largest single-point source of air pollution should, by definition, not qualify for renewable energy subsidies.

These matters have proved to be of little importance to this committee in past years. Instead, every year some legislators ask "what about the trash?" Others seem puzzled that environmentalists would be opposed to trash incineration more generally, when it offsets some of the climate-heating methane that trash otherwise produces when placed in a landfill. Others seem to think that a more diversified portfolio of energy sources in the RPS is an inherent benefit to the wind and solar energy producers who participate. Others seem concerned that without the RPS money, WIN Waste will shut down its Baltimore operations, resulting in the loss of 70 non-union jobs and potentially creating a waste management crisis that seems to have taken on near-apocalyptic proportions in the minds of legislators.

The fact that trash incineration produces greenhouse gasses should be automatically disqualifying, but since that does not address the concerns of a majority of the committee, I will take a different tack.

Let's be clear: if WIN Waste chooses to leave Baltimore because it is no longer eligible to receive RPS money, that is a business decision. BRESCO operated from 1985 to 2004 without money from the RPS. If it truly needs that money, why can't WIN Waste switch to the RPS of another state that includes trash in its RPS, like Pennsylvania, Ohio or Michigan? I

would prefer that no trash incinerator receive money intended for renewable energy producers, but a possible BRESKO shutdown strikes me as a threat that is quite possibly completely empty. Real or not, it looks to outside observers like this threat has built up in the minds of some Baltimore City decisionmakers, as well as state legislators, because everyone is afraid of having a thorough, open and transparent discussion with the public about whether a possible incinerator shutdown is what is truly at stake in the passage of this bill. There may be statutory reasons WIN Waste can not switch to another state's RPS. Has anyone on the House Economic Matters Committee asked WIN Waste representatives? If so, why is that information never part of these hearings?

The nature of City of Baltimore's waste management systems and practices, and how they should evolve, are worthy lines of inquiry, but they have nothing to do with promoting genuinely renewable energy production in Maryland. They should never have been linked in the first place.

The rest of the questions are distractions that fail to take a science-based preventive approach to our climate crisis. WIN Waste and Covanta will tell you that their incinerators are preventing methane emissions, but the EPA's current Waste Management Hierarchy makes it plain: this is not the way to do it. The solution to landfill methane emissions is preventing organic materials, especially food waste, from being buried in the landfill in the first place, and composting what can not be used in any other way. The EPA places "energy recovery" (aka trash incineration) below two other preferred approaches, 1) Source Reduction and Reuse and 2) Recycling/Composting. The EPA states:

The hierarchy places emphasis on reducing, reusing, recycling and composting as key to sustainable materials management. These strategies reduce greenhouse gas emissions that contribute to climate change.¹

Supporters of incineration will say that reducing methane from landfill by burning the trash is well worth it, because methane is so much more powerful as a heat-trapping gas in the atmosphere, compared to the carbon dioxide produced from incinerating those same materials. Methane is more powerful, indeed, but don't be fooled: it does not have to be produced in the first place. As the EPA's hierarchy suggests, composting offers a vastly preferable emissions profile, with a percentage of the carbon sequestered in the form of the compost material that is used as a soil amendment. Baltimore has begun the work to switch to composting rather than landfilling its organic waste, with a \$4 million grant from the EPA for a pilot municipal composting program. We are on the right track.

Preventing methane emissions from landfill is indeed an urgent priority, but the folks who promote trash incineration as an answer to that problem usually fail to mention that not only would prevention – composting – be the healthier way to go, but methane has a relatively short

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<https://www.epa.gov/smm/sustainable-materials-management-non-hazardous-materials-and-waste-management-hierarchy>

lifespan of 7 to 12 years in the atmosphere (it breaks down into carbon dioxide and water), while CO₂ can persist for hundreds of years or more.² In the incinerator, not only does the organic waste burn, releasing CO₂, but everything else burns too, including the plastic. When incinerated, plastic is a high-energy fossil fuel and releases massive amounts of greenhouse gasses, just like coal, oil, or gas. In a climate crisis, on top of our existing public health crises, there is really no excuse for emitting both large amounts of air pollution and *additional volumes of greenhouse gasses* from burning plastic that otherwise would not be emitted at all.

From a climate perspective, plastic that can not be recycled is much less harmful in a well-managed landfill. No one wants to keep putting plastic in landfills, but from a climate standpoint, properly landfilling non-recyclable plastic for now is preferable to burning it and releasing the toxic results, including tons of greenhouse gasses, directly into the atmosphere. Reducing the use of single-use plastic is our first step to addressing our plastic problem, so that it is not filling up our landfills and polluting our waterways. Ideally, we'll then eliminate the production of non-essential single-use plastic. It will get harder from there. That still doesn't make burning plastic preferable to landfilling it.

Properly addressing climate change is projected to cost our state \$1 billion a year, but as you know, the Department of Legislative Services has concluded that this bill, which *only* takes trash incineration out of the RPS, would have zero impact on the state budget and very little, if any, on our energy bills. It's recommended in the [Climate Pollution Reduction Plan](#) that MDE released in December, and it's also recommended by the Maryland Commission on Climate Change's [2023 Annual Report](#). Baltimore's trash problems are not going to be helped or made any easier by its continued reliance on the WIN Waste trash incinerator. Its possible shutdown would indeed be a crisis for the City, and all the municipalities and entities that bring their trash to Baltimore. But that is not going to happen because HB166 passes – it is a decision of WIN Waste and possibly the City of Baltimore.

Passing HB166 is not going to stop climate change. It took a lot of actions over time to create this crisis, however, and it's going to take a lot of actions to make the high-impact collective effort we must make to avoid the worst effects of climate change. The RPS was meant to incentivize real, zero-emission renewable energy. It should not be a bonus revenue stream for facilities that send hundreds of thousands of tons of greenhouse gasses into the atmosphere along with air pollution that directly harms human health. It's time to stop wasting our money rewarding greenhouse gas emitters, and clean up our RPS.

I urge you to give HB166, the Reclaim Renewable Energy Act, a FAVORABLE report.

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<https://climate.nasa.gov/vital-signs/methane/#:~:text=A%20molecule%20of%20methane%20traps,natural%20sources%20and%20human%20activities.>