

# **SB146 - Reclaim Renewable Energy Act - Testimony.p**

Uploaded by: Abigail Snyder

Position: FAV

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 Beth Israel Congregation  
 Beth Shalom Congregation of  
 Howard County  
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 B'nai B'rith, Chesapeake Bay Region  
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 Jewish Women International  
 Jews For Judaism  
 Moses Montefiore Anshe Emenah  
 Hebrew Congregation  
 National Council of Jewish Women  
 Ner Tamid Congregation  
 Rabbinical Council of America  
 Religious Zionists of America  
 Shaarei Tfiloh Congregation  
 Shomrei Emenah Congregation  
 Suburban Orthodox Congregation  
 Temple Beth Shalom  
 Temple Isaiah  
 Zionist Organization of America  
 Baltimore District

**Written Testimony**  
**Senate Bill 146 – Reclaim Renewable Energy Act**  
**Education, Energy, and the Environment Committee – January 25, 2024**  
**Support**

**Background: Senate Bill 146** would alter the definition of a "Tier 1 renewable source" to exclude energy derived from waste and refuse from being eligible for inclusion in the renewable energy portfolio standard moving forward.

**Written Comments:** The Jewish concept of *tikkun olam* means to repair the world in which we live. As the advocacy arm of The Associated: Jewish Federation of Baltimore, we represent organizations that work to educate the community on sustainability and make strides towards repairing the world. One of these entities is The Pearlstone Center in Reisterstown, MD, a conference center and farm that employs and teaches sustainable practices.

Trash incineration is a very polluting method of producing electricity. A new 2023 study in PLOS Climate found that “incinerators emit more greenhouse gas emissions per unit of electricity produced than any other power source” - including coal plants. Maryland needs to show its residents that they are a priority, by funding renewable energy development that shows we are taking the climate and public health crises in our state seriously.

This legislation is an important tool to support clean, renewable energy development and decrease emissions from the electricity sector. By tightening the belt and choosing to no longer subsidize trash incineration as a form of renewable energy, you will show your commitment to public health; protect taxpayer dollars; and improve the trajectory of the impact on our environment.

**For these reasons, the Baltimore Jewish Councils asks for a favorable report on SB146.**

*The Baltimore Jewish Council, a coalition of central Maryland Jewish organizations and congregations, advocates at all levels of government, on a variety of social welfare, economic and religious concerns, to protect and promote the interests of The Associated Jewish Community Federation of Baltimore, its agencies and the Greater Baltimore Jewish community.*

**ZWMC Testimony on SB 146 - FAVORABLE.pdf**

Uploaded by: Amy Maron

Position: FAV



**Testimony On: SB 146 “Renewable Energy Portfolio Standard - Eligible Sources - Alterations”**

**(Reclaim Renewable Energy Act of 2024)**

**Committee: Education, Energy, and the Environment**

**Position: Support**

**Date: January 25, 2024**

Honorable Chair Feldman and Members of the Committee,

Thank you for the opportunity to submit this statement for the record. On behalf of Zero Waste Montgomery County, we strongly SUPPORT S.B. 146 - The Reclaim Renewable Energy Act of 2024. My name is Amy Maron and I am chair of this organization which is dedicated to alternatives to incineration in Montgomery County.

In a time when we must make many investments in clean energy and other programs across sectors to fight climate change, this bill provides our state with a budget-neutral opportunity to refocus existing clean energy subsidies toward renewable energy investment that is needed most - emissions-free technologies like solar and wind. The Reclaim Renewable Energy Act of 2024 accomplishes this by removing trash incineration from the state’s Renewable Portfolio Standard.

Removing incineration from the Renewable Portfolio Standard has been supported by Montgomery County officials because it creates the right incentives to achieve progress toward our county climate and clean energy goals. Removing incineration credits strengthens our state’s renewable energy portfolio and brings it into alignment with the recommendations in Maryland’s recently released Climate Pollution Reduction Plan and the Maryland Commission on Climate Change 2023 Annual Report.

The Renewable Portfolio Standard (RPS) was established to support and incentivize clean, renewable energy generators. Maryland’s incineration renewable energy credits only go to facilities – like ours in Montgomery County – that existed before the renewable portfolio standard was created and that don’t need the state subsidy. Maryland’s incineration renewable energy credits even flow out of state to support a trash incinerator in Virginia. Clean energy subsidies supported by ratepayers across the state of Maryland should be used for real, clean, renewable energy that will fight climate change, make progress toward cleaning Maryland’s air, and align our incentives with our policy goals. Continuing to spend Marylanders’ money on climate-polluting facilities in our county or out of state that do not need subsidies to operate harms Maryland ratepayers when our goals would be better met by supporting newer, clean, emissions-free energy sources.

This legislation would:

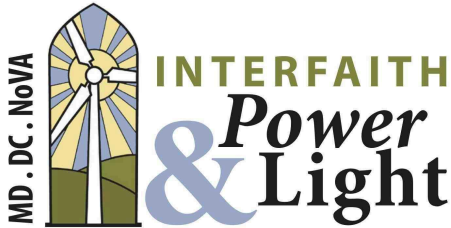
- End Maryland renewable energy subsidies for incinerators that operate in Virginia.
- End Maryland renewable energy subsidies for Montgomery County's largest stationary source of CO2 emissions.
- Help us meet Maryland and Montgomery County's goals for clean, renewable, emissions-free energy.

Please pass the Reclaim Renewable Energy Act now.

**SB 146 IPL DMV Written Testimony.docx.pdf**

Uploaded by: Andrea Orozco

Position: FAV



**Testimony Supporting SB146**  
**Senate Education, Energy, and the Environment Committee**  
**January 24, 2024**

**Position:** Favorable

Dear Chair Feldman and Members of the Committee,

Interfaith Power & Light works with congregations of many faith traditions to address climate change because we believe in a moral responsibility to care for creation and care for our neighbors through a just and equitable lens. In Maryland, our organization has relationships with nearly 11,000 people of faith and over 900 congregations across the state. We are writing this testimony to urge a favorable report on SB146, the Reclaim Renewable Energy Act.

Our congregations are taking action on the climate crisis because we know our climate pollution is hurting our neighbors, here and throughout the world. As people of faith, we are called to care for those most vulnerable, and we know climate change places particular communities at higher risk, especially communities of color, the elderly, people with disabilities, and our young people. This is why congregations across Maryland are taking action.

**[EJ Framing] Maryland ratepayers should not be forced to subsidize facilities burning waste in their communities.** The inclusion of trash incinerators in the Renewable Portfolio Standard (RPS) is contrary to its original legislative intent. Trash incineration is not a clean or renewable energy source and these facilities are opposed by affected BIPOC and low-income communities whose health and wellbeing is put at risk by waste incineration. RPS funds should be supporting *actual* renewable energy sources, like wind and solar, that are creating new and family-supporting jobs for Marylanders. Our response to climate change needs to be just for all of our neighbors.

**The purpose of the RPS program is to support clean, renewable energy.** When establishing the RPS in 2004, the legislature wrote that the benefits of renewable energy include “long-term decreased emissions” and “a healthier environment.” Since then, the urgency of supporting renewable energy development in Maryland has only become greater. Maryland must act with urgency to reduce greenhouse gas emissions and carefully assess how we are spending the state’s resources to fight climate change, including the effectiveness of the Renewable Portfolio Standard program.

**Maryland is wasting an increasing amount of RPS money on trash incineration, much of it going out of state.** Over three years, the total subsidies to trash incinerators through Maryland’s RPS increased from \$11.5 million in 2020 to \$24.7 million in 2022. In 2022, the BRESKO incinerator in Baltimore received \$4.2 million; the Montgomery County incinerator in Dickerson received \$8.7 million, and the Covanta incinerator in Lorton, VA, received a windfall of \$11.7 million - twice as much as Montgomery County’s incinerator and three times

as much as the incinerator in Baltimore. If these trends continue and trash incineration remains in the RPS, Maryland ratepayers will be increasingly harmed: we will be wasting ever-increasing amounts of money, much of it out of state, that isn't putting renewable power on the grid.

**In Maryland's [Climate Pollution Reduction Plan](#), MDE's Climate Change Program staff recommends removing trash incineration from the RPS.** In the plan released last month, the Maryland Department of the Environment recommends aligning the Renewable Portfolio Standard with the forthcoming Clean Power Standard. Although details of the Clean Power Standard are under development, one important detail is clear: the plan specifies that the Clean Power Standard will **not** include trash incineration (pages 21, 23).

Our communities are speaking out against combustion energy sources for the sake of "all that has breath." We are well aware of the consequences of burning waste is bringing to our communities, so it is time we stop using our state's clean energy program to pad incinerator profits.

We urge a favorable report on SB 146.

Sincerely,  
Robin Lewis

**Robin Lewis**  
Director for Climate Equity  
she/her



# **SB146 Testimony - Andrew Hinz.pdf**

Uploaded by: Andrew Hinz

Position: FAV

Testimony Supporting SB146  
Senate Education, Energy, and the Environment Committee  
January 25, 2024

Andrew Hinz  
1427 Park Avenue  
Baltimore, Maryland 21217  
[ahinz61@outlook.com](mailto:ahinz61@outlook.com)  
443-617-4079

Position: SUPPORT

Dear Chair Feldman and Members of the Committee,

As a lifelong, 63 years, Maryland resident and ratepayer I demand you pass SB146, the Reclaim Renewable Energy Act.

I am currently participating actively in the Maryland Energy Storage Program Working Group hosted by the Maryland Public Utilities Commission. We published an interim report this last December. We have started work designing grid services for electricity storage that will adequately recompense providers of those services and increase the deployment of storage in the Maryland grid, which will support decarbonization of our grid. I, of course, do not speak in any way for the working group—but I strongly believe that beyond, and concurrent with, the setting up of those grid services additional incentives will be needed to meet the legislated goals for the program. The ‘clean energy’ incentivization money being wasted subsidizing incineration could certainly be put to good use meeting legislated goals for deployment of grid energy storage, and MANY other good uses.

I add this plea to the overwhelming economic sense it makes to divert these subsidies to better use:

subsidies should do no harm, harm and violence are connected, subsidies must do no harm.

This is expensive, dirty, harmful electricity. The subsidy is neither needed to operate nor deserved.

There are no fact-based, science-based, or economically-based arguments that can be made for subsidizing dirty, harmful, and expensive waste solutions as ‘renewable’ energy.

# **SB146 Testimony - CoalFreeCurtisBay.pdf**

Uploaded by: Andrew Hinz

Position: FAV

Testimony Supporting SB146  
Senate Education, Energy, and the Environment Committee  
January 25, 2024

#CoalFreeCurtisBay  
Baltimore, Maryland 21226  
[coalfreecurtisbay@gmail.com](mailto:coalfreecurtisbay@gmail.com)  
<https://www.facebook.com/CoalFreeCurtisBay/>  
[https://www.instagram.com/coalfree\\_curtisbay/](https://www.instagram.com/coalfree_curtisbay/)  
<https://twitter.com/CoalFreeCurtis>

Position: SUPPORT

Dear Chair Feldman and Members of the Committee,

#CoalFreeCurtisBay amplifies demands for environmental justice by the community of Curtis Bay and other South Baltimore communities through non-violent direct action.

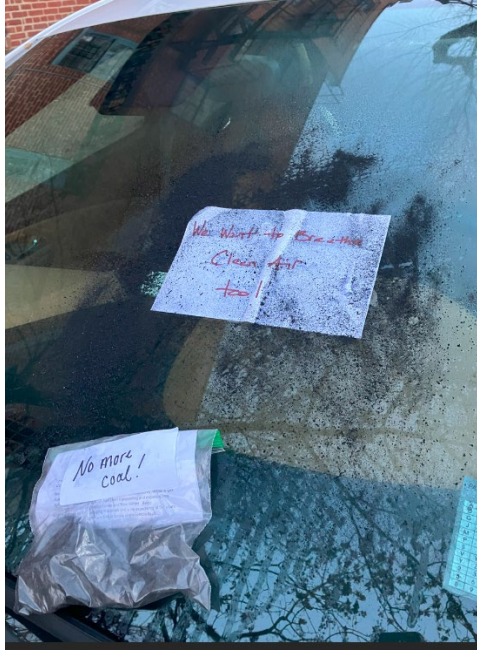
We make an exception in the focus of our work, non-violent direct action, to submit testimony for this important bill.

Simply put, passing this bill is a no-brainer, based only on the economics documented by Public Employees for Environmental Responsibility (PEER).

BUT, just so you know—we do not consider incineration to be a justified burden for the community to bear.

Most important, please know cumulative harms are real, lived, and suffered through.

We request this committee hit the pavement and come meet with the community of Curtis Bay about the CSX Coal Pier, cumulative harm, and this bill.



# **RREA 2024 written testimony Senate cmte 01.24.2024**

Uploaded by: Anne Wilson

Position: FAV

**Testimony Supporting SB146**  
**Senate Education, Energy, and the Environment Committee**  
**January 25, 2024**

**Position: SUPPORT**

Dear Chair Feldman and Members of the Committee,

As a resident of Maryland District 43, a Maryland energy ratepayer, and a person increasingly affected by the climate crisis, I am writing to express my strong support of **SB146, the Reclaim Renewable Energy Act of 2024**.

Last September, my north Baltimore neighborhood of Tuscany-Canterbury flooded during heavy rains. This was the first time I'd seen the Stony Run overflow its banks since I moved to a beautiful co-op apartment building here in 2009, and it was terrifying. Luckily, no one was hurt, but several cars parked on the road between us and the Stony Run were totaled, and our property required repairs. Some of our neighbors within less than three miles of us have been suffering serious flooding for years that is now becoming more frequent and dangerous.

We all know no single weather incident can be tied directly to climate change. But, as the professional climate modelers tell us, that flood in September is one more data point we can add to the global scientific consensus: Climate change is coming for us all. What is unfolding right now is in fact worse – stronger and faster – than the projections of just a few years ago.

There should be no doubt: legislators created the Renewable Energy Portfolio Standard (RPS) in 2004 to support the transition of our power-generating systems away from fossil fuels. And that the reason for that, in turn, was because fossil-fueled power plants are a top emitter of the greenhouse gasses that are driving our current climate crisis.

Trash incineration produces more greenhouse gasses per unit of electricity than any other power source, including coal, oil and gas. Baltimore's WIN Waste trash incinerator alone produces 640,000 tons of CO<sub>2</sub> per year, while siphoning millions in public money that could support real, zero-emission renewable energy. 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 taking 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](#).

Passing SB146 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. It's time to stop wasting our money rewarding greenhouse gas emitters, and clean up our RPS.

I urge you to give SB146, the Reclaim Renewable Energy Act, a FAVORABLE report.

Anne C.A. Wilson (District 43A)  
221 Stony Run Lane, Apt H-2, Baltimore, Maryland 21210

# **Testimony - SB 146 - Reclaim Renewable Energy - Fa**

Uploaded by: Ashley Egan

Position: FAV





## Unitarian Universalist Legislative Ministry of Maryland

### Testimony in Support

#### **SB 146 - Renewable Energy Portfolio Standard - Eligible Sources - Alterations (Reclaim Renewable Energy Act of 2024)**

To: Chair Feldman and the Members of the Education, Energy, and the Environment Committee  
From: Phil Webster, PhD  
Lead Advocate on Climate Change  
Unitarian Universalist Legislative Ministry of Maryland.  
Date: January 25, 2024

The Unitarian Universalist Legislative Ministry of Maryland (UULM-MD) strongly supports **SB 146 - Renewable Energy Portfolio Standard - Eligible Sources - Alterations (Reclaim Renewable Energy Act of 2023)** and urges a FAVORABLE report by the committee.

The UULM-MD is a statewide faith-based advocacy organization, with over 1,200 members, based on the Principles of Unitarian Universalism. Unitarian Universalists believe in *“justice and equity in human relations”* and *“respect for the interconnected web of all existence of which we are a part.”* We support passing this legislation to ensure that Maryland ratepayers are getting what they’re paying for: renewable energy dollars going to support actual renewable energy.

Renewable energy should not add greenhouse gasses to the atmosphere.

This bill would eliminate Trash Incineration from Maryland’s Renewable Portfolio Standard (RPS). Trash incineration is a simple “solution” to a very complicated problem. Burning trash maximizes pollution, especially when it is used in lieu of implementing a comprehensive solution, which would include composting, recycling, and reusing products. Incinerating trash disincentivizes better alternatives for handling our trash. So it defies logic for incineration to be classified as a source of renewable energy; it’s not!

Since 2008, Maryland ratepayers have spent over \$200 million on Renewable Energy Credits (RECs) from dirty sources misclassified as “renewable.” That money should have been supporting those communities that have borne the brunt of harmful pollution.

Three years ago, the legislature wisely eliminated black liquor, a polluting paper mill byproduct, from the RPS. That action freed up money that was being wasted to support real renewable energy instead. For all the good reasons the legislature eliminated black liquor from the RPS, we urge you to pass the Reclaim Renewable Energy Act (SB 146) in 2023.

All Marylanders need bold and urgent action! Please keep us on the right and moral path towards a livable climate and a sustainable world. We owe it to our children.

We support this bill and urge a FAVORABLE report in committee.

*Phil Webster, PhD*

Lead Advocate, Climate Change UULM-MD

# Testimony for SB146.pdf

Uploaded by: Bonnie Weissberg

Position: FAV

Testimony Supporting SB146

Senate Education, Energy, and the Environment Committee

January 25, 2024

Position: SUPPORT

Dear Chair Feldman and Members of the Committee,

I am a resident of the 41st District and a Maryland electricity ratepayer. As a mother of 2, I am concerned about climate change and its effects on current and future children. I am writing to express my strong support of SB146, the Reclaim Renewable Energy Act.

In 2020, about 25 percent of Maryland's "clean" energy came from dirty sources. Meeting Governor Wes Moore's goal of 100 percent clean energy by 2035 will require elimination of these dirty fuels from the state's renewable portfolio standard (RPS). The RPS is an important tool to support clean, renewable energy development and decrease greenhouse emissions from the electricity sector.

Passing the Reclaim Renewable Energy Act will not cost any money out of the state budget, and will better prioritize the money we already spend.

Maryland is wasting an increasing amount of money subsidizing trash incineration categorizing it as renewable energy. Over three years, due to the market-based nature of the subsidy (the amount of electricity produced by incinerators has not increased), the total subsidies to trash incinerators through Maryland's RPS ballooned from \$11.5 million in 2020 to \$24.7 million in 2022. This is an incredible windfall for the incinerators, and bad for Marylanders. We can't afford to keep wasting increasing amounts of money profiting something that's not putting renewable energy on the electricity grid.

The RPS subsidy is paid by electric utilities, and ultimately comes out of our utility bills. We deserve to know that when we are paying for renewable energy, we're actually helping support the renewable energy we need to fight climate change and clean our air.

Thank you very much for hearing my concerns and supporting this important bill.

Bonnie Weissberg  
1704 Mt. Washington Ct., Apt. H  
Baltimore, MD 21209

# **SB 146 Renewable Energy Portfolio Standard - Eligi**

Uploaded by: Cait Kerr

Position: FAV

**Thursday, January 25, 2024**

**TO:** Brian Feldman, Chair of the Senate Education, Energy, and the Environment Committee, and Committee Members

**FROM:** Cait Kerr, The Nature Conservancy, State Policy Manager; Mariana Rosales, The Nature Conservancy, Director of Climate

**POSITION:** Support SB 146 Renewable Energy Portfolio Standard – Eligible Sources – Alterations (Reclaim Renewable Energy Act of 2024)

The Nature Conservancy (TNC) supports SB 146 offered by Senator Lewis Young. SB 146 will remove waste incineration from the list of sources eligible as a Tier 1 renewable source under Maryland's Renewable Energy Portfolio Standard (RPS). This bill is consistent with Maryland's commitments to reduce carbon emissions by 60% of 2006 levels by 2031 and to achieving net-zero emissions by 2045. In the Maryland Department of the Environment's (MDE) Climate Pollution Reduction Plan, MDE calls for adopting a Clean Power Standard, which is stated to include eliminating existing eligibility and subsidies for municipal solid waste incineration. Furthermore, the Maryland Commission on Climate Change recommends in its 2023 Annual Report removing solid waste incineration as an eligible source in the RPS due to its contributions to greenhouse gas emissions. SB 146 follows through on the RPS's original intentions to invest in healthy, emissions-reducing energy sources and sets Maryland up for success in achieving our carbon reduction goals.

Waste incineration subsidies are contradictory to the RPS's goals – incineration is amongst the highest-emitting methods for energy production. Incinerators release nitrogen oxides; major precursors of ground level ozone, which triggers asthma attacks, and sulfur dioxide, which also causes and worsens respiratory illnesses. Incinerators can also emit mercury and lead, which are unsafe for human exposure in any amount. These subsidies are costing the state increasing amounts of RPS funds while promoting emitting carbon dioxide and other greenhouse gases, in addition to other air pollutants that are known to harm human health.

Eliminating waste incineration from eligibility and subsidies under the RPS is a budget-neutral way to free up funds for renewable energy investments. According to the Public Service Commission's RPS compliance report for 2022, waste incineration accounted for 6.9% of Tier 1 renewable energy credits. Under SB 146, this spending would be redistributed to support renewable energy sources that remain in the RPS. This would further Maryland's investment in reducing emissions for the health and future of our state.

TNC commends Senator Lewis Young on introducing this bill, which would end state renewable energy subsidies for a non-renewable and highly polluting source and bring increased investment in Maryland's net-zero future.

**Therefore, we urge a favorable report on SB 146.**

# **MLU written testimony - Reclaim Renewable Energy.p**

Uploaded by: Carlos Orbe, Jr.

Position: FAV



Testimony Supporting **SB146**

**Senate Education, Energy, and the Environment Committee**

January 24, 2024

Position: SUPPORT

Renewable Energy Portfolio Standard - Eligible Sources - Alterations (Reclaim Renewable Energy Act of 2024)

My name is Carlos Orbe, Jr., and I am the Communications and Public Affairs Specialist for Maryland Latinos Unidos (MLU). MLU is a statewide network dedicated to supporting and empowering Latino and immigrant communities across Maryland. MLU comprises a diverse group of organizations, businesses, and individuals who share a common goal: to address disparities and inequities faced by Latino and immigrant communities and to find collaborative solutions that promote inclusivity and access to essential services.

I am writing to urge you to pass the Reclaim Renewable Energy Act (SB146) to stop wasting Maryland residents' money and make more funding available for real renewable energy - at no additional cost to the state budget. Trash incineration is neither clean nor renewable; its inclusion in the Renewable Portfolio Standard (RPS) is counter to the program's goals. Maryland ratepayers would be better served if their funds currently subsidizing trash incineration were supporting real renewable energy instead. With climate, environmental, and community organizations, renewable energy industry, and state government support, 2024 is the year to eliminate trash incineration from the RPS.

The purpose of the RPS is to support clean, renewable energy, which Maryland needs now more than ever. When establishing the RPS in 2004, the legislature wrote that the benefits of renewable energy include "long-term decreased emissions" and "a healthier environment." Since 2004, the urgency of supporting renewable energy development in Maryland and throughout our grid has only become greater. Maryland must urgently act to reduce greenhouse gas emissions and carefully assess how we are spending the state's resources to fight climate change, including the effectiveness of the Renewable Portfolio Standard program at delivering long-term decreased emissions and a healthier environment.

Maryland is wasting an increasing amount of RPS money on trash incineration, much of it out of state. Over three years, due to the market-based nature of the subsidy (the amount of electricity produced by incinerators has not increased), the total subsidies to trash incinerators through



Maryland's RPS ballooned from \$11.5 million in 2020 to \$24.7 million in 2022. In 2022, the BRESCO incinerator in Baltimore received \$4.2 million; the Montgomery County incinerator in Dickerson received \$8.7 million, and the Covanta incinerator in Lorton, VA, received a windfall of \$11.7 million - twice as much as Montgomery County's incinerator and three times as much as the incinerator in Baltimore. If these trends continue and trash incineration remains in the RPS, Maryland ratepayers will be increasingly harmed: we will be wasting ever-increasing amounts of money, much of it out of state, that isn't putting renewable power on the grid.

Trash incineration is not clean, renewable energy and is contradictory to the goals of the RPS. Trash incineration is among the dirtiest methods of producing electricity. A new 2023 study in PLOS Climate found that "incinerators emit more greenhouse gas emissions per unit of electricity produced than any other power source" - even coal plants. EPA's Emissions Inventory indicates that in 2020, the three trash incinerators profiting from Maryland's RPS emitted 2.5 million tons of CO<sub>2</sub> into the atmosphere. New emissions limits required at the BRESCO incinerator by a court settlement in 2020 do not include any requirement to decrease CO<sub>2</sub> emissions and allow the incinerator to continue to emit mercury and lead, which are not safe for human exposure at any level. In its Final Report Concerning the Maryland Renewable Portfolio Standard, the Maryland Power Plant Research Program analyzed the emissions profile of the Renewable Portfolio Standard and found that "the Maryland RPS has resulted in modest greenhouse gas reductions but may be working at cross-purposes with the state's efforts to reduce nitrogen oxides (NO<sub>x</sub>) and sulfur dioxide (SO<sub>2</sub>) emissions," in part because of the inclusion of trash incineration. In the Reclaim Renewable Energy Act, the legislature has a choice between making millions of dollars available to support real renewable energy that delivers long-term decreased emissions and a healthier environment, or to support trash incineration. The choice is clear: Maryland should support energy sources that emit no CO<sub>2</sub>, mercury, or lead, instead of those that do.

Eliminating trash incineration from the RPS is a budget-neutral means of making more money available for renewable energy. Maryland needs to invest in climate solutions, and finding funding for the \$1 billion per year called for in Maryland's Climate Pollution Reduction Plan poses a significant challenge as the state budget contracts. Analyses consistently show that passing the Reclaim Renewable Energy Act is not associated with a financial cost to the state. Instead it will redistribute the subsidy Maryland ratepayers already pay that had been wasted profiting trash incinerators to support renewable energy sources that remain in the RPS.

This action is recommended in Maryland's Climate Pollution Reduction Plan. In the plan released last month, the Maryland Department of the Environment recommends aligning the Renewable Portfolio Standard with the forthcoming Clean Power Standard. Although details of the Clean Power Standard are under development, one important detail is clear: the plan specifies that the Clean Power Standard will not include trash incineration (pages 21, 23). On page 90, the plan lists recommended legislative actions, including:

**Legislative Action #2: Modify the Renewable Portfolio Standard - In consultation with MDE and MEA, pass legislation to modify the definitions of qualifying resources in the RPS to align with definitions of clean power resources under the forthcoming Clean Power Standard.**

Likewise, the Maryland Commission on Climate Change's 2023 Annual Report recommends:

Mitigation Working Group Recommendation #18: Due to the energy source's contributions to the state's GHG emissions, the General Assembly should adopt legislation to remove municipal solid waste incineration as an eligible generating source from the RPS.

Maryland state government, climate experts, renewable energy businesses, environmental and environmental justice advocates, and community organizations are united: burning trash is not clean energy, and Maryland must stop subsidizing it through the Renewable Portfolio Standard.

Sincerely,

Carlos Orbe, Jr.  
Communications and Public Affairs Specialist  
Maryland Latinos Unidos (MLU)

# **South Baltimore Community Land Trust Testimony.pdf**

Uploaded by: Carlos Sanchez

Position: FAV



**Testimony Supporting SB146  
Senate Education, Energy, and the Environment Committee  
January 25, 2024**

**Position: SUPPORT**

Good Afternoon to the committee members.

My name is Carlos Sanchez-Gonzalez, I am a resident of Baltimore City and part of a grassroots, community based nonprofit organization called the South Baltimore Community Land trust.

I would like to thank you all for hearing this bill and hearing testimonies from us today! I will start off by saying Baltimore, and Maryland ratepayers at large, have been wasting so much money investing in non renewable “trash” incineration as an energy source under the current RPS, subsidizing what is clearly not an efficient or renewable way to get energy. So, we are proud that Baltimore City has really acknowledged how nonsensical the RPS classifying trash incineration as renewable energy is, and we are here to further state how we should NOT be using our REC's in that way. We at the Land Trust have been working for many years to move Baltimore to a healthier future, building a future where we can receive our energy from truly renewable sources like wind, solar power, and geothermal. But, this renewable energy shift has been inhibited by the increasing money that has been going to the BRESKO/Win Waste incinerator and two other non renewable incineration facilities in Maryland and Virginia, to the tune of \$51 million from 2020-2022 alone as the Virginia facility receives the most money. As Maryland ratepayers, we are especially frustrated by how our money profits these non renewable, climate polluting facilities that are further harmful to human health in comparison to Solar, Wind and Geothermal. As we continue building our sustainable communities in South Baltimore, we hope our ratepayer funds invest in fundamentally renewable energy sources instead of irrationally subsidizing trash incineration. That is why we are here today in support of Bill SB146 to take trash incineration out of the RPS to help give truly, clean renewable energy sources a leg up as the RPS was created to do.

We have as a group started a sign on letter for District 46 Community organization, groups, and associations, since the BRESKO incinerator is located in our district, District 46. It has a clear message and I quote from the sign on letter, “The message from Baltimore is clear: it's time for Maryland to stop subsidizing polluters like BRESKO, and use that money to support real renewable energy instead. Senate President Ferguson, we hope that you and the entire City

delegation will lead on finally fixing this environmental injustice.” This letter has 12 groups along with South Baltimore 7 (who represents 7 groups and communities), who is also the group that submitted this letter in their written testimony.

So, thank you for listening to my testimony and we are urging you to do the right thing and pass SB146 because it's what Residents,Groups/Organizations, and Baltimore City administration need the state to do! We need yall to help restore the RPS to its original purpose of funding real and clean renewable energy. Thank you!

Sincerely,  
South Baltimore Community Land Trust

**SB0146\_Reclaim\_Renewable\_Energy\_Act\_MLC\_FAV.pdf**

Uploaded by: Cecilia Plante

Position: FAV



## TESTIMONY FOR SB0146

### Renewable Energy Portfolio Standard - Eligible Sources - Alterations (Reclaim Renewable Energy Act of 2024)

**Bill Sponsor:** Senator Lewis Young

**Committee:** Education, Energy, and the Environment

**Organization Submitting:** Maryland Legislative Coalition

**Person Submitting:** Cecilia Plante, co-chair

**Position:** FAVORABLE

I am submitting this testimony in favor of SB0146 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

This bill will ensure that Maryland is NOT subsidizing businesses that produce renewable energy that is not clean. We are in a climate crisis, and we cannot afford to be spending any money on facilities continue to make the problem worse. Not only is it wasteful to subsidize businesses that continue to pollute, it makes it harder to meet the statutory greenhouse gas reductions that are required to reduce the harm caused by climate change.

This bill will eliminate three types of energy from Maryland's RPS: trash incineration, woody biomass, and factory farm methane gas. All three of these types of energy production pollute the environment, harm nearby communities' health, and contribute to climate change. Subsidizing them takes money away from the clean, renewable energy that we need, and it also tilts waste markets toward the worst methods of managing our waste. We should be subsidizing businesses that do not pollute the environment, like wind and solar power, and let the waste sector work on managing waste.

Our members do not approve of state subsidies to businesses that pollute. We support this bill and recommend a **FAVORABLE** report in committee.

# **SB146 Reclaim Renewable Energy Act - C Bell Nempho**

Uploaded by: Christina Nemphos

Position: FAV



Dear Education, Energy, and the Environment Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with the Baltimore Transit Equity Coalition (BTEC). I am a resident of **District 40**, and I have concerns about subsidies intended to promote renewable energy sources being used for trash incineration. **I am testifying in support of the Reclaim Renewable Energy Act of 2024, SB0146.**



Maryland needs to take action on climate change, and needs to find ways to do so this year that do not cost any money out of the state budget. As Senate President Ferguson recently said “this is a year about prioritizing the resources that we have.” Over three years, the total subsidies to trash incinerators (including out-of-state companies) through Maryland’s RPS ballooned from \$11.5 million in 2020 to \$24.7 million in 2022, while a new 2023 study in PLOS Climate found that “incinerators emit more greenhouse gas emissions per unit of electricity produced than any other power source” - including coal plants. That makes this subsidy doubly bad policy for Marylanders and our goals and a perfect target for cuts. This bill does just that by excluding incineration of waste and refuse-derived fuel from the “tier1 renewable source” category of the state’s renewable energy portfolio.

The state isn’t the only stakeholder being forced to pay subsidies to polluting fuel sources under the guise of renewable energy: so are state taxpayers. The RPS subsidy is paid by electric utilities, and ultimately comes out of our utility bills. We deserve to know that when we’re paying for renewable energy, we’re actually helping support the renewable energy we need to fight climate change and clean our air.

Finally, the subject matter experts in the state’s own Department of the Environment and Commission on Climate Change both recently published reports supporting this legislation.

**This is common sense! Please correct this error which grants subsidies to trash incineration operations as they spew harmful greenhouse gasses and particulate matter – often within close proximity to lower income, disenfranchised, black and brown neighborhoods!**

It is for these reasons that I am encouraging you to vote **in support of the Reclaim Renewable Energy Act of 2024, SB0146.**

Thank you for your time, service, and consideration.

Sincerely,  
**Christina Bell Nemphos**  
**1301 W 42<sup>nd</sup> St.**  
**Baltimore, Md 21211**

**Showing Up for Racial Justice Baltimore**

# **Testimony Support - SB 46 Comptroller Bill Henry 1**

Uploaded by: Christine Griffin

Position: FAV



**BILL HENRY**  
OFFICE OF THE COMPTROLLER

City Hall – Room 204  
100 Holliday St Baltimore, MD 21202

February 24, 2024

The Honorable Brian Feldman, Chairman  
Education, Energy, and the Environment Committee  
Maryland State Senate  
2 West Miller Senate Office Building  
Annapolis MD 21401

Dear Chair Feldman, Vice Chair Kagan and Members of the Committee,

I am writing in **support** of Senate Bill (SB) 146, “Renewable Energy Portfolio Standard – Eligible Sources – Alterations (Reclaim Renewable Energy Act of 2024).” SB 146 would remove the incentives for incinerating trash under the State Renewable Energy Portfolio Standard (RPS) and redirect these ratepayer subsidies to actual renewable energy sources.

In 2004, Maryland passed legislation to create Maryland’s RPS. In the original design of the RPS program, incinerators were included in the Tier 2 category, which was supposed to phase out in 2019 - a recognition that trash incineration is not as desirable or valuable as truly renewable energy like wind and solar power. But in 2011, as community pressure was mounting against two new proposed incinerators in Baltimore and Frederick, the industry successfully lobbied to be moved to the more highly subsidized, permanent Tier 1 category. Ultimately, the community opposition won, and neither facility was built. Still, with trash incineration now classified as a “renewable energy” (Tier 1) in the RPS, incinerators enjoy millions of dollars in RPS ratepayer subsidies each year – reducing subsidies that should support actual renewable energy sources.

Maryland energy ratepayers subsidize renewable energy through the RPS program. This program requires utilities to purchase Renewable Energy Credits (or RECs, representing the renewable energy attributes of 1 MWh of energy) at increasing amounts over time. The subsidy amount to the three incinerators receiving subsidies through the State RPS program doubled between 2020 and 2022. In 2022, BRESKO in Baltimore City received \$4.2 million in subsidies, Dickerson in Montgomery County received \$8.7 million, and Covanta in Lorton, VA, received subsidies totaling \$11.7 million. Trash incineration should never have been included in Tier 1 of the RPS. Trash incineration is not renewable energy.

Trash incinerators pollute more than Maryland’s coal plants per unit of energy each produces and emit a disproportionately high amount of greenhouse gas pollution, particularly compared to the small amount of energy they put onto the grid. They also emit health-harming local air pollution such as mercury and lead, for which there is no known level of safe human exposure. When ratepayer dollars flow through the RPS to purchase Renewable Energy Credits produced by trash incinerators, including the trash incinerator in Baltimore City, ratepayers are not getting clean, renewable energy; they are getting dirty, polluting energy. The millions of dollars spent subsidizing trash incineration should be spent subsidizing energy sources that do not pollute, like wind, solar and geothermal.

In 2019, while I was a member of the Baltimore City Council, I was the proud cosponsor of City Council Resolution [19-0123R](#), "Request for State Action - Removing Financial Incentives for Trash Incineration." Five years later, as Baltimore City's Comptroller and someone who supports the use of clean, renewable energy in Baltimore City and throughout Maryland, I am again asking the State to act.

Removing trash incineration from the Tier 1 renewable energy category would preclude energy generated from these sources from counting toward meeting the State's RPS and would free utility customers from having to subsidize dirty energy. Dedicating our renewable energy funds to genuinely renewable energy is an appropriate step to steward Maryland's climate action resources wisely and make the RPS program more environmentally just and fiscally responsible.

For all these reasons, I respectfully request the committee to give SB 146 a favorable report. If you have any questions, please feel free to contact Christine Griffin, my Deputy Director of Policy and Government Relations, via email at [christine.griffin@baltimorecity.gov](mailto:christine.griffin@baltimorecity.gov).

Sincerely,



Bill Henry  
Baltimore City Comptroller

CC: Senate President Bill Ferguson  
Senator Jill Carter, Chair of the Baltimore City Senate Delegation

# Ochoa SB\_146\_ZeroWasteMoCo\_FAV\_Jan25\_2024 - Google

Uploaded by: Daniela Ochoa

Position: FAV

## Zero Waste Montgomery County

**Testimony On: SB 146 “Renewable Energy Portfolio Standard - Eligible Sources - Alterations”**

**(Reclaim Renewable Energy Act of 2024)**

**Committee: Education, Energy, and the Environment**

**Position: Support**

**Date: January 25, 2024**

Honorable Chair Feldman and Members of the Committee,

Thank you for the opportunity to submit this written testimony. I am writing today to encourage you to SUPPORT S.B. 146 - The Reclaim Renewable Energy Act of 2024. As a mother of 2 children, we live 9 miles from one of the Incinerators in Montgomery County, Maryland. More than 500 kids, including my children, attend an elementary school located only 6 miles from the incinerator. I volunteer with the Zero Waste Montgomery County and with the MCCPTA Sustainability & Green Schools sub-committee, but at the micro level, there is only so much we can do. This is why, as a researcher and as an enhancer of circularity in local food systems, I'm convinced the biggest shift is propelled by decision makers as you. Enabling genuine investments in clean energy and other programs across sectors to fight climate change, is really crucial for all Maryland's future.

This bill is a chance to reroute existing clean energy subsidies toward emissions-free renewable energy investments technologies. The Reclaim Renewable Energy Act of 2024 will remove trash incineration from the state's Renewable Portfolio Standard.

Just recently, I learned that the incinerator in the Agricultural Reserve in Montgomery County existed before the renewable portfolio standard was created, and it's receiving the The Renewable Portfolio Standard (RPS) subsidy, even if they don't need it! If RPS was established to support and incentivize clean, renewable energy generators, why are Maryland's incinerations receiving renewable energy credits? Marylanders' contributions for clean energy subsidies should be used precisely for: real, clean,

renewable energy that addresses climate change, and is consistent and aligns our incentives with our policy goals.

A truly renewable Portfolio Standard, will also not only benefit our Marylanders but also their local government, allow for incentives consistent with our county climate and clean energy goals as stated. Removing incineration credits will demonstrate that the time, love and effort converged in Maryland's recently-released Climate Pollution Reduction Plan and the Maryland Commission on Climate Change 2023 Annual Report, was not in vain. It will also infuse legitimacy to our state's renewable energy portfolio. Please pass the Reclaim Renewable Energy Act now.

Thank you!

Daniela Ochoa González.  
Local Food Systems and Circularity Enhancer  
Maryland Resident.  
Cell: +1 512-906-9880

**MD General Assembly Testimony - SB 0146 - HB 0166.**

Uploaded by: Dante Swinton

Position: FAV





Maryland General Assembly Testimony  
SB 0146 / HB 0166  
Position: Favorable

My name is Dante Swinton, and I am the founder and executive director of Our Zero Waste Future Incorporated. Our mission is to promote awareness on the value of discarded materials by encouraging zero waste behaviors and facilitating thriving communities through cooperative business development. We are in favor of SB 0146 / HB 0166. I have lived in Baltimore since 2014, and I have witnessed the growing disapproval of our trash incinerator - from its host neighborhood of Westport, to residents across the city and region.

First, it is impossible to discuss the continuation or discontinuation of incinerator subsidies without also discussing the impact of the facility on surrounding communities. Identifying incineration as a renewable energy, and thereby providing it with millions of dollars in credits, does not make any sense. This maintains a serial polluter on the same level as wind and solar technologies. Neither wind nor solar power would be active polluters like WIN Waste Baltimore - formerly Wheelabrator Baltimore, and also known as BRESKO - is to the Baltimore community. **The facility is Baltimore City's largest stationary air polluter by far, accounting for 13% of methane emissions, 33% of toxic air emissions, and an incredible 48% of carbon emissions<sup>1</sup>.** Image 1 ranks WIN Waste against other stationary polluters in Baltimore City on a number of pollutants.

Every year this proposal emerges, proponents of incineration will state either that WIN Waste and Covanta are "in compliance" with emissions regulations, or that the emissions are negligible compared to vehicles. It is important to recognize two things. One, "compliance" *is not* the same thing as safety, as even short-term exposure to nitrogen oxides, sulfur dioxide, carbon monoxide, and particulate matter can increase the lifetime risk of cardiovascular diseases, chronic respiratory diseases, and stroke<sup>2</sup>. Two, incinerator emissions *are not* negligible, as expressed in image 2. WIN Waste, for example, emits the same amount of carbon dioxide as ~141,000 cars each driving 11,500 miles in a year. It also produces enough nitrogen oxides to equal ~127,000 cars each driving 11,500 miles in a year. This is not insignificant pollution, and it is crucial members of the Maryland General Assembly understand this as part of the discussion. Choosing to maintain incinerators as "renewable" energy is both an environmental and economic detriment to Baltimoreans and beyond.

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<sup>1</sup> EPA National Emissions Inventory.

<https://www.epa.gov/air-emissions-inventories/2020-national-emissions-inventory-nei-data>

<sup>2</sup> British Medical Journal. Short-term exposure to air pollution and stroke: systematic review and meta-analysis. <https://www.bmj.com/content/350/bmj.h1295>

The EPA recognizes that *at least 75%* of our discards are reusable, recyclable, or compostable<sup>3</sup>. Image 3 provides the rough makeup of the waste sent to BRESKO from within Baltimore City, based on EPA figures.

The US Chamber of Commerce Foundation supports a transition to a zero waste economy, stating in its Beyond 34 report that even a 70% diversion rate would unlock *\$4.5 trillion* for the national economy by 2030, and that it “could be the biggest economic revolution”<sup>4</sup> of our country’s history. We can acknowledge the US Chamber of Commerce would not declare itself as some sort of liberal or “woke” bastion, so the call for a transition to a zero waste economy is universal, regardless if you are a Republican, Democrat, or independent.

Indeed, communities across the country are recognizing the value diverting materials out of incinerators and landfills can bring. We can look to Charlotte’s zero waste report, Circular Charlotte, where their vision is to bring zero waste jobs to communities of color and low income communities that have been left behind during the city’s growth over the last few decades. The difference in job creation between waste management methods could not be more stark. For every 10,000 tons of material incinerated, you create *one* job. Appropriately, WIN Waste has about 70 employees for the ~725,000 tons of trash it burns annually. And for every 10,000 tons of material landfilled, 4-6 jobs are created. But things begin to shift with recycling, which produces 36 jobs per 10,000 tons of material. Reuse and remanufacturing, however, produces *300* jobs per 10,000 tons of material managed<sup>5</sup>. Image 4 provides these numbers in a graph. Those jobs numbers *cannot* be produced if we continue to use trash incinerators and provide them subsidies in Maryland, as these facilities *cannot* turn any sort of profit without claiming most of the municipal solid waste stream.

The materials incinerated have significant value in the secondary market. Image 5 shows the value per ton of some of the most common materials recycled as of January 2024 in the northeast. This ranges from \$92.50 per ton of corrugated cardboard, to \$1,210/ton of aluminum cans<sup>6</sup>. Currently, Baltimore sends its recyclables to Recycle America in Elkridge, and pays a tipping fee. This means the city is not garnering any value from the recyclables sold to secondary markets, and is literally burning money with the balance of waste sent to BRESKO - in addition to the tipping fees it wastes with the incinerator.

I urge members of the State Senate and House to make this the year incineration is finally removed from our Renewable Portfolio Standard. Legislators identifying as conservatives often consider themselves as “fiscally responsible,” and those identifying as liberals typically express

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<sup>3</sup> EPA. Advancing Sustainable Materials Management.

<https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/advancing-sustainable-materials-management>

<sup>4</sup> US Chamber of Commerce Foundation. Beyond 34: Recycling and Recovery for a New Economy. [https://chamber-foundation.files.svdcdn.com/production/documents/B34CaseStudy\\_Layout\\_June20.pdf?dm=1694110497](https://chamber-foundation.files.svdcdn.com/production/documents/B34CaseStudy_Layout_June20.pdf?dm=1694110497)

<sup>5</sup> City of Charlotte. Circular Charlotte: Towards a zero waste and inclusive city. <https://www.metabolic.nl/publications/circular-charlotte-pdf/>

<sup>6</sup> RecyclingMarkets.net. Secondary materials pricing. <https://recyclingmarkets.net/secondarymaterials/index.html>

some level of concern for our environment. Removing incineration from Tier 1 of the RPS allows for both stances to win. **A favorable, bipartisan decision will help move Maryland into the 21st century, unlocking an economic revolution.**

Please reach out if you have any questions.

Dante Swinton  
Founder and Executive Director  
Our Zero Waste Future Incorporated  
Ourzwf.org  
ourzwf@gmail.com  
864-371-2574

## HOW WIN WASTE RANKS AMONG OTHER STATIONARY POLLUTERS IN BALTIMORE CITY

**1**

### CARBON DIOXIDE

*>1 billion lbs. annually*

1. American Sugar - 240 mil. lbs.
2. Johns Hopkins Hospital - 210 mil. lbs.

**1**

### LEAD

*~400 lbs. annually*

2. Pier 7 - 20 lbs.
3. UM Baltimore - 1 lb.

**2**

### METHANE

*~510,000 lbs. annually*

1. Quarantine Road Landfill - 3 mil. lbs.
3. Johns Hopkins Hospital - 12,000 lbs.

**1**

### MERCURY

*~90 lbs. annually*

2. US Gypsum - 40 lbs.
3. Kaydon Ring - < 1 lb.

**1**

### NITROGEN OXIDES

*~2 million lbs. annually*

2. American Sugar - 270,000 lbs.
3. Vicinity - 259,000 lbs.

**4**

### PARTICULATE MATTER 2.5

*~18,600 lbs. annually*

1. W.R. Grace - 219,500 lbs.
2. Gold Bond - 35,000 lbs.

**1**

### SULFUR DIOXIDE

*575,000 lbs. annually*

1. Gold Bond - 18,000 lbs.
2. Buckeye Terminals- 17,000 lbs.

**2**

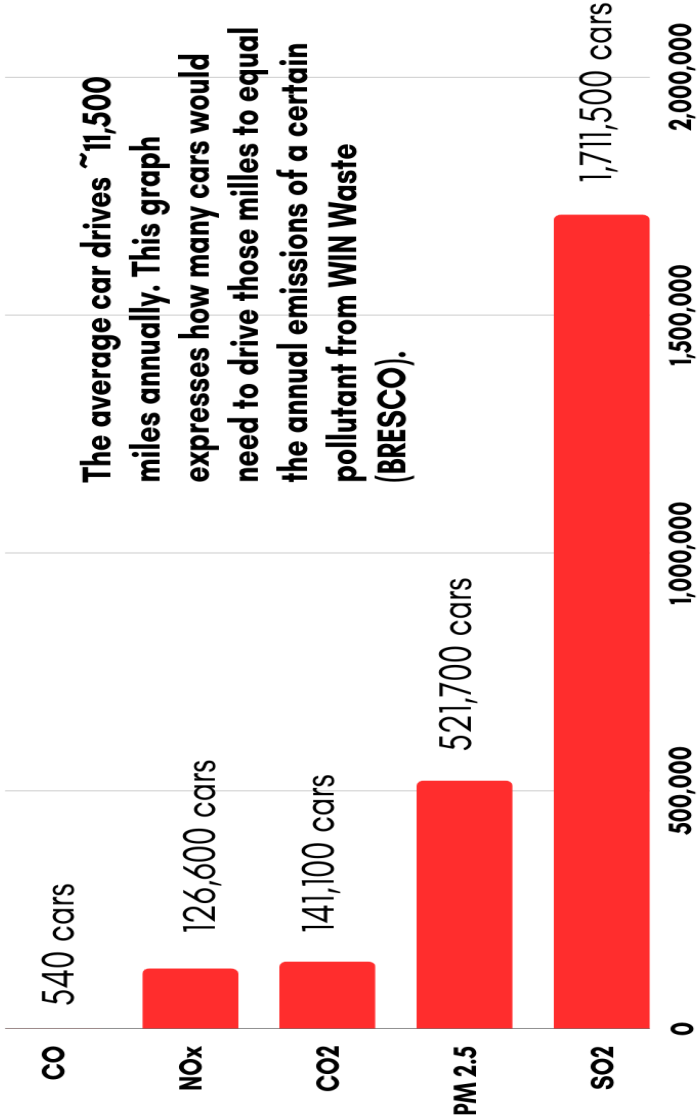
### FORMALDEHYDE

*~3,900 lbs. annually*

1. Gold Bond - 5,600 lbs.
3. US Gypsum - 2,900 lbs.



# But just how dirty is WIN Waste Baltimore (BRESCO)?

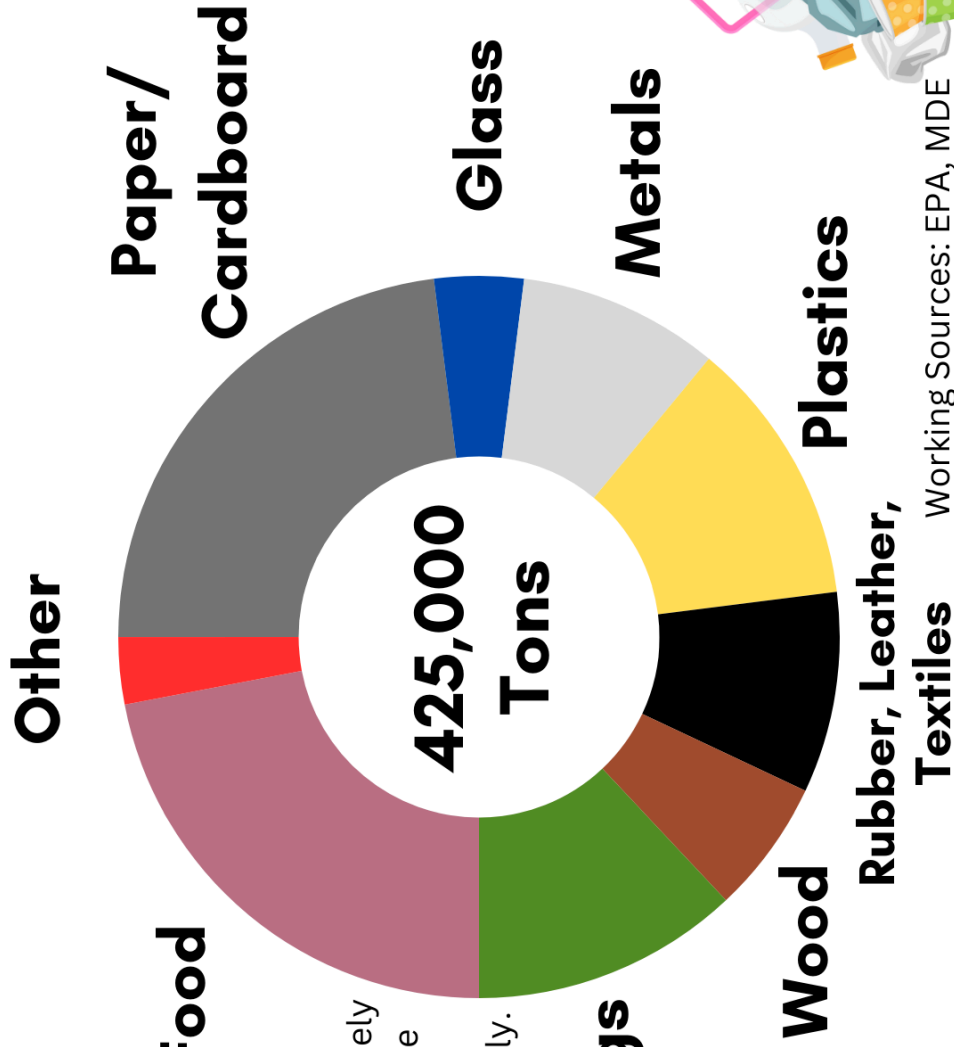


Sources for calculations: EPA, EPA National Emissions Inventory

# So what's in the trash?

Baltimore send approximately 425,000 tons of trash to the incinerator through public and private sources annually.

## Yard Trimmings



Working Sources: EPA, MDE

# JOBS, JOBS, JOBS

Jobs per 10,000 Tons of Material Processed

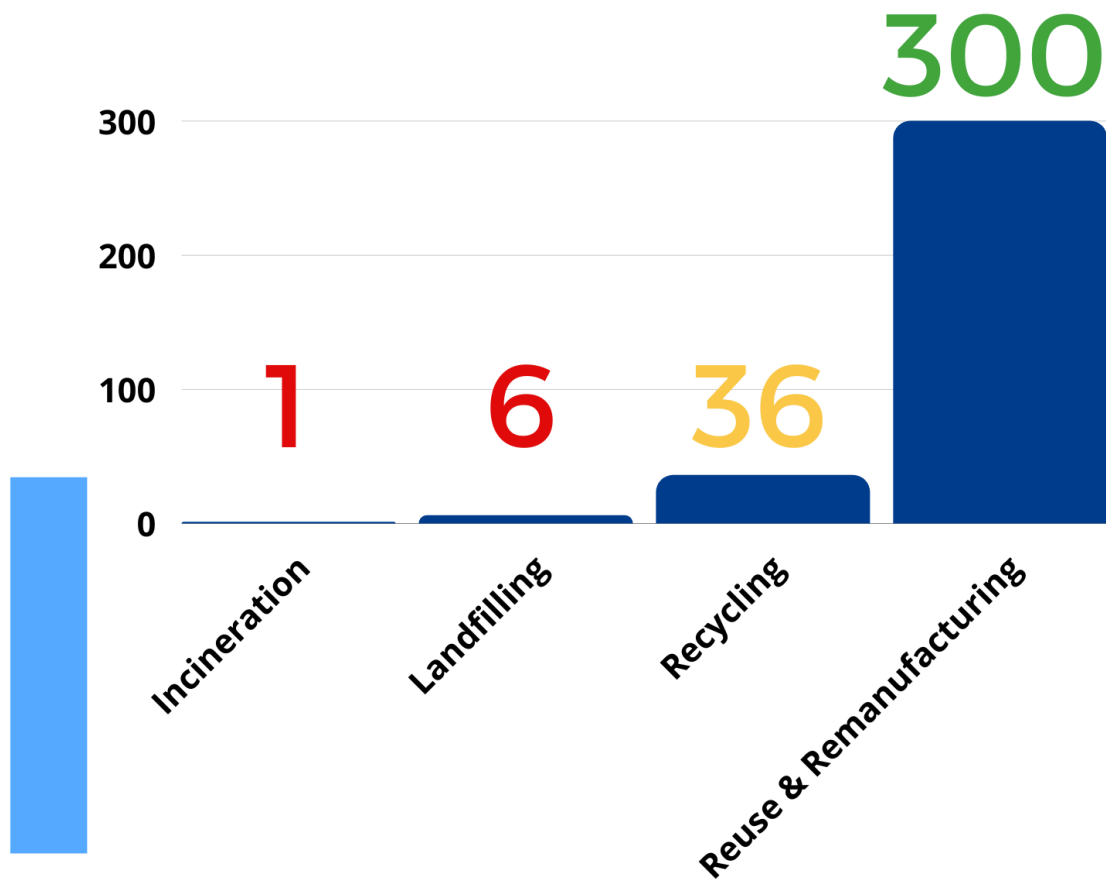
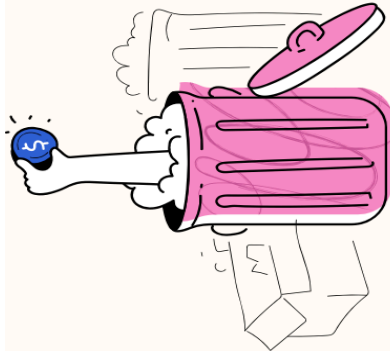


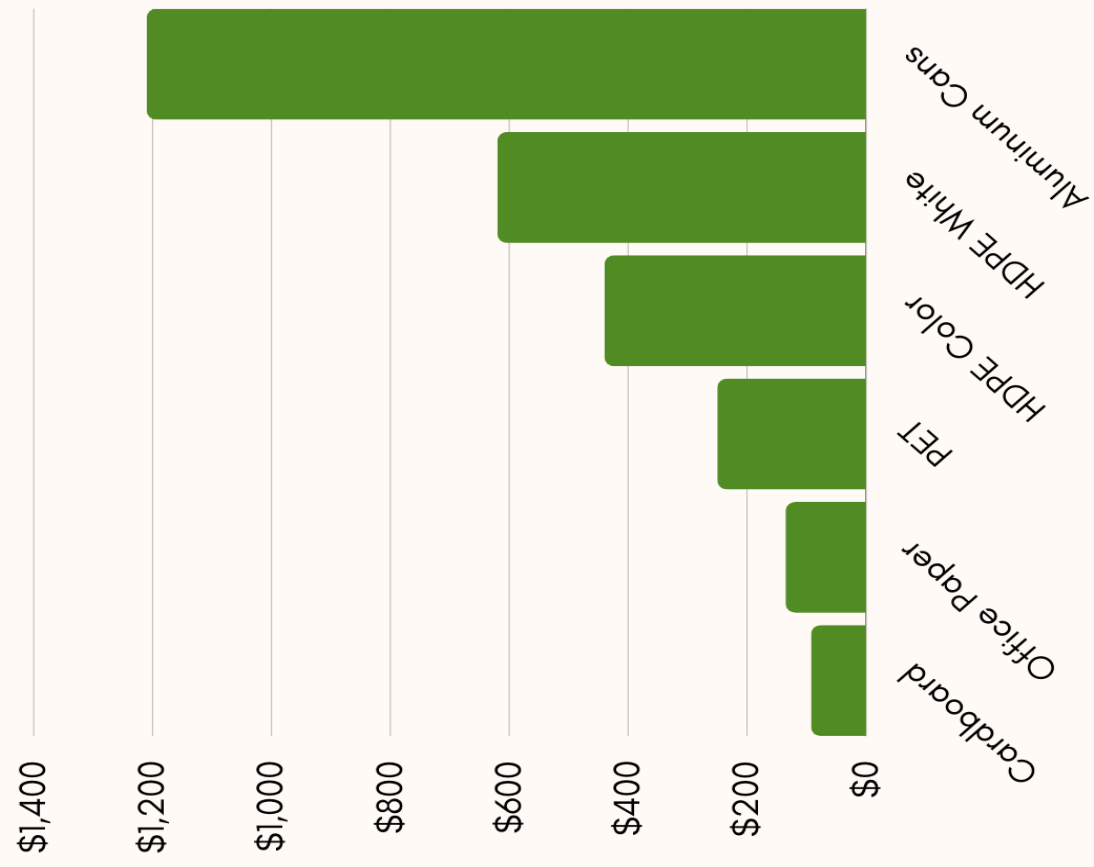
Image 2. Job creation per 10,000 tons of materials processed. Sources: Circular Charlotte, EPA, Institute for Local Self-Reliance



# TRASH INTO TREASURE

The stuff we throw away could make us money

Material values per ton in the northeast, as of January 2024



Source: [recyclingmarkets.net/secondarymaterials](https://recyclingmarkets.net/secondarymaterials)



# **SB146 Reclaim Renewable Energy Act.pdf**

Uploaded by: Daryl Yoder

Position: FAV

Dear Education, Energy, and the Environment Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with the Baltimore Transit Equity Coalition (BTEC). I am a resident of District 44A. **I am testifying in support of the Reclaim Renewable Energy Act of 2024, SB0146.**



Maryland needs to take action on climate change, and needs to find ways to do so this year that do not require any money from the state budget. As Senate President Ferguson recently said “this is a year about prioritizing the resources that we have.” Over three years, the total subsidies to trash incinerators (including out-of-state companies) through Maryland’s RPS ballooned from \$11.5 million in 2020 to \$24.7 million in 2022, while a new 2023 study in PLOS Climate found that “incinerators emit more greenhouse gas emissions per unit of electricity produced than any other power source” - including coal plants. That makes this subsidy doubly bad policy for Marylanders and our goals and a perfect target for cuts. This bill does just that by excluding incineration of waste and refuse-derived fuel from the “tier1 renewable source” category of the state’s renewable energy portfolio.

The state isn’t the only stakeholder being being forced to pay subsidies to polluting fuel sources under the guise of renewable energy: so are state taxpayers. The RPS subsidy is paid by electric utilities, and ultimately comes out of our utility bills. We deserve to know that when we’re paying for renewable energy, we’re actually helping support the renewable energy we need to fight climate change and clean our air.

Finally, the subject matter experts in the state’s own Department of the Environment and Commission on Climate Change both recently published reports supporting this action.

It is for these reasons that I am encouraging you to vote **in support of the Reclaim Renewable Energy Act of 2024, SB0146.**

Thank you for your time, service, and consideration.

Sincerely,  
Daryl Yoder  
309 Glenmore Ave.  
Catonsville, MD 21228  
Showing Up for Racial Justice Baltimore

**Eileen SB0146Testimony .pdf**

Uploaded by: Eileen Finn

Position: FAV



# PROGRESSIVE MARYLAND

P.O. Box 6988 Largo, MD 20792  
www.ProgressiveMaryland.org  
Contact@ProgressiveMaryland.org  
Facebook.com/ProgressiveMaryland  
@Progressive\_MD

## Testimony on Maryland Senate Bill 146 Reclaim Renewable Energy Act

**TO:** Chair Feldman, Vice Chair Kagan, and members of the committee

**FROM:** Eileen Fin, Progressive Maryland Environmental Task Force Member

**DATE:** January 25, 2024

**POSITION:** Favorable

Dear Chairman Feldman and members of the committee:

As a Baltimore County, District 8 resident, a Maryland taxpayer, and a member of the Environmental Justice Task Force of Progressive Maryland, I am writing to express my strong support of SB146, the Reclaim Renewable Energy Act.

In our pursuit of a sustainable future, the focus on clean energy sources has become paramount. However, not all methods labeled as "clean" align with the genuine principles of sustainability. According to a new PLOS 2023 study, "trash incinerators have been proven to emit more greenhouse gas emissions per unit of electricity than any other power source"-including coal. It is crucial for the state to prioritize energy sources that have been proven to be clean and to use our tax dollars to support a future that ensures all Marylanders have clean air and water.

Compounding the environmental and health concerns is the fact that tax dollars are subsidizing trash incineration. This raises ethical questions about the use of public funds to support a practice that contradicts the principles of clean energy and sustainability. Redirecting these subsidies towards genuinely clean and renewable energy sources would not only benefit the environment and public health but also ensure a more responsible use of taxpayer money.

Maryland needs to start investing in more environmentally friendly sources of energy. By fostering a diversified portfolio of renewable energy sources, we can accelerate the transition towards a cleaner and more sustainable energy landscape. Investments in technologies such as solar, wind, and hydropower are not only more environmentally responsible but also contribute to the growth of industries that align with the principles of sustainability.

The exclusion of trash incineration from the clean energy category is a crucial step toward ensuring a sustainable, healthy, and economically responsible future. By redefining our understanding of clean energy, we can prioritize environmentally responsible practices, protect public health, and contribute to the advancement of a circular economy. Policymakers must recognize the true impact of trash

incineration and take decisive action to promote cleaner, greener alternatives that align with our vision for a sustainable world, all while utilizing taxpayer dollars responsibly.

For these reasons, **we respectfully urge a favorable report on SB146.**

Respectfully,

Eileen Finn

# Support for SB 146.pdf

Uploaded by: Elizabeth Law

Position: FAV

**Testimony Supporting SB146**  
**Senate Education, Energy, and the Environment Committee**  
**January 25, 2023**

**Position: SUPPORT**

Dear Chair Feldman and Members of the Committee,

As a resident of Frederick County, a Maryland ratepayer and Chair of the Fellowship of Scientist and Engineers I am writing to express my strong support of SB146, the Reclaim Renewable Energy Act.

These funds should be spent on renewable energy such as solar and offshore wind, not polluting incinerators, and especially not incinerators that operate out of state but are subsidized by Maryland ratepayers.

**Maryland needs to take action on climate change.** We need to be funding renewable energy development and taking the climate crisis seriously. The RPS is an important tool to support clean, renewable energy development and decrease emissions from the electricity sector. These funds should be used to promote solar and offshore wind installations.

**Maryland needs to tighten its belt - this is the year to stop wasting money. Passing the Reclaim Renewable Energy Act will not cost any money out of the state budget and will better prioritize the money we already spend.**

Maryland needs to invest in climate solutions and finding funding for the \$1 billion called for in Maryland's Climate Pollution Reduction Plan poses a significant challenge. Governor Moore recently [said](#) about his state budget proposal: "Where we choose to invest that actually defines our values and dictates the course of our future." Senate President Ferguson recently [said](#) about the budget: "I think this is a year about prioritizing the resources that we have."

**Maryland is wasting an increasing amount of money subsidizing trash incineration.** Over three years, due to the market-based nature of the subsidy (the amount of electricity produced by incinerators has not increased), **the total subsidies to trash incinerators through Maryland's RPS ballooned from \$11.5 million in 2020 to \$24.7 million in 2022.** This is an incredible windfall for the incinerators, and bad for Marylanders. We can't afford to keep wasting increasing amounts of money profiting something that's not putting renewable energy on the grid.

**A trash incinerator in Virginia is making the most profit from Maryland ratepayers.** The BRESKO incinerator in Baltimore received \$4.2 million; the Montgomery County incinerator in Dickerson received \$8.7 million, and the Covanta incinerator in Lorton, VA, received a windfall of \$11.7 million - twice as much as Montgomery County's incinerator and three times as much as the incinerator in Baltimore. **A lot of good could be done with this money!**

**This waste of money harms Maryland electricity ratepayers.** The RPS subsidy is paid by electric utilities, and ultimately comes out of our utility bills. We deserve to know that when we're paying for renewable energy, we're actually helping support the renewable energy we need to fight climate change and clean our air.

**State government supports this bill.** It's recommended in the [Climate Pollution Reduction Plan](#) that MDE just released at the end of December, and also recommended by the Maryland Commission on Climate Change's [2023 Annual Report](#).

**Trash incineration is a very polluting method of producing electricity.** [A new 2023 study in PLOS Climate](#) found that "incinerators emit more greenhouse gas emissions per unit of electricity produced than *any* other power source" - including coal plants. [EPA's Emissions Inventory](#) indicates that in 2020, the three trash incinerators profiting from Maryland's RPS emitted 2.5 million tons of CO2 into the atmosphere. Incineration emits mercury and lead, which are not safe at any level of exposure.

Sincerely,  
Elizabeth Law



# **SB146 Reclaim Renewable Energy Act.pdf**

Uploaded by: Erica Palmisano

Position: FAV

Dear Education, Energy, and the Environment Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with the Baltimore Transit Equity Coalition (BTEC). I am a resident of 12. **I am testifying in support of the Reclaim Renewable Energy Act of 2024, SB0146.**



Maryland needs to take action on climate change, and needs to find ways to do so this year that do not add additional costs to the state budget. As Senate President Ferguson recently said “this is a year about prioritizing the resources that we have.” Over three years, the total subsidies to trash incinerators (including out-of-state companies) through Maryland’s RPS ballooned from \$11.5 million in 2020 to \$24.7 million in 2022, while a new 2023 study in PLOS Climate found that “incinerators emit more greenhouse gas emissions per unit of electricity produced than any other power source” - including coal plants. That makes this subsidy doubly bad policy for Marylanders and our goals and a perfect target for cuts. This bill does just that by excluding incineration of waste and refuse-derived fuel from the “tier1 renewable source” category of the state’s renewable energy portfolio.

The state isn’t the only stakeholder being forced to pay subsidies to polluting fuel sources under the guise of renewable energy: so are state taxpayers. The RPS subsidy is paid by electric utilities, and ultimately comes out of our utility bills. We deserve to know that when we’re paying for renewable energy, we’re actually helping support the renewable energy we need to fight climate change and clean our air.

Finally, the subject matter experts in the state’s own Department of the Environment and Commission on Climate Change both recently published reports supporting this action.

It is for these reasons that I am encouraging you to vote **in support of the Reclaim Renewable Energy Act of 2024, SB0146.**

Thank you for your time, service, and consideration.

Sincerely,  
Erica Palmisano  
5580 Vantage Point Rd, Columbia, MD 21044  
Showing Up for Racial Justice Baltimore

**SB0146 Written Testimony(G. Roque).pdf**

Uploaded by: Gaby Roque

Position: FAV



**Testimony in SUPPORT of SB0146**  
**Renewable Energy Portfolio Standard - Eligible Sources - Alterations**  
**(Reclaim Renewable Energy Act of 2024)**  
**Senate Education, Energy, and the Environment Committee**  
Gabriela Roque, On Behalf of CASA

January 25 2024

Dear Honorable Chair Wilson and Members of the Committee,

CASA is pleased to offer **favorable testimony in support of SB0146 - Renewable Energy Portfolio Standard - Eligible Sources - Alterations (Reclaim Renewable Energy Act of 2024)**. CASA is a member-based grassroots advocacy organization giving voice to working-class immigrants and families in Maryland. We are here today because we are committed to achieving a just and equitable energy transition for our members.

SB0146 is important legislation that will address the problematic inclusion of polluting power plants, like trash incineration, woody biomass and factory farm methane gas in the Maryland Renewable Energy Portfolio.

Members of this committee know the statistics of the dangerous levels of air pollution the most marginalized communities of our state are forced to live with and can reason how subsidizing these polluting power plants alongside truly low-emitting sources of energy will slow our progress in reducing greenhouse gas emissions and mitigating the worse outcomes of an increasingly hot and unstable climate.

So what I'd like to add to your consideration for this vote is the story of one person harmed by the air pollution currently being subsidized as the law is now. Sandra Lovo is a CASA leader whose son was born with pulmonary hypertension because of her exposure to air pollution in South Baltimore. The majority of that pollution comes from the Bresco trash incinerator alone.

CASA urges the members of this committee to put themselves in Sandra's shoes and vote as if it were your little one who's tiny lungs were damaged and struggled to take in air, who's first month of life depended on a breathing tube, and who from that moment on needed to take medication daily to avoid an asthma attack.

CASA urges a favorable report for SB0146 because any energy source that comes at the expense of a child's ability to breathe, like Sandra Lovo's son, is not a sustainable energy source that should receive investment and profit from Maryland taxpayers. Thank you.

Gabriela Roque  
Climate Justice Training Manager  
groque@wearecasa.org, 240-457-8378

# **TRPSclean-upChesapeake Physicians for Social Respo**

Uploaded by: Gwen DuBois

Position: FAV



SB0146

Renewable Energy Portfolio Standard- Eligible Alterations (Reclaim Renewable Energy Act of 2024).

Education, Energy and the Environment

January 25, 2024

FAVORABLE (SUPPORT)

Chesapeake Physicians for Social Responsibility (CPSR) supports SB0146. We are a statewide evidenced-based, organization of over 900 physicians, and other health professionals and supporters, that addresses the existential public health threats: nuclear weapons, the climate crisis and the issues of pollution and toxics' effect on health as seen through the intersectional lens of environmental, social and racial justice. As an organization founded by physicians, we understand that prevention is far superior to treatment in reducing costs; death, illness, injury, and suffering.

Incineration should come out of the Renewable Portfolio Standard and should never have been there in the first place. Waste-to-energy incineration is more polluting and produces more CO<sub>2</sub> per unit of energy than even coal fired power plants.<sup>1</sup> Incineration emits nitrous oxide (N<sub>2</sub>O), another greenhouse gas<sup>2</sup> which is emitted during the combustion of solid waste. Trucks hauling waste to and from incinerators are an important source of additional greenhouse gases.<sup>3</sup>

This bill is not intended to shut down incinerators, only to remove subsidies that are designed for clean renewable energy. Removing incinerators will allow credits to go to and subsidize truly renewable energy. Incinerators out of state and in state should not be entitled to receive credits from the Renewable Portfolio Standards.

Chesapeake Physicians for Social Responsibility is concerned by the additional health harms from incineration including Baltimore's Wheelabrator municipal waste incinerator, which was

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<sup>1</sup> <https://environmentalintegrity.org/news/eip-report-waste-to-energy-incinerators-pollute-more-per-of-hour-of-energy-than-coal-fired-power-plants-and-are-not-renewable/>

<sup>2</sup> <https://www.epa.gov/ghgemissions/overview-greenhouse-gases#nitrous-oxide>

<sup>3</sup> [https://www.epa.gov/ghgemissions/sources-greenhouse-gas-emissions#:~:text=Transportation%20\(28%25%20of%202021%20greenhouse,ships%2C%20trains%2C%20and%20p lanes.](https://www.epa.gov/ghgemissions/sources-greenhouse-gas-emissions#:~:text=Transportation%20(28%25%20of%202021%20greenhouse,ships%2C%20trains%2C%20and%20p lanes.)

identified as the single largest industrial polluter in Baltimore in 2017.<sup>4</sup> It emits mercury, dioxin, nitrogen oxides and just one year's direct and indirect health costs from PM2.5 (fine and ultrafine particulate matter) in Maryland was estimated to be nearly \$22 million.<sup>5</sup> This bill won't eliminate that pollution, because it doesn't shut the incinerators down. It just eliminates a subsidy incinerator shouldn't have been receiving in the first place. Spending that money, that has been profiting the trash incinerators, on renewable energy development instead, will clean our grid and clean our air.

Chesapeake Physicians for Social Responsibility supports SB 0146, removing incineration from the Renewable Portfolio Standards. We should not be subsidizing that which is increasing greenhouse gases and other health harms.

Gwen L. DuBois MD, MPH  
President, Chesapeake Physicians for Social Responsibility  
gdubois@jhsph.edu  
<https://www.chesapeakepsr.org/>

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<sup>4</sup> <https://www.baltimoresun.com/news/environment/bs-md-trash-incineration-20171107-story.html>

<sup>5</sup> <https://www.cbf.org/document-library/cbf-reports/thurston-wheelabrator-health-impacts-2017.pdf>

# **SB146 Reclaim Renewable Energy Act.pdf**

Uploaded by: Holly Powell

Position: FAV



Dear Education, Energy, and the Environment Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with the Baltimore Transit Equity Coalition (BTEC). I am a resident of **District 46**. **I am testifying in support of the Reclaim Renewable Energy Act of 2024, SB0146.**



Maryland needs to take action on climate change, and needs to find ways to do so this year that do not cost any money out of the state budget. As Senate President Ferguson recently said “this is a year about prioritizing the resources that we have.” Over three years, the total subsidies to trash incinerators (including out-of-state companies) through Maryland’s RPS ballooned from \$11.5 million in 2020 to \$24.7 million in 2022, while a new 2023 study in PLOS Climate found that “incinerators emit more greenhouse gas emissions per unit of electricity produced than any other power source” - including coal plants. That makes this subsidy doubly bad policy for Marylanders and our goals and a perfect target for cuts. This bill does just that by excluding incineration of waste and refuse-derived fuel from the “tier1 renewable source” category of the state’s renewable energy portfolio.

The state isn’t the only stakeholder being being forced to pay subsidies to polluting fuel sources under the guise of renewable energy: so are state taxpayers. The RPS subsidy is paid by electric utilities, and ultimately comes out of our utility bills. We deserve to know that when we’re paying for renewable energy, we’re actually helping support the renewable energy we need to fight climate change and clean our air.

Finally, the subject matter experts in the state’s own Department of the Environment and Commission on Climate Change both recently published reports supporting this action.

It is for these reasons that I am encouraging you to vote **in support of the Reclaim Renewable Energy Act of 2024, SB0146.**

Thank you for your time, service, and consideration.

Sincerely,  
**Holly Powell**  
**2308 Cambridge Street**  
**Baltimore, Maryland 21224**  
Showing Up for Racial Justice Baltimore

# **CCAN Testimony for Reclaim Renewables 2024 (2).pdf**

Uploaded by: Jamie DeMarco

Position: FAV

**Testimony in Support of The Reclaim Renewables Act  
SB0146  
Education, Energy, and Environment Committee  
1/25/24**

**Jamie DeMarco, Maryland Director  
Chesapeake Climate Action Network Action Fund**

On behalf of the Chesapeake Climate Action Network Action Fund, I urge a favorable report on SB0146.

As the Moore Administration stated in Maryland's Climate Pollution Reduction Plan, the state of Maryland should not subsidize burning trash as a source of electricity. The incinerators that Maryland subsidizes through the Renewable Portfolio Standard (RPS) existed for decades before they were added to tier 1 of the RPS, and they will exist after they are no longer included in the RPS. The \$26 million that Maryland ratepayers give to trash incinerators every year does nothing to create new electricity generation. If trash were removed from the RPS then those 26 million dollars could go to helping to create new wind and solar generation which will lower energy costs, improve air quality, and reduce carbon pollution.

Ending subsidies for trash incineration would have no impact on the amount of trash that is incinerated or the amount of trash going to landfills. The only real world change that ending the subsidies would cause is for more wind and solar to be built.

This is a bill about not wasting ratepayer dollars on facilities that do not need and don't deserve them, and reinvesting those valuable dollars into truly clean, renewable sources that benefit Marylanders.

Respectfully,  
Jamie DeMarco

**CONTACT**  
**Jamie DeMarco, Maryland Director**  
[jamie@chesapeakeclimate.org](mailto:jamie@chesapeakeclimate.org), 443-845-5601



# **Reclaim Renewable Energy Act 24 JAN 2024.pdf**

Uploaded by: Jan Kleinman

Position: FAV

Dear Education, Energy, and the Environment Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with the Baltimore Transit Equity Coalition (BTEC). I am a resident of District 40, Hampden, Baltimore City. **I am testifying in support of the Reclaim Renewable Energy Act of 2024, SB0146.**



Maryland needs to take action on climate change and soon, if not immediately. Furthermore, given Maryland's fiscal situation, we need to find ways to do so that do not cost any money out of the state budget. As Senate President Ferguson recently said "this is a year about prioritizing the resources that we have." Over three years, the total subsidies to trash incinerators (including out-of-state companies) through Maryland's Renewable Portfolio Standard (RPS) ballooned from \$11.5 million in 2020 to \$24.7 million in 2022, while a new 2023 study in PLOS Climate found that "incinerators emit more greenhouse gas emissions per unit of electricity produced than any other power source" - including coal plants. That makes this subsidy doubly bad policy for Marylanders. This is a perfect target for cuts. This bill does just that by excluding incineration of waste and refuse-derived fuel from the "tier1 renewable source" category of the state's renewable energy portfolio.

The state isn't the only stakeholder being forced to pay subsidies to polluting fuel sources under the guise of renewable energy: so are state taxpayers. The RPS subsidy is paid by electric utilities, and ultimately comes out of our utility bills. We deserve to know that when we're paying for renewable energy, we're actually helping support the renewable energy we need to fight climate change and clean our air.

Finally, the subject matter experts in the state's own Department of the Environment and Commission on Climate Change both recently published reports supporting this action.

It is for these reasons that I am encouraging you to vote **in support of the Reclaim Renewable Energy Act of 2024, SB0146.**

Thank you for your time, service, and consideration.

Sincerely,  
Jan Kleinman  
816 Union Ave  
Baltimore, MD 21211  
Showing Up for Racial Justice Baltimore

# **MD Gen Assem Jan 25 2024 testimony.pdf**

Uploaded by: jeffrey barnes

Position: FAV



1/25/2024

## Testimony in Support of SB 146:

**Jeffrey Barnes**

4209 Audrey Ave #1

Baltimore, MD 21225

January 24 2024

Chairperson Feldman and Members of the Committee,

My name is Jeffrey Barnes working with the Progressive Maryland ***Environmental Justice Task Force***.

As a ratepayer, a resident of Brooklyn in the 46th district, and a homeowner concerned about our environment, I am writing to express my strong support of SB146, the Reclaim Renewable Energy Act. This crucial legislation is not just about technical definitions; it is about upholding the true spirit of renewable energy and protecting the health and well-being of our communities in the face of the very real climate crisis.

For years, we have touted Maryland as a leader in renewable energy, but our legal definition of "renewable" has been flawed and compromised by the inclusion of sources like waste incineration in the Renewable Portfolio Standard (RPS) which come at a heavy cost: air and water pollution contributing to climate change and environmental degradation and marginalizing communities with environmental injustice, placing them on the front lines of pollution and health risks. Also by creating a misleading picture of our emissions reduction efforts. Trash incineration is not a green solution, it is greenwashing. SB146 corrects this mistake by removing trash incineration from the RPS.

Our government should not be spending our money on sources of energy that pollute our air. The government should be directing those funds towards truly clean, renewable energy sources like solar, wind, and geothermal that do not harm our community.

I live about 4 miles from the incinerator in Baltimore and I can attest that trash burning is not renewable nor clean under any definition.

We must correct a mistake made years ago when trash burning incinerators were added as a clean and renewable energy source. Pass SB 146 and show Marylanders that we are all serious about clean energy, environmental justice, and a healthy future for our state.



**SB0146 - 81 organization sign on - FAVORABLE.pdf**

Uploaded by: Jennifer Kunze

Position: FAV

**Testimony Supporting SB146**  
**Senate Education, Energy, and the Environment Committee**  
**January 25, 2024**

**Position: SUPPORT**

Dear Chair Feldman and Members of the Committee,

The undersigned **81 organizations** urge you to pass the Reclaim Renewable Energy Act (SB146) to stop wasting Maryland residents' money and make more funding available for real renewable energy - at no additional cost to the state budget. Trash incineration is neither clean nor renewable; its inclusion in the Renewable Portfolio Standard (RPS) is counter to the program's goals. Maryland ratepayers would be better served if their funds currently subsidizing trash incineration were supporting real renewable energy instead. With both government and advocate support, 2024 is the year to eliminate trash incineration from the RPS.

**The purpose of the RPS is to support clean, renewable energy, which Maryland needs now more than ever.** When establishing the RPS in 2004, the legislature wrote that the benefits of renewable energy include "long-term decreased emissions" and "a healthier environment." Since 2004, the urgency of supporting renewable energy development in Maryland and throughout our grid has only become greater. Maryland must urgently act to reduce greenhouse gas emissions and carefully assess how we are spending the state's resources to fight climate change, including the effectiveness of the Renewable Portfolio Standard program at delivering long-term decreased emissions and a healthier environment.

**Maryland is wasting an increasing amount of RPS money on trash incineration, much of it out of state.** Over three years, due to the market-based nature of the subsidy (the amount of electricity produced by incinerators has not increased), the total subsidies to trash incinerators through Maryland's RPS ballooned from \$11.5 million in 2020 to \$24.7 million in 2022. In 2022, the BRESCO incinerator in Baltimore received \$4.2 million; the Montgomery County incinerator in Dickerson received \$8.7 million, and the Covanta incinerator in Lorton, VA, received a windfall of \$11.7 million - twice as much as Montgomery County's incinerator and three times as much as the incinerator in Baltimore. If these trends continue and trash incineration remains in the RPS, Maryland ratepayers will be increasingly harmed: we will be wasting ever-increasing amounts of money, much of it out of state, that isn't putting renewable power on the grid.

**Trash incineration is not clean, renewable energy and is contradictory to the goals of the RPS.** Trash incineration is among the dirtiest methods of producing electricity. [A new 2023 study in PLOS Climate](#) found that "incinerators emit more greenhouse gas emissions per unit of electricity produced than *any* other power source" - even coal plants. [EPA's Emissions Inventory](#) indicates that in 2020, the three trash incinerators profiting from Maryland's RPS emitted 2.5 million tons of CO2 into the atmosphere. New emissions limits required at the BRESCO incinerator by a [court settlement in 2020](#) do not include *any* requirement to decrease CO2 emissions and allow the incinerator to continue to emit mercury and lead, which are not safe for

human exposure at any level. In its [Final Report Concerning the Maryland Renewable Portfolio Standard](#), the Maryland Power Plant Research Program analyzed the emissions profile of the Renewable Portfolio Standard and found that “the Maryland RPS has resulted in modest greenhouse gas reductions but may be working at cross-purposes with the state’s efforts to reduce nitrogen oxides (NOx) and sulfur dioxide (SO2) emissions,” in part because of the inclusion of trash incineration. In the Reclaim Renewable Energy Act, the legislature has a choice between making millions of dollars available to support real renewable energy that delivers long-term decreased emissions and a healthier environment, or to support trash incineration. The choice is clear: Maryland should support energy sources that emit no CO2, mercury, or lead, instead of those that do.

**Eliminating trash incineration from the RPS is a budget-neutral means of making more money available for renewable energy.** Maryland needs to invest in climate solutions, and finding funding for the \$1 billion per year called for in Maryland’s Climate Pollution Reduction Plan poses a significant challenge as the state budget contracts. Analyses consistently show that passing the Reclaim Renewable Energy Act is not associated with a financial cost to the state. Instead it will redistribute the subsidy Maryland ratepayers already pay that had been wasted profiting trash incinerators to support renewable energy sources that remain in the RPS.

**This action is recommended in Maryland’s [Climate Pollution Reduction Plan](#).** In the plan released last month, the Maryland Department of the Environment recommends aligning the Renewable Portfolio Standard with the forthcoming Clean Power Standard. Although details of the Clean Power Standard are under development, one important detail is clear: the plan specifies that the Clean Power Standard will not include trash incineration (pages 21, 23). On page 90, the plan lists recommended legislative actions, including:

*Legislative Action #2: Modify the Renewable Portfolio Standard - In consultation with MDE and MEA, pass legislation to modify the definitions of qualifying resources in the RPS to align with definitions of clean power resources under the forthcoming Clean Power Standard.*

Likewise, the **Maryland Commission on Climate Change’s [2023 Annual Report](#)** recommends:

*Mitigation Working Group Recommendation #18: Due to the energy source’s contributions to the state’s GHG emissions, the General Assembly should adopt legislation to remove municipal solid waste incineration as an eligible generating source from the RPS.*

Maryland governmental bodies, climate experts, renewable energy business, environmental and environmental justice advocates, and community organizations are united: burning trash is not clean energy, and Maryland must stop subsidizing it through the Renewable Portfolio Standard.

Sincerely,

Mid-Atlantic Justice Coalition  
Clean Water Action  
Chesapeake Climate Action Network  
Food and Water Watch  
Indivisible HoCoMD  
Unitarian Universalist Legislative Ministry of Maryland  
Progressive Maryland  
Institute for Local Self-Reliance  
Cedar Lane Unitarian Universalist Environmental Justice Ministry  
Mountain Maryland Movement  
Beaverdam Creek Watershed Watch Group  
Montgomery Countryside Alliance  
Centro de Apoyo Familiar  
Chesapeake Physicians for Social Responsibility  
CASA  
Maryland PIRG  
Environment Maryland  
League of Women Voters of Maryland  
Cleanwater Linganore Inc.  
Climate Communications Coalition  
Concerned Citizens Against Industrial CAFOS (CCAIC)  
Waterkeepers Chesapeake  
Sugarloaf Citizens Association  
Environmental Integrity Project  
Envision Frederick County  
Glen Echo Heights Mobilization  
Safe Healthy Playing Fields Inc  
Friends of Sligo Creek  
Elders Climate Action  
Ask the Climate Question  
South Baltimore Community Land Trust  
Zero Waste Montgomery County  
Howard County Climate Action  
Fellowship of Scientists and Engineers  
Sugarloaf Alliance  
Maryland Legislative Coalition  
Gwynns Falls Community Association  
Maryland Legislative Coalition Climate Justice Wing  
National Aquarium  
Maryland Energy Advocates  
Nuclear Information and Resource Service  
The Climate Mobilization, Montgomery County chapter  
Mobilize Frederick  
Climate Law & Policy Project

Echotopia LLC  
Baltimore Phil Berrigan Memorial Chapter Veterans For Peace  
Compost Crew  
Maryland Latinos Unidos (MLU)  
Beyond Extreme Energy  
350.org  
Baltimore Transit Equity Coalition  
Climate Reality Greater Maryland  
Third Act Maryland  
Casa de Restauracion Hispana Cristiana  
Public Employees for Environmental Responsibility  
Maryland Catholics for Our Common Home  
Baltimore 350  
Ebenezer Church of God  
Milagros de Jesucristo Inc  
Maryland Green Party  
Blue Water Baltimore  
Community Development Network of Maryland  
Sentinels of Eastern Shore Health  
The Center for Community Engagement, Environmental Justice, and Health (CEEJH)  
1199SEIU United Healthcare Workers East  
Green Sanctuary Committee of the Unitarian-Universalist Church of Silver Spring  
Audubon Mid-Atlantic  
Earthjustice  
Baltimore Community ToolBank  
Biodiversity for a Livable Climate  
Sustainable Hyattsville  
Climate Change Working Group of Frederick County  
Potomac Riverkeeper Network  
Gunpowder Riverkeeper  
Neighborhood Sun  
Maryland Ornithological Society  
Iglesia Pentecostes Manantiales de Agua Viva  
Timothy Baptist Church  
#CoalFreeCurtisBay  
Emmanuel United Methodist Church, Laurel, MD  
BWCUMC Creation Care Team

# **SB0146 - Clean Water Action - FAV.pdf**

Uploaded by: Jennifer Kunze

Position: FAV

**Testimony Supporting SB146**  
**Senate Education, Energy, and the Environment Committee**  
**January 25, 2024**

**Position: SUPPORT**

Dear Chair Feldman and Members of the Committee,

Clean Water Action strongly urges you to pass the Reclaim Renewable Energy Act, SB146, in the 2024 legislative session. As the state moves forward with ambitious climate pollution reduction goals requiring significant investments while simultaneously tightening the state's budget, ensuring that we are investing our existing renewable energy money in the right places is more necessary than ever. The Reclaim Renewable Energy Act, by eliminating trash incineration from the Renewable Portfolio Standard and creating space in the program that will be filled by the remaining eligible sources, will create significant new investments in renewable energy without costing the state budget a penny.

**Maryland is wasting an increasing amount of money on the RPS, much of it out of state.**

Analysis of the last three years of [data available from the Public Service Commission](#) shows that the average price per REC from trash incinerators is increasing dramatically, wasting more Maryland money on an energy source that does not put clean energy onto our grid.

	<b>2020</b> (\$7.99/REC)	<b>2021</b> (\$15.46/REC)	<b>2022</b> (\$22.96/REC)	<b>Total, 2019-2022</b>
<b>BRESKO</b> <b>(Baltimore City)</b>	257,366 RECs \$2.1 million	319,505 RECs \$4.9 million	183,101 RECs \$4.2 million	<b>\$11.2 million</b>
<b>Dickerson</b> <b>(Montgomery County)</b>	295,613 RECs \$2.4 million	437,489 RECs \$6.8 million	382,233 RECs \$8.7 million	<b>\$17.9 million</b>
<b>Covanta</b> <b>(Lorton, VA)</b>	882,086 RECs \$7.0 million	205,764 RECs \$3.2 million	511,045 RECs \$11.7 million	<b>\$21.9 million</b>
<b>TOTAL</b>	<b>1,435,065 RECs</b> <b>\$11.5 million</b>	<b>962,758 RECs</b> <b>\$14.9 million</b>	<b>1,076,379 RECs</b> <b>\$24.7 million</b>	<b>\$51 million</b>

Trash incinerators have received an incredible windfall in recent years from Maryland's RPS, while producing no more energy, let alone clean and renewable energy. That windfall is mostly benefiting an out-of-state incinerator in Lorton, VA. This is a terrible waste of Maryland ratepayers' money that could be supporting the renewable energy we need to clean our grid.

**Trash incineration pollutes significantly more than other sources of energy.** The Department of Natural Resources' Power Plant Research Program's [Final Report Concerning the Maryland Renewable Portfolio Standard](#) analyzed the emissions profile of resources used to meet the Maryland RPS in 2017, including the CO2 emitted per MWh by different eligible categories.

**Table 2-8. Emissions Profile of Resources Used to Meet the Maryland RPS, 2017**

	Fuel Source	RECs <sup>[1]</sup> (MWh)	Share	CO <sub>2</sub> / MWh <sup>[2]</sup>	NO <sub>x</sub> / MWh <sup>[2]</sup>	SO <sub>2</sub> / MWh <sup>[2]</sup>
<b>TIER 1</b>	Agr. Biomass	345	0.0%	0.000	0.000	0.000
	Black Liquor	1,668,231	18.5	506.736	1.295	7.513
	Geothermal	1,880	0.0	0.000	0.000	0.000
	Hydro	882,114	9.8	0.000	0.000	0.000
	LFG	227,393	2.5	111.173	10.910	0.394
	MSW	732,424	8.1	2,368.188	4.135	0.493
	Biogas	11,284	0.1	55.556	0.000	0.000
	Solar (incl. Solar Thermal)	557,224	6.2	0.000	0.000	0.000
	Wood Waste	491,627	5.4	339.075	1.266	0.220
	Wind	3,002,388	33.3	0.000	0.000	0.000
<b>TIER 2</b>	Hydro	1,450,950	16.1%	0.000	0.000	0.000
<b>TOTAL</b>		<b>9,025,860</b>				
<b>Weighted Average (Tier 1)</b>				<b>366.008</b>	<b>1.095</b>	<b>1.728</b>
<b>Weighted Average (Tiers 1 &amp; 2)</b>				<b>307.170</b>	<b>0.919</b>	<b>1.451</b>

<sup>[1]</sup> Source: Maryland PSC 2018 *Renewable Energy Portfolio Standard Report*.

<sup>[2]</sup> Source: PJM-GATS.

This analysis shows that the trash incinerators in Maryland’s RPS produce the most CO<sub>2</sub> per megawatt-hour by far compared to anything else subsidized in the RPS. **The trash incinerators subsidized by Maryland’s RPS emitted more than 4 times more CO<sub>2</sub> per megawatt-hour than the black liquor sources subsidized at the time**, which the General Assembly wisely already eliminated from the RPS because black liquor is not clean, renewable energy. Neither is trash incineration

The same report also found that “the Maryland RPS has resulted in modest greenhouse gas reductions but may be working at cross-purposes with the state’s efforts to reduce nitrogen oxides (NO<sub>x</sub>) and sulfur dioxide (SO<sub>2</sub>) emissions.” The report credited Maryland’s RPS with only “a small role” in PJM-wide CO<sub>2</sub> emissions reductions, finding that 2017 CO<sub>2</sub> emissions were only 0.8% lower than they would have been absent Maryland’s RPS - with the generous assumption that all retired RECs supported resources that would not have operated otherwise. Trash incineration’s outsized CO<sub>2</sub> emissions contribute to this lack of emissions reduction. The report also found that “the SO<sub>2</sub> and NO<sub>x</sub> emissions profiles of Maryland RPS resources, on average, are equal to or slightly higher than net Maryland and net PJM generation since 2010,” due in part to “eligibility of black liquor, LFG, and MSW to meet Maryland RPS requirements.” The legislature wisely eliminated black liquor from the RPS in 2021; it is now time to eliminate MSW (municipal solid waste, or trash incineration).

A recent study in the peer-reviewed journal PLOS Climate, “[Waste incinerators undermine clean energy goals](#),” came to similar conclusions, demonstrating that “incinerators emit more greenhouse gas emissions per unit of electricity produced (1707 g CO<sub>2</sub>e/kWh) than any other power source (range: 2.4 to 991.1 g CO<sub>2</sub>e/kWh). They also emit more criteria air pollutants than replacement sources of energy.” Figure 1 from this report demonstrates how much more



greenhouse-gas-intensive trash incinerators are per unit of electricity produced, compared even to coal.

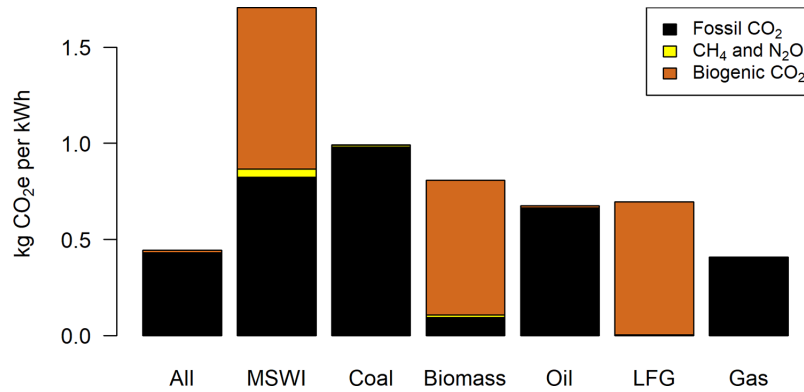


Fig 1. Generation-weighted mean national GHG emissions intensity by major fuel type for electricity. “MSWI” is municipal solid waste incineration, “LFG” is landfill gas, and “Gas” is natural gas.

**EPA does not consider trash incineration to be a solution to methane emissions from landfills.** Landfill methane emissions are a significant climate concern, and are being addressed through many means: federal regulations, state regulations, and increased organic waste diversion through food waste reduction and food waste and yard waste composting. The decomposition of organic matter like food waste in landfills produces methane because of landfills’ anaerobic environment. In its new Wasted Food Scale published this spring, EPA made clear that while there are many solutions to divert food waste from landfills to avoid methane emissions and other impacts, trash incineration is not one of the solutions. The wasted food scale finds landfilling or incinerating food waste equally unacceptable, not one a solution to the other.



**Analysis by the Department of Legislative Services and the Department of Natural Resources' Power Plant Research Program demonstrates that this bill will not have negative impacts on ratepayers.** The [fiscal note](#) for this legislation explains:

*“According to PSC’s most recent RPS compliance report, municipal solid waste (“waste-to-energy”) accounted for 6.9% of Tier 1 RECs used for compliance in 2022. No RECs from refuse-derived fuel facilities were used. The extent to which their removal increases RPS compliance costs depends on the prices and quantity of available replacement RECs. Most likely, the State will continue the multi-year trend of growing reliance on wind RECs to meet RPS requirements with negligible impacts on REC prices. As a result, the bill likely has a minimal impact on compliance costs and, by extension, a minimal impact on customer electricity rates. Therefore, the impact on expenditures on electricity for State and local governments and small businesses is also anticipated to be small.”*

The Department of Natural Resources' Power Plant Research Program's [Final Report Concerning the Maryland Renewable Portfolio Standard](#) provides further detail about how the regional nature of REC markets means that the effect of any individual state's actions is likely to be small. In the chapter, "Assessment of Potential Changes to the Maryland RPS," the report states:

*"REC availability and pricing equilibrate across all of PJM, reducing the effect of changes on any one state RPS policy." (337)*

*"Eliminating land-based wind, small hydro or MSW from the Maryland RPS would have limited impact on REC availability because displaced RECs would be absorbed in other states within PJM and replaced by other eligible resources." (337)*

*"The removal of MSW would have an impact measuring somewhere in between black liquor and the more prevalent RPS eligible resources, including wind, solar, and small hydro. In addition to Maryland, MSW is accepted as a Tier 1 RPS eligible resource in Ohio and Michigan, as a Tier 2 RPS eligible resource in Pennsylvania and New Jersey, and as part of Virginia's and Indiana's voluntary renewable energy goal. However, both Maryland and New Jersey require that the MSW resource be connected with the electric distribution system serving each state, respectively. Although the limited eligibility of MSW among states in PJM could reduce the ability to transfer MSW RECs (albeit to a lesser extent than black liquor), **the effect of removing MSW from Maryland RPS eligibility is still likely to be small.** MSW makes up a smaller share of Maryland's REC retirements (8.9% of all RECs in 2018) and overall PJM-GATS certified renewable generation (1.2% in 2018) than black liquor. MSW also has greater potential to serve RPS requirements in other states than black liquor." (344)*

*"Meeting Current and Future Targets **After Excluding Resources**: The above characterization of the PJM market is consistent with the interim report, which indicates that Maryland can meet, or come very close to meeting, its current and future RPS requirements, both at the previously applicable 25% by 2020 level and at the 50% by 2030 level." (344)*

Additionally, the report explains that Alternative Compliance Payments provide a cap on how high REC prices will go:

*"States may require LSEs to pay an ACP for each REC that it is short of its RPS requirement during a given compliance period. Funds generated from the ACP can be used for a variety of purposes, such as providing grants and loans for the development of renewable energy resources. **The ACP operates as a de facto ceiling for REC prices.** That is, LSEs are willing to purchase or create RECs up to the point that REC costs exceed the ACP." (58)*

## **Conclusion**

Trash is not a renewable resource, as it consists of organic waste that could be composted, plastic waste made from fossil fuels, and other materials made of finite resources. Energy created from trash is not renewable energy, and subsidizing energy production from trash incineration withholds subsidies from the truly renewable, emissions-free energy that we need.

Please pass the Reclaim Renewable Energy Act and invest more of Maryland's money in the truly renewable energy that we actually need to fight climate change, drive down emissions long-term, and create a healthier environment.

Thank you,

Jennifer Kunze  
Maryland Organizing Director  
Clean Water Action

**Testimony SB146-HB166 RREA24.pdf**

Uploaded by: Jibrán Eubanks

Position: FAV



**Testimony on SB146/HB166  
Reclaim Renewable Energy Act of 2024  
Position: **Favorable****

To Chair Senator Brian Feldman and the members of the committee;

My name is Ricarra Jones, and I am the Political Director of 1199SEIU United Healthcare Workers-East. We are the largest healthcare workers union in the country, representing over 10,000 members in Maryland/DC. Our union supports the Reclaim Renewable Energy Act 2024, and we urge a favorable report. Passing this bill is critical to achieving our state's goals of reaching 100% clean energy and will improve community health.

The Baltimore BRESKO trash incinerator turns garbage from Baltimore City and local counties into air pollution, toxic ash, and emissions that have a negative impact on local residents' health and accelerate climate change. The communities abutting the incinerator, including Westport, Cherry Hill, and Brooklyn, are primarily Black and Brown. Residents go to the hospital more frequently than individuals who live elsewhere in Maryland and are five times more likely to have asthma. This is environmental injustice and racism in action. Our state sends tens of millions of dollars each year in subsidies to trash incinerators that emit greenhouse gas emissions and air pollution in overburdened communities. In 2022, BRESKO received \$5.7 million in RPS subsidies and emitted 653,000 tons of carbon dioxide.

The solution to this problem is ending subsidies for trash incineration and implementing cleaner, cheaper alternatives that create green jobs and limit pollution. Studies conducted in Baltimore show that investing in waste management strategies such as composting and recycling can save money and create good quality employment opportunities. For every non-unionized job created at a trash incinerator, nine union jobs could be created at a recycling facility, and four at a composting facility. Replacing the Baltimore incinerator with a composting facility could replace existing jobs with [higher paying green jobs](#). According to a [report](#) from Global Anti-Incineration Alliance, implementing zero waste policies can create 200 times more jobs than landfills and incinerators.

The majority of 1199SEIU members are People of Color. As we can see, this is not just an environmental issue, but a social one as well. For too long, these communities have been taken advantage of, and their health has been the cost. Maryland also faces a dangerous staffing crisis across the healthcare industry. Passing this bill can help reduce the burden on healthcare workers, particularly in our hospitals, by alleviating the number of patients that flood healthcare facilities due to preventable illnesses caused by toxins in our environment from dirty energy sources. Toxins from trash incineration, biogas from factory farms, and woody biomass are linked to healthcare ailments such as asthma, cancer, reproductive disorders, and other negative health impacts.

For the sake of our people and our planet, we encourage a favorable report on the Reclaim Renewable Energy Act 2024. Thank you.

In Unity,

Ricarra Jones  
Political Director  
1199SEIU United Healthcare Workers-East

# **SB146 Reclaim Renewable Energy Act.PDF**

Uploaded by: John Ford

Position: FAV

Dear Education, Energy, and the Environment Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with the Baltimore Transit Equity Coalition (BTEC). I am a resident of **District 46, 21224. As a young and committed Baltimore resident, the subsidy support of polluting Baltimore incinerators especially concerns me. I don't want the Renewable Energy Portfolio hijacked to subsidize dirt emitting fuels or to get an infrastructure toehold for any new carbon-emitting fuel sources. I am testifying in support of the Reclaim Renewable Energy Act of 2024, SB0146.**



Maryland needs to take action on climate change, and needs to find ways to do so this year that do not cost any money out of the state budget. As Senate President Ferguson recently said “this is a year about prioritizing the resources that we have.” Over three years, the total subsidies to trash incinerators (including out-of-state companies) through Maryland’s RPS ballooned from \$11.5 million in 2020 to \$24.7 million in 2022, while a new 2023 study in PLOS Climate found that “incinerators emit more greenhouse gas emissions per unit of electricity produced than any other power source” - including coal plants. That makes this subsidy doubly bad policy for Marylanders and our goals and a perfect target for cuts. This bill does just that by excluding incineration of waste and refuse-derived fuel from the “tier1 renewable source” category of the state’s renewable energy portfolio.

The state isn’t the only stakeholder being being forced to pay subsidies to polluting fuel sources under the guise of renewable energy: so are state taxpayers. The RPS subsidy is paid by electric utilities, and ultimately comes out of our utility bills. We deserve to know that when we’re paying for renewable energy, we’re actually helping support the renewable energy we need to fight climate change and clean our air.

Finally, the subject matter experts in the state’s own Department of the Environment and Commission on Climate Change both recently published reports supporting this action.

It is for these reasons that I am encouraging you to vote **in support of the Reclaim Renewable Energy Act of 2024, SB0146.**

Thank you for your time, service, and consideration.

Sincerely,

**John Ford**

**529 S East Ave, Baltimore MD 21224**

Showing Up for Racial Justice Baltimore



# **Support SB146 -Remove Trash Incineration From MD R**

Uploaded by: Jorge Aguilar

Position: FAV



1616 P Street, NW  
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Washington, DC 20036  
T +202.683.2500  
F +202.683.2501  
[foodandwaterwatch.org](http://foodandwaterwatch.org)

## **Testimony In Support of Reclaim Renewable Energy Act - SB146**

Position: Favorable

On behalf of the nonprofit Food & Water Watch and our 40,000 Maryland members, we are submitting this testimony in support of the Reclaim Renewable Energy Act, Senate Bill 146. This bill would finally remove trash incineration from being counted as 'renewable energy' source that is eligible to receive ratepayer subsidies in the state.

The Renewable Portfolio Standard (RPS) was set up as an important tool to help meet ambitious climate goals in Maryland. But the program has been undermined by its use as a waste management subsidy for trash incineration to the detriment of Maryland's residents and ratepayers.

While the RPS was established for the purpose of speeding our transition to renewable energy to both decrease greenhouse gas emissions and provide for a healthier environment, trash incineration does neither. In fact, [a new 2023 study in PLOS Climate](#) found that "incinerators emit more greenhouse gas emissions per unit of electricity produced than *any* other power source."

We must fix this unreasonable and irresponsible section in our state's renewable energy policy because it is also costing ratepayer money that should be going, if anything, towards funding true renewables like wind or solar. The total subsidies to trash incinerators through Maryland's RPS ballooned from \$11.5 million in 2020 to \$24.7 million in 2022. That is on top of tens of millions of dollars that had already gone to trash incineration in the previous decade of the state's renewable energy program, all costs that ultimately get passed on to Maryland's ratepayers.

As Maryland continues to commit to enacting new policies to help address the climate crisis and promote the best clean energy policies, it is clear that subsidizing trash incineration as a 'renewable' is an antiquated policy that must be scrapped itself. We urge you to vote "yes" on the Reclaim Renewable Energy Act, SB 146.

# **Kamal Nkele SB0146 Written Testimony.pdf**

Uploaded by: Kamal Nkele

Position: FAV



# PROGRESSIVE MARYLAND

P.O. Box 6988 Largo, MD 20792  
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 Contact@ProgressiveMaryland.org  
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 @Progressive MD

## Testimony on Maryland Senate Bill 146 Reclaim Renewable Energy Act

**TO:** Chair Feldman, Vice Chair Kagan, and members of the committee

**FROM:** Kamal Nkele, Progressive Maryland Environmental Task Force Member

Melanated Wellness, LLC business owner and ESYDA Community Organization Board Member

**DATE:** January 25, 2024

**POSITION:** Favorable

Good Afternoon, esteemed representatives. I am honored to have a chance to speak to you today as a concerned citizen of Gaithersburg Maryland here in Montgomery County. As a parent a progressive MD volunteer and a local rate payer, I am deeply invested in our state's energy future. Today, I wish to discuss the critical need to support the Reclaim Renewable Energy Act Bill for a more sustainable and scientifically aligned energy portfolio here in Maryland."

As a professional whose background gives me specialized experience in renewable energy generation as well as Climate Change risks, I believe it is crucial for our representatives to recognize the significant misalignment in categorizing waste generation as a renewable energy source. Waste generation is not backed as a renewable energy source under any scientific standard including the Science-Based Targets Initiative (<https://sciencebasedtargets.org/>) as well as the United Nations Sustainable Development Goals (<https://sdgs.un.org/goals/goal7>) framework. As a voter and a rate payer here in MOCO I was very excited to hear Governor Wes and the Democratic party champion its belief in a **SCIENTIFICALLY BACKED** renewable energy mix and a push toward a 50% renewable energy portfolio through its Clean Energy Agenda . With that being said, this bill represents the next and most important step so far in that journey.

Maryland has the potential to be a national and global leader in clean, scientifically backed renewable energy. We all know transitioning to cleaner energy is not just an environmental imperative but also a significant economic opportunity, and a way to ensure that our economy is resilient and ready to capitalize on the great changes that are coming our way due to climate change. By continuing to support waste generation, we risk falling behind in the global race towards truly sustainable energy solutions. However, by taking these subsidies and investing in solar, wind, and other renewable technologies like vertical farming, we can create a sustainable closed loop energy infrastructure that's resilient, cost-effective, and beneficial for all Marylanders.

Choosing renewable energy is more than just an environmental choice; it's a statement about the kind of future we want to build for our families, creating jobs in emerging industries, reducing our carbon

footprint, and preserving the natural beauty of our state for generations to come.

A few questions to ask yourself in making your decision are;

- If we reach our 50% renewable generation targets on the back of all waste generation, would the environment be any more resilient?
- Would our kids breathe any easier?
- Would we be any closer to mitigating the worst effects of climate change we fear?

The answer to all three of these questions is **No**.

Continuing to classify waste generation as a renewable energy source creates a downward spiral where we will be inadvertently **incentivizing waste production** to keep the lights on under the guise of renewable energy.

In conclusion, I implore you, as our elected representatives, to be a proper steward of our taxpayer dollars and support new technologies and opportunities by voting to support the Reclaim Renewable Energy Act Bill. Your support can lead us towards a cleaner, brighter future for all Marylanders."

For these reasons, **I respectfully urge a favorable report on SB0146.**

Kamal Nkele, M.Fin. CISA

Gaithersburg, MD 20879

# **SB 146- MDLCV Support - Reclaim Renewable Energy A**

Uploaded by: Kim Coble

Position: FAV



January 25, 2024

Kim Coble  
Executive Director

2024 Board of  
Directors

**Support: SB 146 - Renewable Energy Portfolio Standard - Eligible Sources - Reclaim Renewable Energy Act**

Lynn Heller, Chair  
The Hon. Nancy Kopp,  
Treasurer  
Kimberly Armstrong  
Mike Davis  
Candace Dodson-Reed  
Verna Harrison  
Melanie Hartwig-Davis  
Charles Hernick  
The Hon. Steve Lafferty  
Patrick Miller  
Bonnie L. Norman  
Katherine (Kitty)  
Thomas

Mr. Chairman and Members of the Committee:

Maryland LCV supports SB 146 - Renewable Energy Portfolio Standard - Eligible Sources - Reclaim Renewable Energy Act and we thank Senator Lewis Young for her leadership on this issue. Removing municipal waste incineration from the Renewable Energy Portfolio Standard (RPS) is listed as a Legislative Action in the Maryland Climate Pollution Reduction Plan.

In 2011, Maryland added waste incineration to our state's RPS, making it eligible for the same state investments and renewable energy credits as truly renewable energy, such as wind and solar. Byproducts of waste incineration include particulate matter, heavy metals like lead and mercury, and dioxins. This burden of toxic air pollution is borne most heavily in the communities surrounding an incinerator, leading to significant negative health impacts and higher costs for already overburdened and underserved communities.

The [Maryland Climate Pollution Reduction Plan](#) written by the Maryland Department of the Environment (MDE) was released on December 28, 2023. Among the policy recommendations included in the plan are revising the definitions of "qualifying resources in the RPS program to align with definitions of clean power resources under the forthcoming Clean Power Standard, **including the elimination of eligibility for municipal solid waste incineration.**"

In addition, the [Maryland Commission on Climate Change 2023 Annual Report](#) includes the following recommendation: "Remove municipal solid waste incineration as an eligible source in the Renewable Portfolio Standard (RPS) due to the energy source's contributions to the state's GHG emissions, the General Assembly should adopt legislation to remove municipal solid waste incineration as an eligible generating source from the RPS."

While more details on a Clean Power Standard are forthcoming, we have the opportunity now to implement a key piece of this recommendation by removing municipal solid waste incineration from the RPS definition. This would make the credits and investments available for truly renewable energy and in particular has the potential to support solar energy deployment to meet the RPS carve out of 14.5% solar by 2030.

Maryland LCV urges a favorable report on this important bill.

**SB146\_Reclaim Renewable Act\_EEE\_CJW FAV.pdf**

Uploaded by: Laurie McGilvray

Position: FAV





**Committee:** Education, Energy and the Environment  
**Testimony on:** SB146 - Reclaim Renewable Energy Act of 2024  
**Organization:** Climate Justice Wing of the Maryland Legislative Coalition  
**Submitting:** Laurie McGilvray, Co-Chair  
**Position:** Favorable  
**Hearing Date:** January, 25, 2024

Dear Chair and Committee Members:

Thank you for allowing our testimony today in support of SB146. The Maryland Legislative Coalition Climate Justice Wing, a statewide coalition of nearly 30 grassroots and professional organizations, urges you to vote favorably on SB146.

The Reclaim Renewable Energy Act of 2024 (SB146) will clean up the Renewable Portfolio Standard (RPS) by retaining subsidies for truly renewable energy sources and removing subsidies for a problematic dirty energy source, i.e., trash incineration. As Maryland moves aggressively toward meeting its ambitious greenhouse gas (GHG) reduction goals, we need to align all available incentives toward clean sources of energy and stop incentivizing polluting sources like trash incineration.

Trash incineration was only added to Tier 1 of the RPS in 2011, making it part of the same subsidized category as wind and solar. Maryland needs to stop wasting money subsidizing trash incineration. We need to put our money where our mouth is by focusing ratepayer money for “renewable energy” on truly renewable sources that will help us meet our GHG reduction goals. The Maryland Commission on Climate Change and Governor Moore agree. In the Governor’s Climate Pollution Reduction Plan, released at the end of December, and in the Commission’s 2023 Annual Report there are recommendations to remove trash incineration from the RPS.

In addition, this is the year to do it! Maryland must find the \$1 billion needed each year to achieve its climate goals, as called for in Maryland’s Climate Pollution Reduction Plan. The total subsidies to trash incinerators from Maryland’s RPS in 2022 were \$24.7 million. The Reclaim Renewable Energy Act will redistribute this subsidy, which ratepayers already waste on trash incinerators (including out-of-state facilities) to truly renewable energy sources like solar and wind facilities in Maryland.

Finally, it is important to acknowledge that trash incineration is not “clean energy” and does not belong in the RPS. In 2015, the Baltimore incinerator emitted on average about twice as much GHG emissions per unit energy produced as each of the coal plants located in Maryland. In

addition, air pollution from trash incinerators increase the risk of pre-term births, cancers of the blood and lung, and emergency room visits. According to a Chesapeake Bay Foundation commissioned study, fine particulate matter emitted from the Baltimore “waste-to-energy” facility causes over \$55 million in adverse health effects annually. The Climate Justice Wing supports policies that benefit overburdened and underserved communities, which have historically sustained disproportionate environmental harm. The South Baltimore communities closest to the incinerator are truly overburdened by multiple pollution sources, including the incinerator. This polluting source of energy should not be receiving a renewable energy subsidy intended to promote the generation of clean and healthy renewable energy.

By removing trash incineration from the RPS, Maryland will better direct its subsidies to the truly clean, renewable energy sources of the future. We strongly support SB146 and urge a **FAVORABLE** report in Committee.

350MoCo

Adat Shalom Climate Action

Cedar Lane Unitarian Universalist Church Environmental Justice Ministry

Chesapeake Earth Holders

Chesapeake Physicians for Social Responsibility

Climate Parents of Prince George's

Climate Reality Project

ClimateXChange – Rebuild Maryland Coalition

Coming Clean Network, Union of Concerned Scientists

DoTheMostGood Montgomery County

Echotopia

Elders Climate Action

Fix Maryland Rail

Glen Echo Heights Mobilization

Greenbelt Climate Action Network

HoCoClimateAction

IndivisibleHoCoMD

Maryland Legislative Coalition

Mobilize Frederick

Montgomery County Faith Alliance for Climate Solutions

Montgomery Countryside Alliance

Mountain Maryland Movement

Nuclear Information & Resource Service

Progressive Maryland

Safe & Healthy Playing Fields

Takoma Park Mobilization Environment Committee

The Climate Mobilization MoCo Chapter

Unitarian Universalist Legislative Ministry of Maryland

WISE

# **sb146-altering renewable energy standards, EEE 1-2**

Uploaded by: Lee Hudson

Position: FAV



**Delaware-Maryland Synod**  
**Evangelical Lutheran Church in America**  
God's work. Our hands.

Testimony prepared for the  
**Education, Energy, and the Environment Committee**  
on  
**Senate Bill 146**  
January 25, 2024  
Position: **Favorable**

Mr. Chairman and members of the Committee, thank you for this opportunity to speak about wise stewardship of the gift of creation. I am Lee Hudson, assistant to the bishop for public policy in the Delaware-Maryland Synod, Evangelical Lutheran Church in America. We are a faith community with three judicatories located in every part of our State.

The ELCA identified greenhouse gases as environmental pollutants because of their deleterious effects on climate in 1993 ("Caring for Creation," ELCA). We have supported a swift transition to an energy production regime sourced from renewables, in Maryland and in other states.

While biomasses are regular byproducts of several agricultural and natural resource industries, and thus renewable in some measure, they still generate greenhouse gas when burned. Burning them, while "renewable" in that expanded definition, still frustrates the effort to reduce carbon emissions.

Abundantly recurring material such as packaging wastes rescued from trash and burned to produce "energy" elude any current definition of "renewable" excepting that they are and will remain plentiful. Burning trash was never going to produce "clean energy".

After some twenty years it's time to clean up Maryland's renewable energy portfolio. We therefore support **Senate Bill 146** and implore your favorable report.

Lee Hudson

# **SB146 Reclaim Renewable Energy Act.pdf**

Uploaded by: Lindsay Keipper

Position: FAV

Dear Education, Energy, and the Environment Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with the Baltimore Transit Equity Coalition (BTEC). I am a resident of **District 46**, and I am **testifying in support of the Reclaim Renewable Energy Act of 2024, SB0146**.



Maryland needs to take action on climate change, and needs to find ways to do so this year that do not cost any money out of the state budget. As Senate President Ferguson recently said “this is a year about prioritizing the resources that we have.” Over three years, the total subsidies to trash incinerators (including out-of-state companies) through Maryland’s RPS ballooned from \$11.5 million in 2020 to \$24.7 million in 2022, while a new 2023 study in PLOS Climate found that “incinerators emit more greenhouse gas emissions per unit of electricity produced than any other power source” - including coal plants. That makes this subsidy doubly bad policy for Marylanders and our goals and a perfect target for cuts. This bill does just that by excluding incineration of waste and refuse-derived fuel from the “tier1 renewable source” category of the state’s renewable energy portfolio.

The state isn’t the only stakeholder being being forced to pay subsidies to polluting fuel sources under the guise of renewable energy: so are state taxpayers. The RPS subsidy is paid by electric utilities, and ultimately comes out of our utility bills. We deserve to know that when we’re paying for renewable energy, we’re actually helping support the renewable energy we need to fight climate change and clean our air.

Finally, the subject matter experts in the state’s own Department of the Environment and Commission on Climate Change both recently published reports supporting this action.

It is for these reasons that I am encouraging you to vote **in support of the Reclaim Renewable Energy Act of 2024, SB0146**.

Thank you for your time, service, and consideration.

Sincerely,

**Lindsay Keipper**

**2425 Fleet St.**

Showing Up for Racial Justice Baltimore

**SB7SupportLetterSB146.pdf**

Uploaded by: Lindsay Staton

Position: FAV



**SOUTH BALTIMORE 7**  
UNITED COMMUNITIES

**Testimony Supporting SB146**  
**Senate Education, Energy, and the Environment Committee January**  
**25, 2024**

**Position: SUPPORT**

Dear Chair Feldman and Members of the Committee,

As a resident of District 46 and Executive Director of the SB7 Coalition, I am writing to express my strong support of SB146, the Reclaim Renewable Energy Act. Our South Baltimore communities neighbor the BRESKO trash incinerator receiving over \$4 million in ratepayer subsidies through Maryland's Renewable Portfolio Standard (RPS). The thousands of residents that make up our strong and vibrant South Baltimore communities are proud to join fellow Marylanders, MDE's [Climate Pollution Reduction Plan](#) and the Maryland Commission on Climate Change's [2023 Annual Report](#) in calling for a more responsible use of the RPS to support clean, renewable energy while ending subsidies for burning non-renewable materials like single use plastics.

I am concerned that Maryland is spending an increasing amount of money subsidizing trash incineration. Over three years, the total subsidies to trash incinerators through the RPS grew from \$11.5 million in 2020 to \$24.7 million in 2022 while the amount of electricity produced remained the same. This is an incredible benefit for incinerator owners, while nearby residents suffer from the harms of exposure to toxics. Incinerators are a wasteful way to produce energy, in fact, a [new 2023 study in PLOS Climate](#) found that "incinerators emit more greenhouse gas emissions per unit of electricity produced than *any* other power source" - including coal plants. [EPA's Emissions Inventory](#) indicates that in 2020, the three trash incinerators profiting from Maryland's RPS emitted 2.5 million tons of CO2 into the atmosphere. Incineration emits mercury and lead, which are not safe at any level of exposure.

We can't afford to keep wasting increasing amounts of money profiting something that's not putting renewable energy on the grid and putting our health at risk.

Sincerely,

*Michael Middleton*

Michael Middleton

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**SOUTH BALTIMORE 7**  
UNITED COMMUNITIES

*The following letter is directed toward the Baltimore City Delegation, particularly our Senator, Senate President Ferguson, from community associations and businesses in and serving District 46 in support of the Reclaim Renewable Energy Act.*



**SOUTH BALTIMORE 7**  
UNITED COMMUNITIES

Dear Senate President Ferguson and members of the Baltimore City Delegation,

The undersigned neighborhood associations and business organizations in District 46 and across the city urge you to support eliminating trash incineration from Maryland's Renewable Portfolio Standard, and to work on behalf of the City government and your constituents to ensure that this passes in the General Assembly's 2024 session.

No source of energy that pollutes the air we breathe should be considered renewable. The BRESCO trash incinerator pollutes the air we breathe in District 46 and throughout the city every single day. A recent study found that incinerators emit more greenhouse gas emissions per unit of electricity produced than *any* other power source, and more criteria air pollutants than replacement sources of energy. Diverting renewable energy subsidies away from wind and solar to profit polluting industries like trash incineration is a terrible waste of money. In 2020, \$11.5 million of Maryland's Renewable Portfolio Standard subsidies went to profit trash incinerators, instead of helping develop the new wind and solar power that we need to fight climate change.

Subsidizing trash incineration also makes it harder for our local governments to transition to healthier infrastructure for managing our waste. Subsidies for trash incinerators give the companies that own them needless extra profits, making them artificially more competitive against the composting, recycling, reuse, and waste reduction initiatives and businesses that we actually need. Putting 'renewable energy' subsidies back into wind and solar power where they belong will also allow Zero Waste infrastructure to compete on an even playing field - but until we make that change, the state of Maryland is giving incinerators an economic leg up over the infrastructure we actually need.

Our local governments support eliminating trash incineration from the Renewable Portfolio Standard. In the General Assembly's 2023 session, the Baltimore City government wrote testimony in favor of eliminating trash incineration from the Renewable Portfolio Standard, saying *"This bill better aligns the State of Maryland's RPS with our citywide goals to reduce the emission of greenhouse gasses in both the waste and energy sectors. These changes help to prioritize renewable energy subsidies ... to evidence-based renewable energy generation such as solar, wind, and hydro energy, opposed to polluting industries."* So did Montgomery County, the only other jurisdiction with a trash incinerator in Maryland, and Frederick County, which considered building a trash incinerator but rejected the proposal in 2014. Communities and governments impacted by trash incinerators are united: we want the General Assembly to eliminate 'renewable energy' subsidies for trash incineration this year.

The message from Baltimore is clear: it's time for Maryland to stop subsidizing polluters like BRESCO, and use that money to support real renewable energy instead. Senate President Ferguson, we hope that you and the entire City delegation will lead on finally fixing this environmental injustice.

Sincerely,



**SOUTH BALTIMORE 7**  
UNITED COMMUNITIES

*SB7 Coalition*

*South Baltimore Community Land Trust*

*Westport Neighborhood Association Harbor*

*West Collaborative*

*Family of Ellwood Park*

*Lakeland Community Association Partnership Inc.*

*Baltimore Community Toolbank*

*Locust Point Community Garden*

*Upper Fells Point Improvement Association Locust*

*Point Civic Association*

*Echotopia LLC - Bmore's 1st Zero Waste Biz Charm*

*City Land Trusts*

*Community of Curtis Bay Association*

**SB0146\_Reclaim Renewable Act\_EEE\_HoCoCA FAV .pdf**

Uploaded by: Liz Feighner

Position: FAV



**HoCoClimateAction.org**  
Howard County, Maryland

**SB0146: Renewable Energy Portfolio Standard - Eligible Sources - Alterations (Reclaim Renewable Energy Act of 2024)**

**Hearing Date:** January 25, 2024

**Bill Sponsor:** Senators Lewis Young, Ellis, M. Washington, and West

**Committee:** Education, Energy, and the Environment

**Submitting:** Liz Feighner for HoCo Climate Action

**Position:** Favorable

[HoCo Climate Action](#) is a [350.org](#) local chapter and a grassroots organization representing approximately 1,400 subscribers. It is also a member of the [Climate Justice Wing](#) of the [Maryland Legislative Coalition](#).

Howard County Climate Action supports SB0146, the Reclaim Renewable Energy Act of 2024 and we urge you to pass SB0146 to stop wasting Maryland residents' money on trash incinerators and make more funding available for real renewable energy - at no additional cost to the state budget. We were actively involved helping the Baltimore student-led [Free Your Voice](#) stop a trash incinerator in Curtis Bay in 2013 which prevented more wasted RPS funds on another trash incinerator. This issue is very important to our organization because trash incineration is neither clean nor renewable; its inclusion in the Renewable Portfolio Standard (RPS) is counter to the program's goals.

With utility rates that keep rising in Maryland, ratepayers would be better served if their funds currently wasted on subsidizing trash incineration were instead supporting real renewable energy, such as wind, solar and geothermal.

**The purpose of the RPS is to support clean, renewable energy, which Maryland needs now more than ever.** When establishing the RPS in 2004, the legislature wrote that the benefits of renewable energy include "long-term decreased emissions" and "a healthier environment." Trash incineration was only added to Tier 1 of the RPS in 2011, making it part of the same subsidized category as wind and solar. Rate payers should not be providing a *windfall* for trash incinerators by subsidizing them and should be providing funds for true clean energy like *wind, solar and geothermal*.

**Maryland is wasting an increasing amount of RPS money on trash incineration, much of it out of state.** Over three years, due to the market-based nature of the subsidy (the amount of electricity produced by incinerators has not increased), the total subsidies to trash incinerators through Maryland's RPS ballooned from \$11.5 million in 2020 to \$24.7 million in 2022. In 2022,

the BRESKO incinerator in Baltimore received \$4.2 million; the Montgomery County incinerator in Dickerson received \$8.7 million, and the Covanta incinerator in Lorton, VA, received a windfall of \$11.7 million - twice as much as Montgomery County's incinerator and three times as much as the incinerator in Baltimore. If these trends continue and trash incineration remains in the RPS, Maryland ratepayers will be increasingly harmed: we will be wasting ever-increasing amounts of money, much of it out of state, that isn't putting renewable power on the grid.

**Trash incineration is not clean, renewable energy and is contradictory to the goals of the RPS and Maryland's Climate Plans.** Trash incineration is among the dirtiest methods of producing electricity. [A new 2023 study in PLOS Climate](#) found that "incinerators emit more greenhouse gas emissions per unit of electricity produced than *any* other power source" - even coal plants. [EPA's Emissions Inventory](#) indicates that in 2020, the three trash incinerators profiting from Maryland's RPS emitted 2.5 million tons of CO2 into the atmosphere. Maryland Department of the Environment's [Climate Pollution Reduction Plan](#) recommends aligning the RPS with the forthcoming Clean Power Standard which clearly states the standard will not include trash incineration. **Maryland Commission on Climate Change's [2023 Annual Report](#)** recommends removing municipal solid waste incineration as an eligible generating source from the RPS.

We strongly believe this bill should be limited to removal of RPS subsidies for trash incineration. Maryland is developing a Clean Energy Standard this year, so we oppose adding any new energy sources to RPS subsidies. Any suggestions to add to the RPS that may come from energy developers should be rejected.

We urge a **favorable** report for SB0146.

Howard County Climate Action  
Submitted by Liz Feighner, Steering Advocacy Committee  
[www.HoCoClimateAction.org](http://www.HoCoClimateAction.org)  
[HoCoClimateAction@gmail.com](mailto:HoCoClimateAction@gmail.com)

# **Testimony Supporting SB146.pdf**

Uploaded by: Maeve Smith

Position: FAV

**Senate Education, Energy, and the Environment Committee**  
**January 25, 2023**

**Testimony in SUPPORT of SB146**

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Dear Chair Feldman and Members of the Committee,

I am writing to express my strong support of SB146, the Reclaim Renewable Energy Act as a resident of the 32nd District of Maryland and a strong supporter of environmental justice and climate action that can take place *today*.

The RPS is an important tool for establishing a market for renewable and clean forms of energy that would give Maryland residents peace of mind knowing they are paying towards a cleaner tomorrow, yet the money is being wasted on one of the most polluting forms of energy.

Trash Incineration isn't what the RPS is for. It should be an investment into forms of power that have a positive impact on the pollution footprint of Maryland, such as geothermal, wind, or solar power, not into more pollution.

Maryland residents deserve to be able to take comfort that when we pay our utility bills each month knowing that we're paying into renewable energy used to fend off climate change and keep the air we breathe and the water we drink clean, not into trash incineration which emit millions of tons of CO2 and mercury and lead per year.

Thank you for your time.



**SB146\_MDSierraClub\_fav 25Jan2024.pdf**

Uploaded by: Mariah Shriner

Position: FAV



P.O. Box 278  
Riverdale, MD 20738

**Committee:** Education, Energy, and the Environment  
**Testimony on:** SB146 “Renewable Energy Portfolio Standard – Eligible Sources Alterations (Reclaim Renewable Energy Act of 2024)”  
**Position:** Support  
**Hearing Date:** January 25, 2024

The Maryland Chapter of the Sierra Club supports SB146. This bill will remove incineration of municipal solid waste (trash) from Maryland’s Renewable Portfolio Standard (RPS).

Electricity generation from trash incineration is a significant source of air pollution, water pollution, and greenhouse gas emissions. The Renewable Portfolio Standard was created to incentivize clean renewable energy and help Maryland transition away from polluting technologies. Trash incineration is neither clean nor renewable, and incentivizing this polluting technology is inconsistent with state goals and a waste of ratepayer dollars.

**Trash incineration is not clean or renewable** – it emits climate-disrupting carbon dioxide and other pollutants that cause serious damage to Marylanders’ health. Incineration facilities typically emit more carbon dioxide, dioxin, mercury, nitrogen oxide, and lead than fossil fuel plants. Their residual ash contains high concentrations of harmful toxins including dioxin, mercury, lead, and other heavy metals; these high concentrations can rapidly leach into local soil and water.

The trash incinerator in downtown Baltimore is the largest source of air pollution in the city, producing about a third of all industrial air pollution in Baltimore. It emits a substantial amount of mercury and lead – both known to be critical threats to children’s neurological development. It also is the city’s single largest source of pollutants that cause respiratory disease, sulfur dioxide and nitrogen oxides (NOx). Sulfur dioxide causes acute respiratory irritation, triggering immediate worsening for anyone with an underlying pulmonary disorder, such as chronic obstructive pulmonary disease (COPD). Nitrogen oxides contribute to childhood asthma and are the major source of ground-level ozone (smog) formations that trigger asthma attacks.

The RPS should be focused on incentivizing new, renewable energy facilities that support Maryland’s efforts to mitigate climate change. Both trash incinerators in Maryland, which currently receive incentives through the RPS, began operations well before the RPS’s first compliance year, 2006. The Covanta incinerator in Dickerson, Maryland began commercial operation in 1995, and the Wheelabrator incinerator in downtown Baltimore began operation in

Founded in 1892, the Sierra Club is America’s oldest and largest grassroots environmental organization. The Maryland Chapter has over 70,000 members and supporters, and the Sierra Club nationwide has over 800,000 members and nearly four million supporters.

the 1980s. Maryland's RPS dollars also have been supporting a Covanta incinerator in Fairfax County, Virginia, which began commercial operations in 1990. Subsidizing polluting facilities that existed before the RPS was created does not advance the goals of Maryland or serve its residents.

With the passage of the Climate Solutions Now Act, Maryland committed to an ambitious goal of reducing greenhouse gases by 60% by the year 2031. Governor Moore has committed to a goal of 100% clean renewable energy by 2035, and that goal was reinforced in the recent Maryland Climate Action Plan. Now it is time to align Maryland policy with its goals. The Sierra Club has long advocated that state policy should not incentivize any type of combustion. Removing trash incineration from the RPS is a critical step towards Maryland's long term clean energy goals.

For these reasons, the Maryland Sierra Club urges a favorable report on SB146.

Susan Olsen  
Member, Clean Energy Legislative Team  
Susan.Olsen@MDSierra.org

Josh Tulkin  
Chapter Director  
Josh.Tulkin@MDSierra.org

# Mary Randall.pdf

Uploaded by: Mary Randall

Position: FAV



# PROGRESSIVE MARYLAND

P.O. Box 7595, Largo MD 20792

[ProgressiveMaryland.org](http://ProgressiveMaryland.org)

[Info@progressivemaryland.org](mailto:Info@progressivemaryland.org)

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1/25/2024

## Testimony in Support of SB 146: Mary Randall

Good afternoon, Chair Feldman and members of the committee. Thank you for the opportunity to testify.

My name is Mary Randall, I am a resident in District 46, a Maryland utility customer, a Progressive Maryland EJ Task Force member, and a resident concerned about the environment. I live in Westport, right next to the Baltimore incinerator.

I am here to express my support for the Reclaim Renewable Energy Act. I did not know that when I paid my utility bills, some of that money was going to the Baltimore incinerator in my neighborhood. Each year we send \$25 million dollars to these trash incinerators. This is not acceptable. I want our state to send its investments to truly clean energy and not on trash incineration because the emissions are harming my health, the health of my friends, and the environment. I was devastated when I found out I had cancer after living by the incinerator, and I know a whole household on my block that has gotten cancer. How can something considered clean energy contribute to cancer and asthma? Instead of sending money to the trash incinerator, I would rather send money to truly clean energy like solar panels that do not harm our health.

Thank you.

# **Reclaim Renewable Energy Act Health Professionals**

Uploaded by: Maryland Health Professionals for Healthy Climate N/A

Position: FAV



January 25, 2024

**Support: SB 146 - Renewable Energy Portfolio Standard - Eligible Sources - Reclaim Renewable Energy Act**

Mr. Chairman and Members of the Committee:

The undersigned health professionals support SB 146 - Renewable Energy Portfolio Standard - Eligible Sources - Reclaim Renewable Energy Act, and we thank Senator Lewis Young for her leadership on this issue.

This bill removes municipal solid waste incineration from the state's Renewable Energy Portfolio Standard (RPS), and as a result would make more of Maryland's investments and Renewable Energy Credits available for truly renewable sources of energy like wind and solar.

Investments in renewable energy are investments in public health, namely because of the massive reduction in air pollution. Our reliance on fossil fuels for energy has created excessive air pollution across the country, a burden which is disproportionately borne by low-income communities and communities of color. Burning municipal solid waste for energy similarly produces byproducts that include particulate matter and dioxins. Particulate matter can make its way deep into the lungs and impact peoples' ability to breathe, impact children's lung development, and also impact people's mental health and learning ability because these microscopic particles can cross the blood-brain barrier.

The chart included below from a 2017 report estimates a cost of nearly \$22 million in Maryland from the direct health impacts from the Wheelabrator trash incinerator in Baltimore for just one year and one pollutant, PM 2.5. Investing our renewable energy money in trash incinerators that emit similar pollution as coal plants and other fossil fuel energy sources is a misuse of limited state dollars. Eliminating trash incineration from the RPS so that more money can be invested in real, emissions-free renewable energy will get more renewable energy on the grid, which will benefit every Marylander.

[Maryland's Climate Pollution Reduction Plan](#) (CPRP), in December 2023, includes a recommendation to remove municipal solid waste from the state's RPS, and recognizes that legislation is needed to make this change. SB 146 codifies the CPRP's recommendation. In total, the recommendations included in the CPRP are expected to deliver additional health benefits of \$142 million to \$321 million in 2031 compared to current policies. The Maryland Commission on Climate Change also included a recommendation to remove municipal solid waste from the RPS as part of their [2023 annual report](#).

The undersigned health professionals urge a favorable report on SB 146 and appreciate your consideration.

Frances Stewart, M.D.

Christine D. Berg, M.D

Maria W. Merritt, PhD

Michael Ichniowski, M.D.

Evan Gombert, MPH, MS

Elise Wilson MBE, RN

Gwen DuBois, M.D.  
Chesapeake PSR

Jonathan Gorman, Psy.D.  
Towson Therapy Group

Mona Sarfaty, M.D., MPH  
Medical Society Consortium on Climate & Health

Rebecca Rehr, MPH  
Maryland League of Conservation Voters

Katie Huffling, DNP, RN, CNM, FAAN  
Alliance of Nurses for Healthy Environments

Table 2. Annual Maryland Human Health Effects and Monetary Valuations Associated With the PM<sub>2.5</sub> Air Pollution Impacts from the Wheelabrator Plant

Health Endpoint	Number Per Year	Total Dollar Valuation (2010\$)
Respiratory Hospital Admissions (Kloog et al., 2012; Zanobetti et al., 2009)	0.3 <sup>a</sup>	\$10,763
Cardiovascular Hospital Admissions (Bell et al., 2008; Peng et al., 2008; Peng et al., 2009; Zanobetti et al., 2009)	0.4 <sup>a</sup>	\$16,803
Acute Bronchitis (Dockery et al., 1996)	3.0	\$1,462
Acute Myocardial Infarction, Nonfatal (Pope et al., 2006; Sullivan et al., 2005; Zanobetti et al., 2009; Zanobetti & Schwartz, 2006)	0.2 <sup>b</sup>	\$29,201
Emergency Room Visits (Glad et al., 2012; Mar et al., 2010; Slaughter et al., 2005)	2.4 <sup>b</sup>	\$1,003
Asthma Exacerbation Symptoms (Mar et al., 2004; Ostro et al., 2001)	59.5 <sup>b</sup>	\$3,435
Upper Respiratory Symptoms (Pope et al., 1991)	55.3	\$1,841
Lower Respiratory Symptoms (Schwartz and Neas, 2000)	38.8	\$815
Minor Restricted Activity Days (Ostro & Rothschild, 1989)	1770.8	\$120,838
Work Days Lost (Ostro et al., 1987)	297.6	\$55,091
Chronic Bronchitis (Abbey et al., 1995)	1.5	\$419,644 <sup>c</sup>
Mortality, All Causes (Krewski et al., 2009)	2.2	\$21,160,530
Total Valuation		\$21,821,425

a Pooled effects with averaging approach, as per EPA BenMAP default setting.

b Pooled effects with random/fixed effects approach, as per EPA BenMAP default setting.

c Pooled effects with summation approach, as per EPA BenMAP default setting.

Source: WRITTEN REPORT OF GEORGE D. THURSTON REGARDING THE PUBLIC HEALTH IMPACTS OF AIR EMISSIONS FROM THE WHEELABRATOR FACILITY

November 20, 2017

<https://www.cbf.org/document-library/cbf-reports/thurston-wheelabrator-health-impacts-2017.pdf>



**SB 146 - CBF - FAV.pdf**

Uploaded by: Matt Stegman

Position: FAV



# CHESAPEAKE BAY FOUNDATION

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*Environmental Protection and Restoration  
Environmental Education*

## **Senate Bill 146**

Renewable Energy Portfolio Standard – Eligible Sources – Alterations  
(Reclaim Renewable Energy Act of 2024)

Date: January 25, 2024	Position: <b>Favorable</b>
To: Education, Energy and the Environment Committee	From: Doug Myers Maryland Senior Scientist

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Chesapeake Bay Foundation (CBF) **SUPPORTS** SB 146, which removes waste-to-energy incineration as a Tier 1 source of renewable energy.

Chesapeake Bay Program studies have determined that one-third of the nitrogen pollution that ends up in the water comes from [air pollution](#). Waste-to-energy incineration facilities emit tons of nitrogen oxides from their stacks each year: this air pollution is carried to the Bay and its tributaries as soon as it rains. Negative health outcomes from exposure to particulate matter and other air pollutants are well documented, and shown to disproportionately affect low-income communities, for example the Curtis Bay community in Baltimore City.

While we understand that, from an economic standpoint, it may be difficult for local governments to end their relationships with facilities like the Wheelabrator in Baltimore City, it does not make sense for the State to continue to subsidize incinerator facilities through the renewable energy portfolio standard (RPS). The contributions to both air and water pollution of waste-to-energy incinerators are contrary to the spirit of the RPS program, negatively affecting the Bay and Marylanders.

**CBF urges the Committee's FAVORABLE report on SB 146.**

For more information, please contact Matt Stegman, Maryland Staff Attorney, at [mstegman@cbf.org](mailto:mstegman@cbf.org).

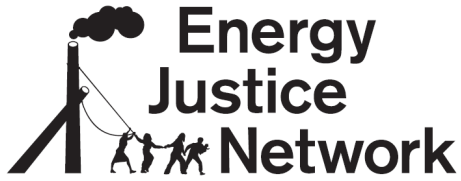
Maryland Office • Philip Merrill Environmental Center • 6 Herndon Avenue • Annapolis • Maryland • 21403

*The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 200,000 members and e-subscribers, including 71,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.*

**2024-01-25 - SB146 - FAV - Energy Justice Network.**

Uploaded by: Mike Ewall

Position: FAV



January 25, 2024

Comments before Senate Energy,  
Education, and the Environment  
Committee

**FAVORABLE**

**Senate Bill 146**

Renewable Energy Portfolio Standard -  
Eligible Sources – Alterations

Mike Ewall, Esq.  
Founder & Director  
Energy Justice Network  
215-436-9511  
mike@energyjustice.net  
[www.EnergyJustice.net](http://www.EnergyJustice.net)

Good afternoon. My name is Mike Ewall, and I'm the founder and director of a national organization, Energy Justice Network. Energy Justice works at the local level with grassroots community groups in Maryland and the rest of the country to support efforts to promote clean energy and zero waste, while ending the most harmful and polluting practices, notably waste incineration.

We emphatically support this legislation, and are the only group to have been speaking up against all of the dirty energy sources since before Maryland adopted the Renewable Portfolio Standard in the first place, two decades ago. We warned that it would be subsidizing polluters, and history has proved us right, as this policy has become a leading driver of support for dirty so-called "renewable" energy sources across many states, as far as Wisconsin and Tennessee. We were the first to put forth this legislation in 2016.

The point of a Renewable Portfolio Standard is to replace dirty energy sources such as nuclear and fossil fuels with clean, renewable sources that don't burn up the climate and contribute to diseases and early death in communities downwind of power plants. Ratepayer subsidies should go to wind and solar, not trash burners.

**Trash incineration should never have qualified, since it's dirtier than burning coal** by most measures.

According to EPA's best data, trash incinerators release 65% more carbon dioxide (CO<sub>2</sub>) per unit of energy than coal burning does. Even with the modern pollution controls installed, incinerators also release more dioxins, mercury, lead, hydrochloric acid, carbon monoxide, and nitrogen oxides than a coal power plant does to make the same amount of energy. We've documented this at [www.energyjustice.net/incineration/worsethancoal](http://www.energyjustice.net/incineration/worsethancoal)

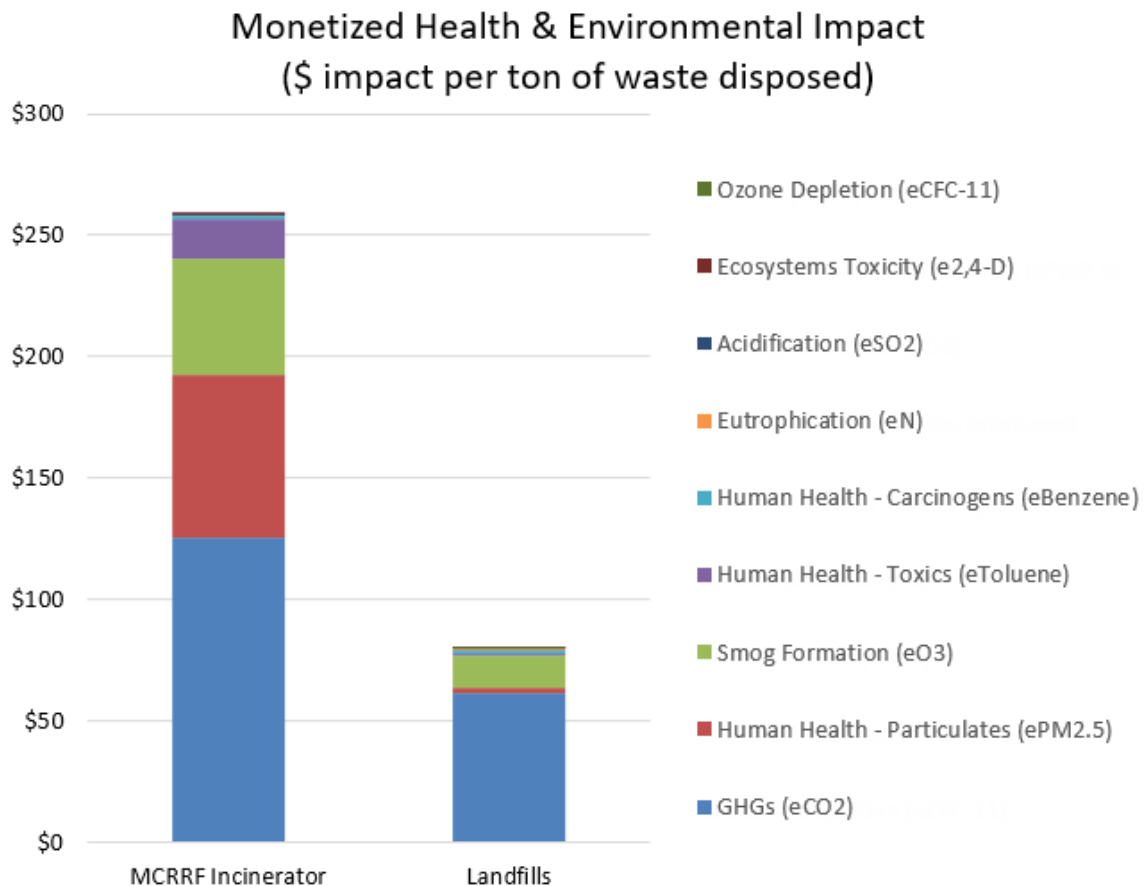
The three trash incinerators subsidized by Maryland ratepayers, the largest of which is in Northern Virginia, are major climate polluters. EPA's latest data from their Greenhouse Gas Reporting Program shows that these **three trash burners released 2.14 million tons of greenhouse gases (CO<sub>2</sub> equivalents) in 2022**. There are no pollution controls that reduce CO<sub>2</sub> from incinerators.

Montgomery County is already planning to close its incinerator by 2026. The idea that the Wheelabrator Baltimore incinerator could close if this bill is passed is a red herring, as they have a 10-year contract for the city's waste, and loss or RECs would not be sufficient to make them close. However, it's important to understand that incineration is NOT preferred over landfilling. Even the U.S. EPA has admitted that they have zero citations to back up the placement of incineration above landfilling in their waste hierarchy and they have posted in July 2022 that they are reconsidering their hierarchy based on the latest science. Science shows that **burning trash and landfilling ash is worse than using landfills directly**. A [life cycle analysis](#) conducted for Montgomery County proved that burning trash is twice as bad for the climate and three times as bad overall, when factoring in other pollutants that the incinerator releases in greater quantities than landfills do. Surprisingly, diesel truck emissions – even if traveling hundreds of miles to reach more distant landfills – are only about 4% of the impacts and do not cause landfills to be worse than the nearby incinerator emissions. Incineration is worse than landfilling because burning waste turns it into air pollution and toxic ash, which is more dangerous in a landfill than filling it with unburned trash. For every 100 tons of trash burned,

approximately 30 tons of ash are produced. At each of the three trash incinerators in question, the toxic ash is landfilled in communities of color: one in Baltimore and two in Virginia. The process of burning makes toxic ingredients in waste, such as heavy metals (lead, mercury, arsenic, cadmium, etc.) more available to blow off of trucks, blow off of the top of the landfill when it's used as daily cover and for building internal roads for waste trucks to drive over at the landfill, and for rainwater to pick up and risk contaminating groundwater. The process of burning also creates new chemicals such as highly toxic dioxins and furans, acid gasses, nitrogen oxides, sulfur oxides, and more. Thanks to pollution control devices, some of this is reduced or moved into the ash, minimizing air pollution by making the ash more toxic. However, even with air pollution controls, burning trash is still more polluting than burning coal, per unit of energy produced.

The chart below summarizes those impacts, showing the monetized health and environmental costs that are externalized on impacted communities. In blue are the climate impacts, which are greater from incinerators because all of the carbon is immediately injected into the atmosphere as CO2 when incinerated. At landfills, much of the carbon, especially that in plastics and durable materials like wood, stays sequestered in the landfill. While food scraps and yard waste in landfills produce methane, which is over 80 times more potent than CO2 over a 20-year period, it is not enough to overcome the fact that incinerators release more carbon. Of the gas that is captured at landfills, it is turned back into CO2 when burned, reducing climate impacts.

In red are the impacts of particulate matter, causing heart attacks, strokes, COPD, cancers, and more. In green is the impact of nitrogen oxides triggering asthma attacks. In purple and light blue are the toxic chemicals causing cancers, birth defects, learning disabilities, immune system problems, reproductive disorders, and more. Collectively, these impacts from incinerator air pollution (that which comes out after the pollution controls) adds up to far greater impacts than landfilling without burning first.



# **Testimony for SB0146.pdf**

Uploaded by: Nicole Horowitz

Position: FAV

As a resident of Glen Burnie and a Maryland ratepayer, I am writing to express my strong support of SB146, the Reclaim Renewable Energy Act. Maryland needs to be taking the state of the climate seriously. We need to fund renewable energy sources and I want this money to be spent wisely. I don't believe spending this money on trash incinerators is the right decision. These incinerators pollute a lot and are dirtier than coal. Subsidies that incinerator companies have been receiving have ballooned to 24 million dollars, when it should be spent on real renewable solutions. We can't keep spending our money profiting something that's not putting renewables first. This bill won't even cost the ratepayer more, this just moves money that we are already spending to the options that are actually renewable. It will be better spent than RPS subsidies being paid to non-renewable energy incinerators, some not even in the state, like the Covanta incinerator in Lorton, VA, receiving over \$11 million. It's time we take the money we spend, and direct it to real solutions here in Maryland.

# **RPS Bill testimony.pdf**

Uploaded by: Nicole Labruto

Position: FAV



**Testimony Supporting SB146**  
**Senate Education, Energy, and the Environment Committee**  
**January 25, 2024**

**Position: SUPPORT**

Dear Chair Feldman and Members of the Committee,

As a resident of District 12 in Baltimore City, a Maryland taxpayer, a resident concerned about climate change for the future of our children, and a faculty member at Johns Hopkins University who specializes in research and teaching about sustainability, I am writing to express my strong support of SB146, the Reclaim Renewable Energy Act.

**Trash incineration is a very polluting method of producing electricity.** [A new 2023 study in PLOS Climate](#) found that “incinerators emit more greenhouse gas emissions per unit of electricity produced than *any* other power source” - including coal plants. [EPA's Emissions Inventory](#) indicates that in 2020, the three trash incinerators profiting from Maryland's RPS emitted 2.5 million tons of CO2 into the atmosphere. Incineration emits mercury and lead, which are not safe at any level of exposure.

**Maryland is wasting an increasing amount of money subsidizing trash incineration.** Over three years, due to the market-based nature of the subsidy (the amount of electricity produced by incinerators has not increased), the total subsidies to trash incinerators through Maryland's RPS ballooned from \$11.5 million in 2020 to \$24.7 million in 2022. This is an incredible windfall for the incinerators, and bad for Marylanders. We can't afford to keep wasting increasing amounts of money profiting something that's not putting renewable energy on the grid.

**Maryland needs to take action on climate change.** We need to be funding renewable energy development and taking the climate crisis seriously. The RPS is an important tool to support clean, renewable energy development and decrease emissions from the electricity sector, and it's important to ensure that our money is being invested wisely.

**State government supports this bill.** It's recommended in the [Climate Pollution Reduction Plan](#) that MDE just released at the end of December, and also recommended by the Maryland Commission on Climate Change's [2023 Annual Report](#).

Thank you for your time and consideration.

Sincerely,  
Nicole Labruto

3905 Juniper Road  
Baltimore, MD 21218

**SB0146-FAV-DTMG-1-25-24.pdf**

Uploaded by: Olivia Bartlett

Position: FAV



**Olivia Bartlett, DoTheMostGood Maryland Team**  
**COMMITTEE:** Education, Energy, and the Environment

**TESTIMONY ON:** SB0146 - Renewable Energy Portfolio Standard – Eligible Sources - Alterations (Reclaim Renewable Energy Act of 2024)

**POSITION:** FAVORABLE

**HEARING DATE:** January 25, 2024

**BILL CONTACT:** Senator Karen Lewis Young

DoTheMostGood (DTMG) is a progressive grass-roots organization with members in all districts in Montgomery County as well as in several nearby districts. DTMG supports legislation and activities that keep all Maryland residents healthy and safe in a clean environment. DTMG therefore supports legislation aimed at addressing climate change so that our children and grandchildren will have a better future. DTMG strongly supports SB0146 because trash incineration is not “clean energy”, contributes to climate change and air pollution, and wastes taxpayer money.

The Maryland General Assembly has passed several bills in recent years committing Maryland as a leader on addressing climate change. To fulfill these promises, Maryland needs to be funding truly clean renewable energy. Maryland’s Renewable Energy Portfolio Standards (RPS) are an important tool to support clean, renewable energy development and decrease greenhouse gas (GHG) emissions and air pollution from the electricity sector. However, trash incineration is a very dirty energy source. Burning trash releases 90% more greenhouse gas emissions per unit of energy than burning coal. The 2023 Annual Report of the Maryland Commission on Climate Change and Governor Moore’s Climate Pollution Reduction Plan, released in December, 2023, both recommend removing trash incineration from the RPS as proposed in SB0146.

In addition to undermining Maryland’s GHG reduction and climate change goals, keeping trash incineration in the RPS also wastes Maryland taxpayer money. Maryland is the only state in the country that includes burning of trash in Tier 1 “renewable energy” and thus allows incinerator operators to receive millions of dollars in taxpayer subsidies from the state. These Renewable Energy Credits (RECs) help to prop up a dirty energy source, make it more profitable, stifle new clean energy development, and disincentivize other ways to reduce trash in Maryland.

Due to the market-based nature of the RPS subsidy (the amount of electricity produced by incinerators has not increased), the total subsidies to trash incinerators through Maryland’s RPS ballooned from \$11.5 million in 2020 to \$24.7 million in 2022, for a total of about \$51 Million for the three years ending in 2022. This is an incredible windfall for the incinerators, and bad for Marylanders. Furthermore, most of this Maryland taxpayer subsidy has actually gone to an incinerator in Lorton, Virginia. SB0146 will allow this subsidy, which is now wasted on trash incinerators, to go to clean renewable energy sources like solar and wind facilities in Maryland.

In summary, Maryland needs to invest in real climate solutions, and finding funding for the \$1 billion called for in Maryland’s Climate Pollution Reduction Plan will be a significant challenge. Passing

SB0146 will better prioritize the money we already spend and ensure that taxpayer subsidized RECs support truly clean energy and incentivize investment in solar, wind and other clean sources of renewable energy in Maryland.

For all these reasons, DoTheMostGood strongly recommends a **FAVORABLE** report on SB0146.

Respectfully submitted,

Olivia Bartlett  
DoTheMostGood Maryland Team  
[oliviabartlett@verizon.net](mailto:oliviabartlett@verizon.net)  
240-751-5599

**SB146\_FAV\_MoCoDSA.pdf**

Uploaded by: Olivia Delaplaine

Position: FAV



# Democratic Socialists of America

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Montgomery County, Maryland

**Testimony Supporting SB146: Reclaim Renewable Energy Act**  
**Senate Education, Energy, and the Environment Committee**  
**January 25, 2023**

**Position: SUPPORT**

Dear Chair Feldman and Members of the Committee,

As chair of Montgomery County DSA, I am writing to express our organization's strong support of SB146, the Reclaim Renewable Energy Act.

Montgomery County DSA has over 500 due-paying members and supporters in the county, with our membership ranging from high school students to retirees, all dedicated to furthering social and economic justice in our county.

We believe that our state urgently needs to take action on climate change. We envision a future for our county and state of energy democracy, a future in which residents and ratepayers have a say in where their energy comes from, a future in which truly renewable sources are abundant, a future with clean air, clean water, and healthy neighborhoods. Yet as we actively work toward that future, floods, fires, droughts, unseasonably warm winters have become all too commonplace. Maryland lawmakers must act now with the urgency the climate crisis demands, even in challenging budget environments, as stewards of our funds and of the earth at once.

The current Renewable Energy Portfolio Standard (RPS), however well-intentioned, has resulted in more than \$20 million in annual public subsidies to facilities that together emit nearly 3 million tons of CO<sub>2</sub> per year, the equivalent of more than 500,000 additional cars on the road. This arrangement, while profitable for a small number of companies, is a budgetary and climate disaster. The Reclaim Renewable Energy Act will finally solve this issue by altering the RPS standard to exclude these companies.

Passing the Reclaim Renewable Energy Act is a necessary step toward responsible spending and action on climate. We urge a favorable report.

**SB146.testimony.Gallagher.pdf**

Uploaded by: Patrice Gallagher

Position: FAV

Senate Education, Energy, and the Environment Committee

January 24, 2024

**Re: SB 146 / Position: SUPPORT**

Dear Chair Feldman and members of the Committee:

**I'm a resident of Frederick, Maryland and I am writing to ask for your support of the Reclaim Renewable Energy Act (SB 146) to eliminate trash incineration from Maryland's Renewable Portfolio Standard (RPS).**

**I believe most citizens in Maryland would be surprised and disappointed to learn that Maryland's renewable energy dollars are being spent in support of dirty energy sources, rather than going completely toward REAL renewable energy.**

In Frederick, many of our residents began their opposition to incineration being included in Maryland's Renewable Portfolio Standard as a result of all that we learned about the negative financial and environmental consequences of trash incineration when a project was proposed to be built here more than a decade ago.

But the point of this bill is not to shut down incinerators. The point is to stop subsidizing them by providing them with Tier One status in the RPS.

**I'm proud that Maryland has made strong commitments to take action on climate change, but allowing Renewable Energy Credits to be purchased from incinerators is greenwashing — not real action on climate change. In fact, Maryland Dept. of the Environment and the Maryland Commission on Climate Change are both in support of SB 146.**

Again, please support SB 146 to assure that Maryland is subsidizing only REAL clean energy solutions.

Many thanks for your consideration,

Patrice Gallagher  
Co-founder, Frederick Zero Waste Alliance  
102 W Church Street  
Frederick MD 21701



# **SB146\_IndivisibleHoCoMD\_FAV\_Alexander.pdf**

Uploaded by: Peter Alexander

Position: FAV



**SB146 – Renewable Energy Portfolio Standard - Eligible Sources - Alterations (Reclaim Renewable Energy Act of 2024)**

**Testimony before Senate Education, Energy, and the Environment Committee  
January 25, 2024  
Position: Favorable**

Mr. Chair, Mdm. Vice Chair and members of the committee, my name is Peter Alexander and I represent the 750+ members of Indivisible Howard County. Indivisible Howard County is an active member of the Maryland Legislative Coalition (with 30,000+ members). We are providing written testimony today in **support of SB146**, Reclaim Renewable Energy Act. We appreciate the leadership of Senator Lewis Young and her colleagues for sponsoring this important legislation.

This can keeps getting kicked down the road.

SB146 will eliminate highly polluting trash incineration from Maryland's RPS, pollution that harms nearby communities' health, and contributes to climate change. The Climate Pollution Reduction Plan just released by the MDE recommends eliminated the trash incineration subsidy as does a recent 2023 report from the Maryland Commission on Climate Change. In fact, incinerators emit more greenhouse gases per unit of electricity produced than any other power source<sup>1</sup>.

The RPS is an important tool to support clean, renewable energy development and decrease emissions from the electricity sector, but trash incineration should not be subsidized, especially with a fiscally tight State budget. Worse, \$11.7 million of the \$24.7 million subsidy paid in 2022 to burn trash went to a trash incinerator in VIRGINIA. Passing the Reclaim Renewable Energy Act is a no-cost bill in the state budget and will better prioritize the money we already spend.

Subsidizing this seemingly renewable material takes money away from real renewable energy programs and drives waste markets toward the worst methods of waste management. Simply put, subsidizing trash incineration is counter-productive. Subsidies exist to support the things we want, so why are we subsidizing things we don't want?

It's time to stop kicking this can and enact this important alteration to the RPS. Let's put RPS subsidies toward wind and solar power, and let the waste sector work on managing waste.

**We respectfully urge a favorable committee report.**

Peter Alexander, PhD  
Woodbine, MD

1 Tangri N (2023) Waste incinerators undermine clean energy goals. PLOS Clim **2**(6): e0000100.  
<https://doi.org/10.1371/journal.pclm.0000100>

# **Testimony Supporting SB146.pdf**

Uploaded by: Raychel Gadson

Position: FAV

Testimony Supporting SB146  
Senate Education, Energy, and the Environment Committee  
January 25, 2024

Position: SUPPORT

Dear Chair Feldman and Members of the Committee,

As a resident of district 43A and a political science educator, I am writing to express my strong support of SB146, the Reclaim Renewable Energy Act. Being tasked with teaching people about our governing institutions means trying to make sense of how decisions are made at the local and state levels in order to fight political apathy and encourage participation in governance. Unfortunately it also means being frequently disappointed in the glaring disparity in responsiveness of elected officials to business interests and the communities they are supposed to represent. I hope I'll be able to say that is not the case in this situation. There are several clear reasons why waste-to-energy incineration should not be included in Maryland's renewables portfolio despite what operators may claim. Incinerators do not produce "clean energy," and the RPS is fundamentally a tool for supporting the production of clean energy. Maryland officials have espoused a commitment to combatting climate change in the Climate Pollution Reduction Act, and if we hope to meet any of the goals outlined we need to make sure that our limited funds are being used intelligently. This bill will direct funds where they should be going, and stop Maryland from wasting millions every year on dirty energy.

Thank you, in advance, for doing the right thing.

Raychel Gadson  
PhD Candidate  
Johns Hopkins University

# **SB146 Reclaim Renewable Energy Act.pdf**

Uploaded by: Rebecca Shillenn

Position: FAV

Dear Education, Energy, and the Environment Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with the Baltimore Transit Equity Coalition (BTEC). I am a resident of District 7. **I am testifying in support of the Reclaim Renewable Energy Act of 2024, SB0146.**



Maryland needs to take action on climate change, and needs to find ways to do so this year that do not cost any money out of the state budget. As Senate President Ferguson recently said “this is a year about prioritizing the resources that we have.” Over three years, the total subsidies to trash incinerators (including out-of-state companies) through Maryland’s RPS ballooned from \$11.5 million in 2020 to \$24.7 million in 2022, while a new 2023 study in PLOS Climate found that “incinerators emit more greenhouse gas emissions per unit of electricity produced than any other power source” - including coal plants. That makes this subsidy doubly bad policy for Marylanders and our goals and a perfect target for cuts. This bill does just that by excluding incineration of waste and refuse-derived fuel from the “tier1 renewable source” category of the state’s renewable energy portfolio.

The state isn’t the only stakeholder being being forced to pay subsidies to polluting fuel sources under the guise of renewable energy: so are state taxpayers. The RPS subsidy is paid by electric utilities, and ultimately comes out of our utility bills. We deserve to know that when we’re paying for renewable energy, we’re actually helping support the renewable energy we need to fight climate change and clean our air.

Finally, the subject matter experts in the state’s own Department of the Environment and Commission on Climate Change both recently published reports supporting this action.

It is for these reasons that I am encouraging you to vote **in support of the Reclaim Renewable Energy Act of 2024, SB0146.**

Thank you for your time, service, and consideration.

Sincerely,

**Rebecca Shillenn**

**5401 Elsrode Avenue, Baltimore MD 21214**

Showing Up for Racial Justice Baltimore

# **Testimony in support of SB0146.pdf**

Uploaded by: Richard KAP Kaplowitz

Position: FAV

1/23/2024

Richard Keith Kaplowitz  
Frederick, MD 21703

**TESTIMONY ON SB#0146 - FAVORABLE**

**Renewable Energy Portfolio Standard - Eligible Sources - Alterations (Reclaim Renewable Energy Act of 2024)**

**TO:** Chair Feldman, Vice Chair Kagan, and members of the Education, Energy, and the Environment Committee

**FROM:** Richard Keith Kaplowitz

**My name is Richard Keith Kaplowitz. I am a resident of District 3. I am submitting this testimony in support of SB#0146, Renewable Energy Portfolio Standard - Eligible Sources - Alterations (Reclaim Renewable Energy Act of 2024)**

My Jewish faith teaches me a "...halakhah (Jewish law) prohibits wasteful consumption. When we waste resources we are violating the mitzvah (commandment) of *Bal Tashhit* ("Do not destroy"). It is based on Deuteronomy 20:19-20:

*"When in your war against a city you have to besiege it a long time in order to capture it, you must not destroy its trees, wielding the ax against them. You may eat of them, but you must not cut them down. Are trees of the field human to withdraw before you into the besieged city? Only trees that you know do not yield food may be destroyed; you may cut them down for constructing siegeworks against the city that is waging war on you, until it has been reduced."*

This law was expanded in later Jewish legal sources to include the prohibition of the wanton destruction of household goods, clothes, buildings, springs, food or the wasteful consumption of anything ... The underlying idea of this law is the recognition that everything we own belongs to God. When we consume in a wasteful manner, we damage Creation and violate our mandate to use Creation only for our legitimate benefit."

We need to look at excluding energy derived from waste and refuse from being eligible for inclusion in the renewable energy portfolio standard. The use of these resources damages our environment and poses significant health risks to populations adjacent to facilities processing this waste into energy. This dirty energy should not be part of the portfolio of energy sources in a clean and healthy Maryland power generating environment. It is wasteful consumption damaging our health, our environment, and our need to create environmental justice in affected communities.

SB0146 makes a moral statement that Maryland stands for climate justice and environmental justice and is forward looking in its approach to energy generation. **I respectfully urge this committee to return a favorable report on SB#0146.**



**SB 146\_Maryland Catholics for Our Common Home\_FAV.**

Uploaded by: Robert Simon

Position: FAV



# Maryland Catholics for Our Common Home

Responding to the cry of the Earth  
and the cry of the poor.

Hearing before the Senate Education, Energy, and the Environment Committee  
Maryland General Assembly  
January 25, 2024

## **Statement of Support (FAVORABLE) of Maryland Catholics for Our Common Home on SB 146, Reclaim Renewable Energy Act of 2024**

Maryland Catholics for Our Common Home (MCCH) is a lay-led organization of Catholics from parishes in the three Catholic dioceses in Maryland: the Archdiocese of Baltimore, the Archdiocese of Washington, and the Diocese of Wilmington. It engages in education about, and advocacy based upon, the teachings of the Catholic Church relating to care for creation. MCCH is a grassroots voice for the understanding of Catholic social teaching held by a wide array of Maryland Catholics, but it should be distinguished from the Maryland Catholic Conference, which represents the public policy interests of the bishops who lead these three dioceses.

Because we are attuned both to the cry of a distressed Earth and the cry of the poor who suffer first and most from a warming planet, MCCH would like to express our strong support for the passage of Senate Bill 146: the Reclaim Renewable Energy Act of 2024. In his 2015 encyclical, entitled *Laudato Si': On Care for Our Common Home*,<sup>1</sup> Pope Francis called for a comprehensive response to the threats from climate change, including especially “an urgent need to develop policies so that, in the next few years, the emission of carbon dioxide and other highly polluting gases can be drastically reduced (by) substituting for fossil fuels and developing sources of renewable energy.” (*Laudato Si'*, no. 26)

In his 2023 apostolic exhortation on the climate crisis, *Laudate Deum*<sup>2</sup>—a follow-up to *Laudato Si'*, Pope Francis sounds an even more urgent cry to do much more about reducing carbon dioxide and other greenhouse gas emissions. “I have realized that our responses have not been adequate, while the world in which we live is collapsing and may be nearing the breaking point. In addition to this possibility, it is indubitable that the impact of climate change will increasingly prejudice the lives and families of many persons. We will feel its effects in the areas of healthcare, sources of employment, access to resources, housing, and forced migrations.” (*Laudate Deum*, no. 2)

As Catholics we are concerned with Pope Francis that “the effects of climate change are borne by the most vulnerable people, whether at home or around the world.” (*Laudate Deum*, no. 3) What we do in Maryland matters well beyond our state. As Pope Francis so movingly puts it: “The world sings of an infinite Love: how can we fail to care for it? ... God has joined us so closely to the world around us that

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<sup>1</sup> The English text of the encyclical, to which the paragraph numbers in the parentheses refer, can be found at: [https://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco\\_20150524\\_enciclica-laudato-si.html](https://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20150524_enciclica-laudato-si.html).

<sup>2</sup> The English text of this apostolic exhortation, to which the paragraph numbers in the parentheses refer, can be found at: [https://www.vatican.va/content/francesco/en/apost\\_exhortations/documents/20231004-laudate-deum.html](https://www.vatican.va/content/francesco/en/apost_exhortations/documents/20231004-laudate-deum.html).

we can feel the desertification of the soil almost as a physical ailment, and the extinction of a species as a painful disfigurement.”<sup>3</sup>

We are moving too slowly in Maryland, where we have the power to make our climate choices on supporting truly clean and renewable energy. That is irresponsible at this point in time. We have limited resources and do not need to be subsidizing the profits of companies that only have dirty energy to offer. Our focus must be on clean, renewable energy.

Senate Bill 146 responds to both the cry of the poor and the cry of the Earth by eliminating public subsidies for trash incineration under Maryland’s Renewable Portfolio Standard (RPS). This energy source not only pollutes the environment and harms the health of people living in nearby communities, but even more importantly, unlike clean energy sources such as wind, solar and geothermal that Maryland should be supporting, trash incineration contributes to climate change. A 2023 study in *PLOS Climate* found that “incinerators emit more greenhouse gas emissions per unit of electricity produced than *any* other power source”<sup>4</sup>—including coal plants. Subsidizing them takes money away from investments in the clean, renewable energy technologies we need, and that are increasingly available, to be quickly scaled up.

So, MCCH concurs with these points made by Clean Water Action and at least three dozen other environmental organizations in Maryland:

- The purpose of the RPS is to support clean, renewable energy, which Maryland and the planet needs now more than ever. Trash incineration is not clean, renewable energy.
- Maryland is wasting an increasing amount of RPS money on trash incineration, nearly half of it out of state at the Covanta incinerator in Lorton, Virginia.
- Eliminating trash incineration from the RPS is a budget-neutral means of making more money available for renewable energy.
- Eliminating trash incineration from the RPS is recommended in Maryland’s *Climate Pollution Reduction Plan* and the Maryland Commission on Climate Change’s *2023 Annual Report*.

All God’s creatures will suffer the ravages of an overheated planet, including species extinction and rising sea levels that threaten Maryland shorelines; and if we continue to support trash incineration, then the poorest among us will be condemned to live beneath or downwind of plumes of toxic emissions, suffering higher rates of asthma or being exposed to cancer-causing emissions.

This bill will ensure that public subsidies for renewable energy through the Renewable Portfolio Standard go toward actual *clean* renewable energy and are not wasted on energy sources that emit greenhouse gases and result in harmful pollution.

For these reasons we strongly urge your support for this bill. Thank you for your consideration of our views and our respectful request for a **favorable** report on Senate Bill 146.

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<sup>3</sup> Apostolic Exhortation *Evangelii Gaudium* (24 November 2013), no. 215, English text available at [https://www.vatican.va/content/francesco/en/apost\\_exhortations/documents/papa-francesco\\_esortazione-ap\\_20131124\\_evangelii-gaudium.html](https://www.vatican.va/content/francesco/en/apost_exhortations/documents/papa-francesco_esortazione-ap_20131124_evangelii-gaudium.html).

<sup>4</sup> Neil Tangri, “Waste incinerators undermine clean energy goals,” *PLOS Climate* 2(6): e0000100, 1 June 2023, <https://doi.org/10.1371/journal.pclm.0000100>.

# **HB146-MOS testimony.pdf**

Uploaded by: Robin Todd

Position: FAV



Date January 24, 2024

**Committee: Education, Energy, and Environment**

**Testimony on: SB146, the Reclaim Renewable Energy Act**

**Position: Support: SB146**

Dear Chair Feldman and Members of the Committee,

On behalf of the Maryland Ornithological Society (MOS), I am writing to express our strong support for SB146, the Reclaim Renewable Energy Act. Our support is based on the following three factors.

1. Pollution

Trash incineration is a very polluting way of generating electric power. A 2023 study in PLOS Climate<sup>1</sup> concluded that this method released significantly more greenhouse gases per unit of electric power than any other method. The three incineration plants subsidized by Maryland's RPS released 2,500,000 tons of CO<sub>2</sub> in 2020. In addition, trash incineration releases lead and mercury. By contrast solar and wind energy do not release any greenhouse gases or the two aforementioned heavy metals. The funds currently subsidizing the incineration method should be diverted to projects which use such clean energy methods.

2. Maryland in Supporting a Virginia facility

More money (\$11,700,000) goes to the Covanta facility in Virginia, than to either of the two Maryland facilities (\$4,200,000 to BRESKO in Baltimore and \$8,700,000 to the Dickerson facility in Montgomery County). Maryland taxpayers are subsidizing Virginia!

3. Incinerator Subsidies are up but Power out is the same

The subsidies for trash incineration via the Maryland RPS have doubled from \$11.5 million in 2020 to \$24.7 million in 2023, but the amount of electricity generated has remained the same. So Maryland is getting much less value for its money, while the incinerators' income has doubled. Maryland taxpayers should no longer be saddled with this commitment.

MOS asks that the Education, Energy and Environment Committee give a favorable report on HB146

MOS is a Maryland-based volunteer organization, founded in 1945, and now with some 2000 members, in 15 chapters throughout the state. MOS is devoted to the study, conservation and enjoyment of birds that spend at least part of their lives in Maryland.

<sup>1</sup>PLOS Climate 2023. At:

<https://journals.plos.org/climate/article?id=10.1371/journal.pclm.0000100>

Sincerely,

A handwritten signature in blue ink that reads "Robin G. Todd". The signature is fluid and cursive, with the first name "Robin" being the most prominent.

Robin G. Todd PhD  
Conservation Chair  
Maryland Ornithological Society  
Robin.todd@mdbirds.org  
10174 Green Clover Drive  
Ellicott City, MD 21042

# **National Aquarium SB146 - Favorable.pdf**

Uploaded by: Ryan Fredriksson

Position: FAV



# NATIONAL AQUARIUM®

**Date:** January 25, 2024

**Bill:** SB 146 - Renewable Energy Portfolio Standard (Reclaim Renewable Energy Act of 2024)

**Position:** Support

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Dear Chair Feldman and Members of the Committee:

The National Aquarium respectfully requests a favorable report for **SB 146 Renewable Energy Portfolio Standard - Eligible Sources - Alterations (Reclaim Renewable Energy Act of 2024)**, which would redefine “Tier 1 renewable source” of energy and exclude energy derived from waste and refuse as eligible for inclusion in the renewable energy portfolio standard.

The National Aquarium connects people with nature to inspire conservation action, through a holistic, solutions-focused approach, which includes translating ocean and climate science, building resilience through community empowerment, implementing nature-based solutions, and reducing our own carbon footprint. Our work is guided by three overarching goals to combat climate change, stop plastic pollution, and save wildlife and habitats. The National Aquarium is committed to achieving net-zero greenhouse gas emissions by 2035. Our ability to reach net-zero depends on the state increasing its renewable energy from truly clean and renewable sources. The perverse incentive created by including trash incineration as “renewable” in our RPS allows for it to continue to occupy space on our grid that can and should be filled with clean renewable energy like wind and solar.

Trash incineration not only exacerbates climate change; it is also linked to the plastic pollution crisis. Municipalities in Maryland, like others around the nation and the world, are unable to keep up with the increasing production of plastic and the resulting waste that primarily ends up in the environment, either in landfills or incinerators. Trash incineration adds greenhouse gas emissions and harmful air pollution to the atmosphere while also disincentivizing better waste management practices including source reduction, reuse systems, recycling and composting. To make matters worse, trash incinerators are often sited in underserved and overburdened communities. It is long overdue for the state to stop subsidizing smokestacks in communities where environmental justice must be a priority.

It is incumbent that governments at every level focus on reducing greenhouse gas emissions rapidly while prioritizing a just transition away from fossil fuels. Maryland is a climate leader with ambitious goals and a commitment to environmental justice. As recommended by both the Maryland Commission on Climate Change and the state’s Climate Pollution Reduction Plan, the legislature must clarify that burning trash is not clean energy and should not be subsidized by ratepayers.

**We urge the Committee to issue a favorable report on SB 146.**

Contact:

**Ryan Fredriksson**

Vice President, Government Affairs  
410-385-8276  
rfredriksson@aqua.org

**Maggie Ostdahl**

Sr. Conservation Policy Manager  
410-385-8275  
mostdahl@aqua.org



# **BTEC Testimony SB 146 Waste Incineration**

Uploaded by: Samuel Jordan

Position: FAV



**Senate Education, Energy, and the Environment  
Committee**

**Testimony in Support of Reclaim Renewable Energy Act  
of 2024 – (SB 146)**

**January 25, 2024**

**Position: Favorable**

Thank you, Chair and Vice Chair, Senators Feldman and Kagan. I am Samuel Jordan - President of the Baltimore Transit Equity Coalition (BTEC).

**We urge your favorable report on SB 146.**

The Baltimore Transit Equity Coalition has emphasized over the nine years of its existence that transit-reliant riders, residents who use public transit and are without access to cars, are among the members of communities most burdened by the incineration of waste and refuse. In the Baltimore region, these are communities of people of color.

When we study the work of Dr. Robert Bullard, the acknowledged "Father of the Environmental Justice Movement," we find that people of color make up 57% of residents in a two-mile radius of hazardous facilities and make up 60% of those people who live near two polluting facilities. In a study of Houston, Texas his research found that five out of five landfills in Houston were located in

Black neighborhoods, and six out of eight incinerators were in Black neighborhoods. This pattern is replicated across the nation. The environmental justice movement challenges that dominant paradigm.

While SB 146 does not shut down incinerators, it does impact the bottom line of incinerator owners and removes profitable subsidies when waste and refuse incineration is included among renewable energy sources.

Total subsidies to trash incinerators through Maryland's Renewable Portfolio Standard more than doubled from \$11.5 million in 2020 to \$24.7 million in 2022. This is an incredible windfall for the incinerator entrepreneurs. Yet, a new 2023 study in PLOS Climate found that "incinerators emit more greenhouse gas emissions per unit of electricity produced than any other power source" – including coal plants. We do violence to the definition of renewable energy when waste incineration is included.

On behalf of BTEC and all who deserve clean air and clear skies, drinkable water, soil without poisons, and clean energy, we urge you to support our efforts to remove incineration as a source of renewable energy and to **issue a favorable report on SB 146.**

Thank you. Samuel Jordan – Baltimore Transit Equity Coalition <Samuel.Jordan@moretransitequity.com>

**Via\_testimony SB146.2024.pdf**

Uploaded by: Sara Via

Position: FAV

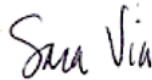
January 23, 2024

**To: Senate Education, Energy and the Environment Committee**

**Re: Testimony in support of SB146**

**Position: SUPPORT**

**From: Dr. Sara Via**, Professor and Climate Extension Specialist,  
University of Maryland College Park  
[svia@umd.edu](mailto:svia@umd.edu)



I am a resident of District 9B and a Maryland electricity ratepayer. I strongly support SB146 because it will stop the subsidy of highly polluting dirty energy from trash incineration. In 2022, almost \$25 million RPS dollars from Maryland ratepayers supported the generation of dirty power from incineration, with half of it going out-of-state to the Lorton incinerator. If these funds were used instead to support clean renewable energy generated in Maryland, we could create jobs for hard-working Marylanders while advancing Maryland's ambitious climate goals.

It's crucial to distinguish "renewable energy" from "clean energy". Using these terms interchangeably has been an ongoing problem in the RPS and this is the crux of the issue addressed in SB146. Burning trash is technically "renewable" since there is a seemingly endless supply. But energy from incineration is by no means "clean," and it should not be subsidized by Maryland ratepayers.

**It is past time to clean up the RPS and use Maryland ratepayer dollars to subsidize only clean renewable energy.** Cleaning up the RPS will neither prohibit incineration nor prohibit incinerator companies from receiving RPS funds from other states. It will just remove subsidies for incineration from Maryland ratepayers so that our RPS funds can be used to support truly clean energy. This is what both the RPS and Maryland's Climate Pollution Reduction Plan are all about.

The initial [statute defining the RPS](#) asserted that that ensuring a certain proportion of renewable energy in the overall portfolio would benefit Marylanders through "LONG-TERM DECREASED EMISSIONS, (and) A HEALTHIER ENVIRONMENT." At that time, it may have seemed reasonable to think that energy from each renewable source allowed in Tier 1 would cause lower emissions than electricity made by burning fossil fuels. Now we know that isn't true. Generating power with incineration releases more greenhouse gases per watt than any other form of electricity generation<sup>1</sup>.

Incinerating municipal solid waste also releases even more hazardous air pollution than burning coal—5x more NO<sub>x</sub>, twice as much carbon monoxide (CO) and 17x more mercury<sup>2</sup>. A large fraction of municipal waste is plastic, and we know that burning plastic releases some very hazardous volatiles and particulates into the air. **Why would we subsidize dirty energy that damages the environment and reduces the health of Marylanders and call it a climate solution?**

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<sup>1</sup> Tangri, N. 2023. Waste incinerators undermine clean energy goals. PLOS Clim. 2(6): e0000100.  
<https://doi.org/10.1371/journal.pclm.0000100> .

<sup>2</sup> Public Employees for Environmental Responsibility. 2022. *Maryland's Clean Energy Program Isn't So Clean*. Accessed 2/26/23 from <https://peer.org/wp-content/uploads/2022/02/PEER-Report-Maryland-RPS-2.21.22-Final.pdf>.

The trash problem is often used to justify incineration as if there are no options. But we can deal with trash sustainably by implementing waste reduction programs reducing single-use plastics and improving rates of recycling. We could also disallow all organic material (food and yard waste) from landfills, instead diverting it to greatly expanded modern composting facilities. Yes, recycling is currently inefficient and inadequate. But recycling is not only a problem we CAN solve, it's a problem we MUST solve to build the circular economy we require for the future.

We simply can't keep throwing stuff away and then pretending to deal with it through incineration.

Because incineration is not a climate solution, allowing it to be subsidized in the RPS deceives Maryland ratepayers. They pay for the RPS **thinking** that they are helping to curb climate change and speed the transition to clean energy. Instead, they are spending millions each year to enrich companies that increase deadly air pollution and speed up climate change.

Maryland is better than this. As our legislators, you have the power to change the RPS so that it will function as it should. By using RPS funds to subsidize only *bona fide* clean energy sources like wind and solar, this legislation will help to speed the energy transition we so desperately need.

Once the cost of dirty energy from incinerators is no longer artificially lowered by RPS funds, it will be easier for communities to justify the cost of real climate solutions for waste. They can develop workable recycling programs and efficient ways to divert food and yard waste from landfills into composting facilities. The valuable soil amendment produced by composting organic waste will enrich gardens and farmland and even increase the resilience of Maryland agriculture to climate change<sup>3</sup>.

I look forward to the expansion of wind and solar in Maryland and the production of thousands of good-paying jobs in the clean energy industry for hard-working Marylanders.

Please help to facilitate the clean energy transition in Maryland. Remove incineration from Tier 1.

Thank you!

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<sup>3</sup> Via, S. 2021. *Increasing Soil Health and Sequestering Carbon in Agricultural Soils: A Natural Climate Solution*. The Izaak Walton League of America and the National Wildlife Federation. Available at <https://www.iwla.org/soils-agriculture/soilhealthreport>.

# **SB146 Reclaim Renewable Energy Act.pdf**

Uploaded by: Sarah Johnson

Position: FAV

Dear Education, Energy, and the Environment Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with the Baltimore Transit Equity Coalition (BTEC). I am a resident of District 41. **I am testifying in support of the Reclaim Renewable Energy Act of 2024, SB0146.**



Maryland needs to take action on climate change, and needs to find ways to do so this year that do not cost any money out of the state budget. As Senate President Ferguson recently said “this is a year about prioritizing the resources that we have.” Over three years, the total subsidies to trash incinerators (including out-of-state companies) through Maryland’s RPS ballooned from \$11.5 million in 2020 to \$24.7 million in 2022, while a new 2023 study in PLOS Climate found that “incinerators emit more greenhouse gas emissions per unit of electricity produced than any other power source” - including coal plants. That makes this subsidy doubly bad policy for Marylanders and our goals and a perfect target for cuts. This bill does just that by excluding incineration of waste and refuse-derived fuel from the “tier1 renewable source” category of the state’s renewable energy portfolio.

The state isn’t the only stakeholder being forced to pay subsidies to polluting fuel sources under the guise of renewable energy: so are state taxpayers. The RPS subsidy is paid by electric utilities, and ultimately comes out of our utility bills. We deserve to know that when we’re paying for renewable energy, we’re actually helping support the renewable energy we need to fight climate change and clean our air.

Finally, the subject matter experts in the state’s own Department of the Environment and Commission on Climate Change both recently published reports supporting this action.

It is for these reasons that I am encouraging you to vote **in support of the Reclaim Renewable Energy Act of 2024, SB0146.**

Thank you for your time, service, and consideration.

Sincerely,  
Sarah Johnson  
1 Merryman Court  
Baltimore, MD 21210  
Showing Up for Racial Justice Baltimore



# **SB146 Renewable Energy Portfolio**

Uploaded by: Senator Karen Lewis Young

Position: FAV

KAREN LEWIS YOUNG  
Legislative District 3  
Frederick County

Committee on Education, Energy,  
and the Environment



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Annapolis, Maryland 21401  
410-841-3575 · 301-858-3575  
800-492-7122 Ext. 3575  
Karen.Young@senate.state.md.us

THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of SB 146: Renewable Energy Portfolio Standard – Eligible Sources  
– Alterations (Reclaim Renewable Energy Act of 2024)  
January 25, 2024**

Chairman Feldman, Vice-Chair Kagan, and distinguished members of the Education, Energy, and Environment Committee:

It is my pleasure to offer testimony in support of **Senate Bill 146** - Reclaim Renewable Energy Act of 2024. If enacted, this bill will **remove trash incineration from qualification in the state’s renewable portfolio standard.**

Maryland’s Renewable Portfolio Standard (RPS) was created with the goals of decreasing long-term emissions and working toward a healthier environment. But because trash incineration is included in Maryland’s definition of “renewable energy sources” eligible for Tier 1 Renewable Energy Credits (RECs), the RPS is subsidizing an energy source that actually *increases* emissions and *harms* environmental health. Allowing the RPS to subsidize trash incineration pollutes Maryland, harms ratepayers, and impedes job growth.

Trash incinerators are one of the worst polluters, up there with airports and paper mills. Trash incinerators release 28 times as much dioxin, 2.5 times as much carbon dioxide (CO<sub>2</sub>), twice as much carbon monoxide, three times as much nitrogen oxides (NO<sub>x</sub>), 6-14 times as much mercury, nearly six times as much lead and 70% more sulfur dioxides than a coal plant would to produce the same amount of energy. These persistent pollutants do not break down, allowing them to move without confinement and build up in people and wildlife. For example, some of these toxins, such as dioxins and mercury compounds are found even in arctic marine mammals, as far from an industrial source as possible. One study found that past municipal waste incineration in the U.S. has been responsible for 70-80% of dioxins found in the far North. Detrimentially, dioxin is also considered by the World Health Organization to be a human carcinogen.

Trash incinerators are also costly for ratepayers. In 2022, trash incinerators took up 12.5 percent of all RECs and 54 percent of all RECs retired<sup>1</sup> for RPS compliance. The cost of RECs

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<sup>1</sup> “Retired” here means to claim the REC and commit it to be used for RPS compliance.

KAREN LEWIS YOUNG  
Legislative District 3  
Frederick County

Committee on Education, Energy,  
and the Environment



James Senate Office Building  
11 Bladen Street, Room 302  
Annapolis, Maryland 21401  
410-841-3575 · 301-858-3575  
800-492-7122 Ext. 3575  
Karen.Young@senate.state.md.us

THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

varies depending on the energy source, and at \$22.96 per REC, trash incineration is second only to solar in cost. Indeed, the World Bank has identified incineration as the most expensive way to deal with municipal waste, with costs high above alternatives like composting. The money to subsidize incineration comes from Maryland taxpayers. Allowing incineration to receive subsidies as a renewable energy forces Maryland taxpayers to pay for a costly, caustic disposal method.

Moreover, the funds paid by Maryland taxes that go to RECs for incinerators often leave the state. In 2022, 47.5 percent of the RECs granted to trash incineration sources went to just one incinerator in Virginia rather than going to supporting clean energy initiatives within Maryland. That's \$6,444,202.71 USD that could have gone toward helping develop new, clean energy within Maryland – just from 2022 alone. Using the funds currently spent on subsidizing trash incinerators to develop in-state, clean energy sources would not only be better for the environment, but it could make Maryland less dependent on other states for sources like wind and solar and create new jobs building and maintaining these sources. We are funding out-of-state trash incinerators at the expense of wind and solar jobs in Maryland.

Trash incineration should never have been a part of the RPS. In the original design of the RPS program, incinerators were included in the Tier 2 category that was to phase out in 2019. In 2011, Maryland became the first state to bump trash incineration from Tier 2 to Tier 1, putting it in competition with wind and solar power. At the time, there were two new proposed incinerators in Baltimore and Frederick. Due to massive community backlash, neither facility was built, but millions in RPS subsidies still goes to incineration each year.

The General Assembly already acknowledged that the Renewable Portfolio Standard will be more effective with fewer eligible polluters. The legislature already eliminated black liquor from the RPS in 2021. Passing Senate Bill 146 is a continuation of that good work and will make the RPS even more effective at meeting its goals.

In conclusion, we must remove trash incineration from the state's renewable portfolio standard. Trash incinerators pollute more than coal. Their emissions do not break down, cannot be contained, and cause widespread damage to the health of our constituents and our state's beautiful wildlife. Granting subsidies like renewable energy credits to trash incinerators costs Maryland ratepayers - costs that currently leave the state, when they could be going toward

**KAREN LEWIS YOUNG**  
*Legislative District 3*  
Frederick County

Committee on Education, Energy,  
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**THE SENATE OF MARYLAND**  
**ANNAPOLIS, MARYLAND 21401**

creating jobs and lead to new sources of clean energy. It is time to take action and reclaim our renewable energy portfolio standard program.

I urge a favorable report of **Senate Bill 146**. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Karen Lewis Young". The signature is written in a cursive style.

Senator Karen Lewis Young

# **SB 0146, FAV, Education, Energy and the Environmen**

Uploaded by: Shannon Moore

Position: FAV



**FREDERICK COUNTY GOVERNMENT**  
**DIVISION OF ENERGY & ENVIRONMENT**

Jessica Fitzwater  
*County Executive*

*Shannon Moore, Director*

**SB 146 - Renewable Energy Portfolio Standard - Eligible Sources - Alterations (Reclaim Renewable Energy Act of 2024)**

**DATE:** January 25, 2024  
**COMMITTEE:** Senate Education, Energy, and the Environment  
**POSITION:** Support  
**FROM:** Shannon Moore, Director, Division of Energy and Environment

Thank you for your consideration of SB 146 – Renewable Energy Portfolio Standard - Eligible Sources - Alterations (Reclaim Renewable Energy Act of 2024). As the Director of the Division of Energy and Environment in Frederick County, I urge the committee to give SB 146 a favorable report.

Currently, the State's Teir I Renewable Portfolio Standard program subsidizes pollution to include particulates and ground level ozone precursors. These emissions, in turn, create environmental justice concerns for populations with asthma and lung disease. Therefore, alterations of this program have the opportunity to facilitate the intended purpose of the program which is to reduce carbon dioxide equivalent emissions and increase carbon neutral energy sources.

For these reasons, Frederick County is in support of SB 146 – Reclaim Renewable Energy Act. Thank you for your consideration. On behalf of Frederick County Government, I urge a favorable report.

Respectfully,

Shannon Moore

Director  
Division of Energy and Environment  
Frederick County Government  
30 N. Market St., Frederick, MD 21701  
(O) 301.600.1413 (C) 240.608.7406

# **TestimonySB0146.pdf**

Uploaded by: Sharon Davlin

Position: FAV

Reclaim Renewable Energy Act 2024 sign on (HB166/SB146)  
Testimony Supporting SB146  
Senate Education, Energy, and the Environment Committee  
January 25, 2024

Position: SUPPORT

Dear Chair Feldman and Members of the Committee,

My family and I urge you to pass the Reclaim Renewable Energy Act (SB146). All of us are Maryland ratepayers. We are fed up with paying subsidies for trash incineration and we know that over half of these subsidies go to out-of-state incinerators. Those of us who have asthma or COPD are only too aware that we are paying for the air pollution that contributes to our own illnesses and to thousands of others.

In difficult economic times, it is unbelievable that Maryland is throwing away many millions of dollars (almost 25 million in 2022) on subsidizing trash incinerators instead of real clean energy sources. Since 2004, the urgency of supporting renewable energy development in Maryland and throughout our grid has only become greater. Maryland must urgently act to reduce greenhouse gas emissions and carefully assess how we are spending the state's resources to fight climate change, including the effectiveness of the Renewable Portfolio Standard (RPS) program in delivering long-term decreased emissions and a healthier environment. Trash incineration is not clean, renewable energy and is contradictory to the goals of the RPS.

Maryland state government, climate experts, renewable energy businesses, environmental and environmental justice advocates, and community organizations are united: burning trash is not clean energy, and Maryland must stop subsidizing it through the Renewable Portfolio Standard.



# **Shashawnda SBCLT Testimony Supporting SB146.pdf**

Uploaded by: Shashawnda Campbell

Position: FAV

**Testimony Supporting SB146**  
**Senate Education, Energy, and the Environment Committee**  
**January 25, 2024**

**Position: SUPPORT**

I am Shashawnda Campbell and I am a part of the South Baltimore Community Land Trust and a resident of Baltimore City. We do a lot of work with communities and organizations.

I want to emphasize in my testimony the original purpose of the Renewable Portfolio Standard (RPS) in Maryland, was to support clean and renewable energy. The focus on the legislature's intent in 2004, promoting benefits such as "long-term decreased emissions" and "a healthier environment," underscores the environmental goals that the RPS was designed to achieve.

I am here urging the state to urgently address greenhouse gas emissions and carefully assess the effectiveness of the RPS in delivering long-term environmental benefits, reflecting the increasing importance of combating climate change. I also want to acknowledge that the urgency has only grown since the establishment of the RPS in 2004 which emphasizes the need for proactive measures to promote renewable energy development. The only way to promote good development such as wind and solar is to stop sending money from the RPS to the dirtiest source of energy which is trash incineration. Trash incineration releases many greenhouse gasses and causes health impacts which solar and wind does not. That is Why I am here in support of Bill SB0146 to take trash incineration out of the RPS so other alternatives can get the funding.

We need the state to take lead by passing this bill so we can really be attaining the goals in the State set forward in the [Climate Pollution Reduction Plan](#) that MDE released.

Best,

Shashawnda Campbel

SBCLT

**SB 146 Written Testimony\_ Shenae (1).pdf**

Uploaded by: Shenae Thomas

Position: FAV



# PROGRESSIVE MARYLAND

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## Testimony on Maryland Senate Bill 146 Reclaim Renewable Energy Act

**TO:** Chair Feldman, Vice Chair Kagan, and members of the committee

**FROM:** Shenae Thomas, Progressive Maryland EJTF

**DATE:** January 25, 2024

**POSITION:** Favorable

My name is Shenae Thomas, and I am a member of **Progressive Maryland's Environmental Justice Task Force**. I appreciate you giving me the opportunity to share my sentiments about the Renewable Energy Act (**SB146**) of 2024. As a single mother of a daughter that attends The Historic Cherry Hill Elementary Middle School, in South Baltimore, I am deeply concerned about my monthly utility bill contributing to the wealth of a toxic trash incinerator that's responsible for high rates of Asthma in my community.

Moreover, a recent 2023 PLOS study found that incinerators emit more greenhouse gas emissions per unit of electricity produced than any other power source." This is appalling and is the reason why we should remove trash incineration from our state's renewable energy program and pass the RREA, so that future generations of majority black communities don't have to pay monthly taxes for fools-gold like renewable energy.

For these reasons, **we respectfully urge a favorable report on SB146.**

Respectfully, Shenae Thomas

**\_SB 146 Written Testimony \_ SirJames.pdf**

Uploaded by: SirJames Weaver

Position: FAV



# PROGRESSIVE MARYLAND

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## Testimony on Maryland Senate Bill 146 Reclaim Renewable Energy Act

**TO:** Chair Feldman, Vice Chair Kagan, and members of the committee

**FROM:** SirJames, Environmental Justice Organizer

**DATE:** January 25, 2024

**POSITION:** Favorable

With gratitude, I appreciate the opportunity to voice my opinion on the Reclaim Renewable Energy Act of 2024 (SB146). Why are Marylanders, especially poor black communities in South Baltimore, helping to maintain the wealth of fools-gold like renewable energy such as trash incineration? In 2004, our state's Renewable Portfolio System was set up to support a diverse array of renewable energy sources and to meet our state's renewable energy goals. Trash incineration isn't clean and is further thwarting our global fight to address climate change.

As an Environmental Justice Organizer, on behalf Progressive Maryland, back on November 16, I held a public forum at Enoch Pratt Library Brooklyn Branch in South Baltimore, and heard several South Baltimore community members share soul-jerking testimonies about their monthly utility bills supporting the wealth of a toxic trash incinerator, which has caused high rates of asthma. Senator Ferguson's office was also in attendance and heard loud and clear that the time of feeding our community fools-gold renewable needs to end.

More recently, concerning our state's budget, in a recent January 16 Baltimore Banner article Senate President Ferguson states "passing the Reclaim Renewable Energy Act (RREA) will not cost any money out of the state budget, and will better prioritize the money we already spend." It seems quite clear that it's time that we support genuine forms of renewable energy, such as solar, wind, and geothermal power. In addition, Governor Wes Moore's clean energy agenda for our state will be shaped by the recommendations of the Climate Pollution Reduction Plan, and the Maryland Commission on Climate Change recommends removal of incineration. It's time to end the iniquitous activity of misleading frontline community members with fools-good like renewable energy and pass the RREA to support true forms of green energy like solar, wind, and geothermal power. This will put us on a path to reduce our carbon footprint and eclipse the global climate crisis.

For these reasons, **we respectfully urge a favorable report on SB146.**

Respectfully, SirJames Weaver

**Progressive Maryland  
Environmental Justice Organizer**

References

1. <https://www.thebaltimorebanner.com/politics-power/state-government/wes-moore-budget-preview-JQUUMYNOQZDIVNP6QXMSDHQXWI/>

2. <https://mde.maryland.gov/programs/air/ClimateChange/Pages/Maryland%27s-Climate-Pollution-Reduction-Plan.aspx>

# **SB146 testimony 12524 corrected.pdf**

Uploaded by: Sonia Demiray

Position: FAV





**SB 146, FAVORABLE**

Public Comment

1/25/2024

My name is Sonia Demiray, I am a resident of Frederick County and the founder of the Climate Communications Coalition. Thank you for this opportunity to speak.

I am here to support finally cleaning up the Renewable Portfolio Standard (“RPS”) and remove waste to energy from the list of sources that qualify for RPS subsidies, as stated in SB 146. This program is intended to accelerate clean energy to fight climate change and ensure clean air for all. Letting trash incineration take up space in this program holds Maryland back from accomplishing these vital goals.

For over seven years, Frederick County residents fought hard and finally, in 2014, defeated the plans for a local waste-to-energy incinerator. We understood that such a facility pollutes the climate, harms our health, is expensive, and has a punishing effect on the communities that surround it. While activists were successful in halting a local incinerator, Frederick County citizens are still subsidizing this dirty energy because the subsidies paid to the polluters are hidden in everyone’s utility bills. Most people don’t know that they are –and would not agree to– subsidizing the three dirty incinerators located in Baltimore City, Montgomery County, and Lorton, Virginia – at the cost of \$51 MM over the last 3 years alone. Almost \$22 MM of this went out of state when these funds are intended to reduce climate impacting carbon emissions and increase the availability of clean energy sources in Maryland! It is time to clean up the RPS: we need to get to zero emissions to halt the climate and extinction crises, protect all of our communities, and stop the unfair and unwarranted hidden taxation on Frederick County Citizens -and all Marylanders!- by passing the Reclaim Renewable Energy Act of 2024.

Thank you.

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**SB146 testimony 12524.pdf**

Uploaded by: Sonia Demiray

Position: FAV



**SB 146, FAVORABLE**

Public Comment

1/25/2024

My name is Sonia Demiray, I am a resident of Frederick County and the founder of the Climate Communications Coalition. Thank you for this opportunity to speak.

I am here to support finally cleaning up the Renewable Portfolio Standard (“RPS”) and remove waste to energy from the list of sources that qualify for RPS subsidies, as stated in SB 146. This program is intended to accelerate clean energy to fight climate change and ensure clean air for all. Letting trash incineration take up space in this program holds Maryland back from accomplishing these vital goals.

For over seven years, Frederick County residents fought hard and finally, in 2014, defeated the plans for a local waste-to-energy incinerator. We understood that such a facility pollutes the climate, harms our health, is expensive, and has a punishing effect on the communities that surround it. While activists were successful in halting a local incinerator, Frederick County citizens are still subsidizing this dirty energy because the subsidies paid to the polluters are hidden in everyone’s utility bills. Most people don’t know that they are –and would not agree to– subsidizing the three dirty incinerators located in Baltimore City, Montgomery County, and Lorton, Virginia – at the cost of \$51 MM over the last 3 years alone. Almost \$22 MM of this went out of state when these funds are intended to reduce climate impacting carbon emissions and increase the availability of clean energy sources in Maryland! It is time to clean up the RPS: we need to get to zero emissions to halt the climate and extinction crises, protect all our communities, and stop the unfair and unwarranted hidden taxation on Frederick County Citizens and all Marylanders by passing the Reclaim Renewable Energy Act of 2024.

Thank you.

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**SB146\_Compton\_FAV.pdf**

Uploaded by: Stephanie Compton

Position: FAV

1/24/2024

Stephanie Compton  
814 Washington Blvd  
Baltimore, MD 21230

RE: **Favorable Testimony on SB146**, Renewable Energy Portfolio Standard - Eligible Sources - Alterations (Reclaim Renewable Energy Act of 2024)

Dear Chair Feldman, Vice Chair Kagan, and the members of the Education, Energy, and the Environment Committee-

As a resident of Baltimore City and a Maryland ratepayer, I am writing to express my strong **support of SB146**, the Reclaim Renewable Energy Act.

Burning trash for energy isn't clean or renewable. So why is Maryland using money intended for *actual* renewable energy to subsidize it?

Since 2008, dirty sources of energy have been receiving renewable energy credits, and in 2022 alone, Maryland spent \$24.7 million subsidizing trash incinerators. These polluters are receiving credits that should have gone to *real* renewable energy sources like that of wind, solar, and geothermal.

In the past hearings of removing trash incineration from the RPS, the conversation is often confused with questions of "where would the trash go?" Removing the subsidies from trash incineration isn't about shutting down incinerators, it's about removing the credits from a polluting source that shouldn't be labeled as renewable.

Furthermore, trash incineration is a dying industry. No new plants are being built so continuing to subsidize them is irrelevant.

Please pass SB146 so that Maryland Ratepayers are funding true sources of renewable energy and not false renewables of trash incineration, landfill gas, anaerobic digestion, biomass, and poultry litter incineration.

Sincerely,  
Stephanie Compton  
Zero Waste Expert

# **Remove RPS from Incineration.pdf**

Uploaded by: Susan Hanson

Position: FAV

3205 Poffenberger Rd.

Jefferson, MD 21755

Jan. 24, 2024

SUPPORT OF SB 146 and HB 166

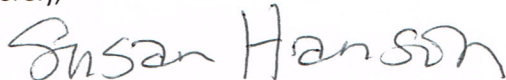
I am writing this afternoon to support the above-mentioned initiative to Remove RPS Status from Trash Incineration.

We have moved way beyond burning trash to create energy and have learned that it is a very poor method to supply clean renewable energy. Today we have solar and wind and both methods of creating electricity produce more electricity and significantly less pollution. Solar and wind electricity production do not create the train loads of toxic ash that is transported off site. Cost per kilowatt is less and the quantity of kilowatts produced per dollar of investment is also greater.

For these reasons, I am asking that you support Senator Young and Delegate Stewarts initiative to use this resource for the purpose of its intent – to encourage green energy sources. The data clearly shows that trash incineration is not green.

Thank you for your consideration. My family has installed solar panels on our home, our barn and corncrib. We drive an electric vehicle and feel strongly that there is nothing green about burning trash.

Sincerely,

A handwritten signature in cursive script that reads "Susan Hanson". The signature is written in black ink and is positioned above the typed name.

Susan Hanson (Margaret S.)

**SB146 PEER Testimony SUPPORT.pdf**

Uploaded by: Timothy Whitehouse

Position: FAV





Testimony Supporting SB146  
Senate Education, Energy, and the Environment Committee  
January 25, 2024

Position: SUPPORT

Thank you, Mr. Chairman, committee members, and Senator Lewis Young, for the opportunity to speak in support of SB146, the Reclaim Renewable Energy Act.

My name is Tim Whitehouse. I am the Executive Director of Public Employees for Environmental Responsibility. We are a national non-profit organization in Silver Spring, Maryland, that works with government employees seeking a higher environmental standards within their agencies. I also live in Poolesville, Maryland, near the Dickerson Incinerator.

I want to highlight several important issues about the bill.

First, this bill will likely have a minimal impact on compliance costs and, by extension, consumer electricity rates in Maryland. Analysis by DLS and by DNR's PPRP conclude that passing this bill won't drive up RPS compliance costs, and therefore consumer electricity prices, up.

Currently, there are enough RECs in the marketplace to cover compliance needs. If there are not, or prices are too high, energy providers can make Alternative Compliance Payments (ACPs) as an alternative to purchasing RECs.

Alternative compliance payments are paid into the Strategic Energy Investment Fund, administered by the Maryland Energy Administration, which is used, among other things, to promote renewable and clean energy sources in Maryland.

REC prices are now on par with ACP payment rates. ACP payment rates are set to decrease over the next several years, indicating that the ACP option provided by Maryland law will help keep prices down.

Second, removing waste-to-energy from the RPS will not affect the amount of energy on the grid. Eliminating these electricity sources from Maryland's RPS does not shut these facilities down. Also, these facilities can continue to operate and sell any RECs they produce to other states that accept RECs from incineration.

Finally, I would like to note that the Covanta Facility in Fairfax, Virginia, is one of the largest sources of air pollution in the Washington, DC area. In addition, Covanta Fairfax was selling

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their RECs to New Jersey until New Jersey determined that the facility did not meet the state's environmental compliance requirements.

RECs from the Covanta plant are now being sold to Maryland utilities instead. This arrangement does not help Maryland meet its climate goals and does not benefit Maryland ratepayers.

Thank you for considering these comments and for your support of SB146.

# **Harris SB146 Written Testimony.pdf**

Uploaded by: Toby Harris

Position: FAV



**Testimony Supporting SB146**  
**Senate Education, Energy, and the Environment Committee**  
**January 25, 2024**

**Position: SUPPORT**

Dear Chair Feldman and Members of the Committee,

As a concerned Maryland ratepayer, resident of downtown Baltimore residing in district 40 and representative of the *South Baltimore Community Land Trust*, I am writing to express my strong support of SB146, the Reclaim Renewable Energy Act.

It is encouraging to see Maryland State agencies, including the Maryland Department of the Environment and the Maryland Commission on Climate Change, publishing their further support in the State's [Climate Pollution Reduction Plan](#) and [2023 Annual Report](#) for efforts removing the renewable credits that fundamentally non renewable "trash" incinerating facilities currently receive under the state's compromised RPS.

Maryland must follow through and invest in climate solutions already accessible to us, and finding funding for the \$1 billion called for in Maryland's Climate Pollution Reduction Plan poses a significant challenge. Governor Moore recently [said](#) about his state budget proposal: "Where we choose to invest that actually defines our values and dictates the course of our future." Senate President Ferguson recently [said](#) about the budget: "I think this is a year about prioritizing the resources that we have." Passing the Reclaim Renewable Energy Act will not cost any money out of the state budget, and will better prioritize the money we already spend.

It is of growing concern that Maryland is wasting an increasing amount of money subsidizing trash incineration. Over the past three years, due to the market-based nature of the subsidy, understanding the amount of electricity produced by incinerators has not increased, the total subsidies to trash incinerators through Maryland's RPS ballooned from \$11.5 million in 2020 to \$24.7 million in 2022. This is an incredible windfall for the incinerators, and destructive for Marylanders and hard working ratepayers. We sincerely can't afford to keep wasting increasing amounts of money profiting something that's not putting renewable energy on the grid.

Instead, we need to be funding renewable energy development and taking the climate crisis seriously. The RPS is an important tool to support clean, renewable energy development and decrease emissions from the electricity sector, and it's important to ensure that our money is

being invested wisely. I want the next generation to experience the same natural wonder and beauty we have been lucky enough to experience in Maryland as climate change threatens our collective futures. Let the RPS serve the original emission reduction aims it purports to advance.

Specifically, passing SB146 serves of paramount importance, understanding trash incineration has been determined as a very polluting method of producing electricity. [A new 2023 study in PLOS Climate](#) found that “[trash] incinerators emit more greenhouse gas emissions per unit of electricity produced than *any other power source*,” including notoriously polluting coal plants. Additionally, the [EPA’s Emissions Inventory](#) indicates that in 2020, the three trash incinerators profiting from Maryland’s RPS emitted a staggering 2.5 million tons of CO2 into the atmosphere.

Subsidizing trash incineration also makes it harder for our local governments to transition to healthier infrastructure for managing our waste. Subsidies for trash incinerators give the companies that own them needless extra profits, making them artificially more competitive against the composting, recycling, reuse, and waste reduction initiatives and businesses that we actually need. Putting ‘renewable energy’ subsidies back into wind and solar power where they belong will also allow Zero Waste infrastructure to compete on an even playing field - but until we make that change, the state of Maryland is giving incinerators an nonsensical economic leg up over the truly renewable infrastructure we actually need. We at the South Baltimore Community Land Trust have been working for many years to move our region and the broader City of Baltimore to a healthier future, building a path ahead where we can receive our energy from truly renewable sources like the wind, solar power, and geothermal sources the RPS is supposed to credit.

Thank you for reviewing our testimony and for the favorable support of SB146.

Sincerely,  
Toby Harris  
South Baltimore Community Land Trust

# **SB146 - Testimony - Valory Fox.pdf**

Uploaded by: Valory Fox

Position: FAV

January 25, 2023

## Testimony in SUPPORT of SB146

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Dear Chair Feldman and Members of the Committee,

I live in Maryland's 32nd district, and I'm someone who cares deeply for the future of our climate. Discussions of climate change often fixate on the future prospects down the line; but there's harm happening right now, and that's why I'm writing today in support of SB146.

### **Incinerators are not renewable energy.**

As it stands today, not only are millions of our dollars being swindled to subsidize polluting our own communities... But to add insult to injury, it's taking money away from actual clean and renewable energy.

We have countless decisions to make in how we allocate resources to fight climate change. A lot of those decisions are tough, but this one isn't. For the health of those in our community and the climate at large, I hope you'll support SB146 today.

Thank you for your time.

**BDC - 2024 - SB 146 - AD Tier 1.pdf**

Uploaded by: Aaron Greenfield

Position: FWA



**To:** The Honorable Brian Feldman  
Education, Energy and Environment Committee

**From:** Bioenergy Devco

**Subject:** Senate Bill 146, Renewable Energy Portfolio Standard - Eligible Sources - Alterations (Reclaim Renewable Energy Act of 2024)

**Date:** January 25, 2024

**Position:** Favorable with Amendment

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Bioenergy Devco supports with amendment Senate Bill 146, Renewable Energy Portfolio Standard - Eligible Sources - Alterations (Reclaim Renewable Energy Act of 2024).

This testimony is offered on behalf of Bioenergy Development Company (BDC), an international leader in anaerobic digestion solutions with over 24 years of experience. BDC’s exceptional team of engineers, microbial experts, biologists, chemists, agronomists, construction designers and facility managers are dedicated to delivering an environmentally sound solution that creates a true source of renewable, carbon-negative energy as well as a high nutrient soil amendment.

Bill Summary: Senate Bill 146 excludes energy derived from waste and refuse from the definition of “Tier 1 renewable source.” As a result, this use will be ineligible for inclusion in the renewable energy portfolio standard.

While BDC supports the intent of Senate Bill 146, BDC requests that the bill is amended to allow for comprehensive collection of methane through all available technologies as well as the development of future collection technology. Under current law, a Tier 1 renewable source includes methane from the anaerobic digestion of organic materials only in a landfill or wastewater treatment plant. BDC seeks to allow all forms including anaerobic digestion – not just in a landfill or wastewater treatment plant – for inclusion as a Tier 1 renewable source.

Anaerobic Digestion: Anaerobic digestion (AD) is a natural, completely enclosed process in which bacteria break down organic waste (e.g. food waste, manures, etc.) in the absence of oxygen. The purpose of AD is three-fold:

- Divert organic waste from our municipal solid waste stream and prevent environmental and social impacts such as GHG emissions associated with landfills and incinerators,
- Produce biogas, which can be used locally to generate heat and / or electricity in a combined heat and power plant or processed into renewable natural gas and integrated into our energy grid.
- Produce digestate, an organic soil amendment that increases soil fertility and crop yields by returning carbon and nutrients back to soil

Locally, BDC has commissioned its first North American Anaerobic Digestion facility in Jessup, Maryland. This AD captures 115,000 tons per year of organic food waste materials that would otherwise be headed to landfills and incineration. The resulting 26,000 tons of carbon dioxide saved from the atmosphere each year has the same environmental impact that a forest area 56 times the size of Central Park provides. This facility will produce an estimated 20,000 tons of rich, fertile soil amendment for agricultural and other land use and more than 275,000 MMBTU's per year of renewable energy. This translates to approximately 30,000 equivalent tons of CO2 removed from the atmosphere. Energy produced by this facility translates to:

- Annual electricity consumption of 6,635 US households
- 1,978,417 gallons of diesel fuel
- 11 million miles of tractor trailer fuel

#### Amendment No. 1

On page 2, line 7, before “methane” insert “ALL FORMS OF”; on page 2, line 7 following “methane” insert “COLLECTION”; on page 2 lines 7-8, strike “in a landfill or wastewater treatment plant”

BDC respectfully requests a favorable report with amendment on Senate Bill 146.

Please contact Aaron J. Greenfield at 410.446.1992, if you have any questions.

**SB 146 - MoCo\_Elrich\_SWA (GA 24).pdf**

Uploaded by: Marc Elrich

Position: FWA



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich  
County Executive

January 24, 2024

TO: The Honorable Brian J. Feldman  
Chair, Education, Energy, and the Environment Committee

FROM: Marc Elrich  
County Executive

RE: Senate Bill 146 – *Renewable Energy Portfolio Standard - Eligible Sources - Alterations (Reclaim Renewable Energy Act of 2024)*  
Support with Amendments

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I am writing to express my support for Senate Bill 146 – *Renewable Energy Portfolio Standard - Eligible Sources - Alterations (Reclaim Renewable Energy Act of 2024)*.

The Renewable Portfolio Standard (RPS) was established to encourage the development of clean, renewable, domestic sources of electricity generation like wind and solar. This bill will refocus the RPS by removing energy derived from waste from counting as Tier I renewable energy sources. This change will appropriately focus investment dollars on the development of wind and solar resources in our region.

Waste-to-energy is misaligned with the goal of the RPS. These systems are primarily designed to accomplish solid waste management, generating electricity as a by-product. Including waste to-energy as a Tier I resource under Maryland's RPS incentivizes these systems and could slow the development of cleaner and more truly renewable energy sources.

Removing waste-to-energy from RPS eligibility will result in a short-term financial impact to Montgomery County due to the loss of revenue from the sale of renewable energy credits. However, in the long term, this change will make a very meaningful difference toward meeting our climate and zero waste goals.

I am requesting one amendment to create a brief transition period that would help us to avoid further increases in solid waste fees in FY 2025. Delaying the application of the changes to the Tier 1 list until July 1, 2025 would allow us additional time to explore cost savings opportunities that, if identified, could reduce future rate increases. Suggested amendment language is below.

The Honorable Brian J. Feldman  
Re: Senate Bill 146  
January 24, 2024  
Page 2

With the inclusion of this amendment, I respectfully request that the Education, Energy, and the Environment Committee give this important bill a favorable report.

cc: Members of the Education, Energy, and the Environment Committee

AMENDMENT TO SENATE BILL 146

(First Reading File Bill)

On page 3, in line 24, strike “years” and in the same line strike “January 1, 2024” and substitute “July 1, 2025”.

# **SB146 - UNF - WIN Waste Innovations - Newsletter.h**

Uploaded by: Caitlin McDonough

Position: UNF

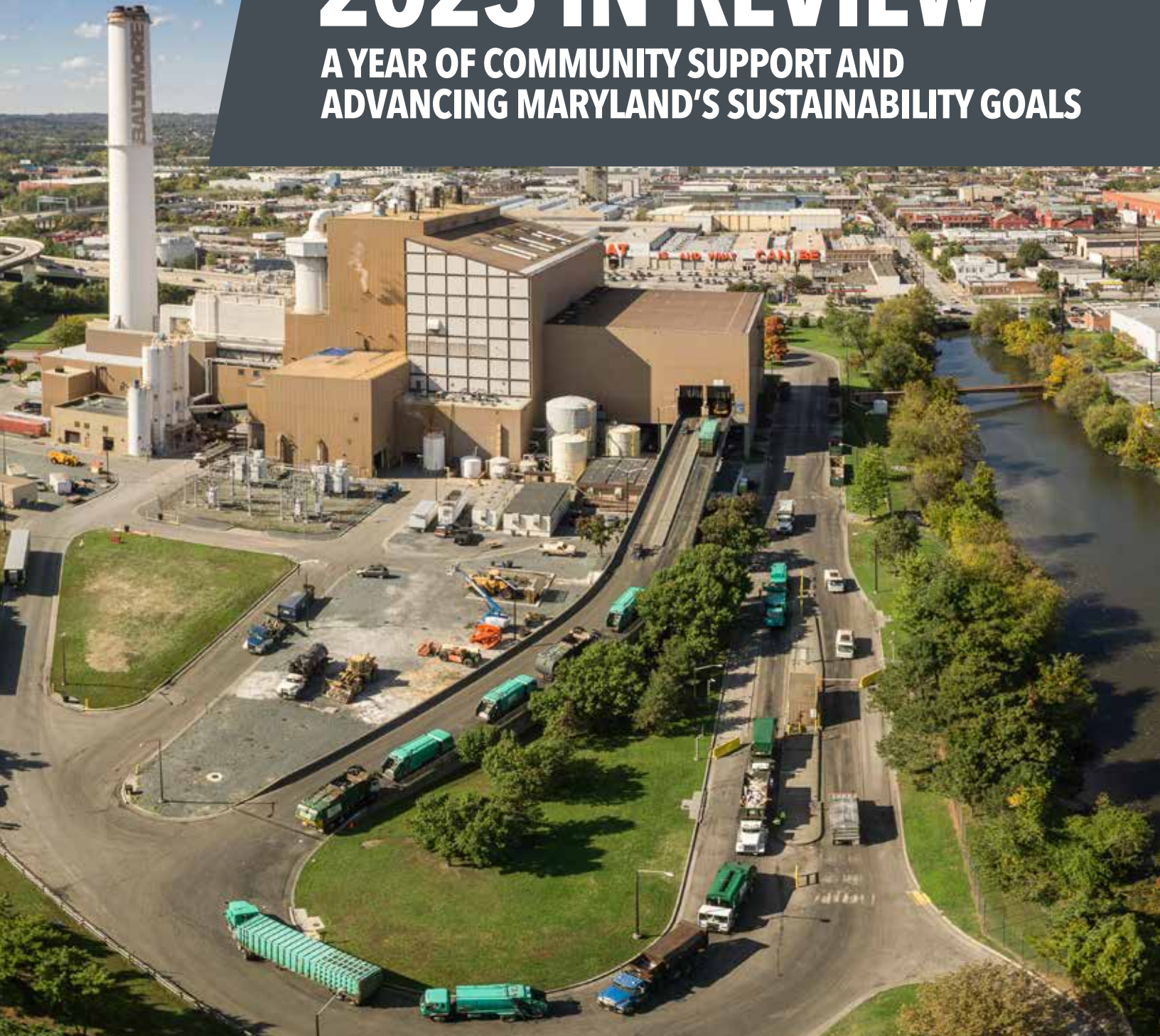


**WASTE  
INNOVATIONS**

**PERFORMANCE FOR THE PLANET®**

# 2023 IN REVIEW

**A YEAR OF COMMUNITY SUPPORT AND  
ADVANCING MARYLAND'S SUSTAINABILITY GOALS**



**EACH YEAR,  
WIN WASTE BALTIMORE**



**CONVERTS**

700K tons of waste into nearly 400K megawatts hours of renewable energy



**ADVANCES**

the objectives of Maryland's Renewable Energy Portfolio Standards, which reduce the state's reliance on fossil fuels



**CONTRIBUTES MILLIONS**

to Baltimore City's budget, offsetting \$100M taxpayers would otherwise need to shoulder to expand landfills and haul waste to other states



**RECOVERS AND RECYCLES**

12K+ tons of metals from the waste stream



**INVESTS \$750K**

in Baltimore to clean, green, train, and support the city



**SUPPORTS 80 FULL-TIME EMPLOYEES**

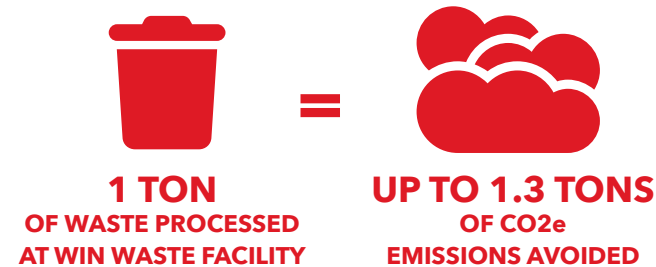
with living wages – hourly compensation starts at \$22/hour and averages \$36/hour – and contributes \$9 million in payroll tax revenue

**WHY WASTE-TO-ENERGY?**

**CONVERTING BALTIMORE'S TRASH HELPS MARYLAND THRIVE**

Maryland households and businesses are producing millions of tons of waste each year. Every day, the WIN Waste Innovations waste-to-energy facility in Baltimore converts approximately 2,250 tons of the city's residential and commercial waste into renewable energy through a highly efficient combustion process that meets strict state and federal standards.

By recovering the renewable energy from Baltimore's waste, WIN Waste diverts all those tons of waste from landfills, where they would otherwise decompose, releasing methane, a greenhouse gas that has a global warming potential more than 80 times that of carbon dioxide in its first 20 years. Diverting waste from landfills and converting it into a renewable resource eliminates vast amounts of future greenhouse gas emissions.



**REDUCING TRAFFIC-RELATED AIR POLLUTION**

By processing Baltimore's waste, WIN Waste also helps eliminate thousands of tractor trailer trips to and from landfills, which reduces traffic-related air pollution, or TRAP, which is the leading cause of air pollution affecting those living in urban areas.



**“Waste-to-energy is the better alternative to landfilling for managing MSW that is not recyclable, a reality explicitly recognized by the waste management hierarchy recommended by both the U.S. [EPA] and the European Union.”**

**– Marco J. Castaldi, Ph.D.**  
“The Scientific Truth About Waste-to-Energy”



## WIN WASTE HELPS ADVANCE MARYLAND'S RPS OBJECTIVES

WIN Waste is helping Maryland achieve its Renewable Energy Portfolio Standards and greenhouse gas emissions goals by safely and efficiently converting everyday waste into renewable energy.

On average, WIN Waste Baltimore annually converts 700,000 tons of waste into nearly 400,000 megawatt hours of renewable energy.

**That's enough to:**



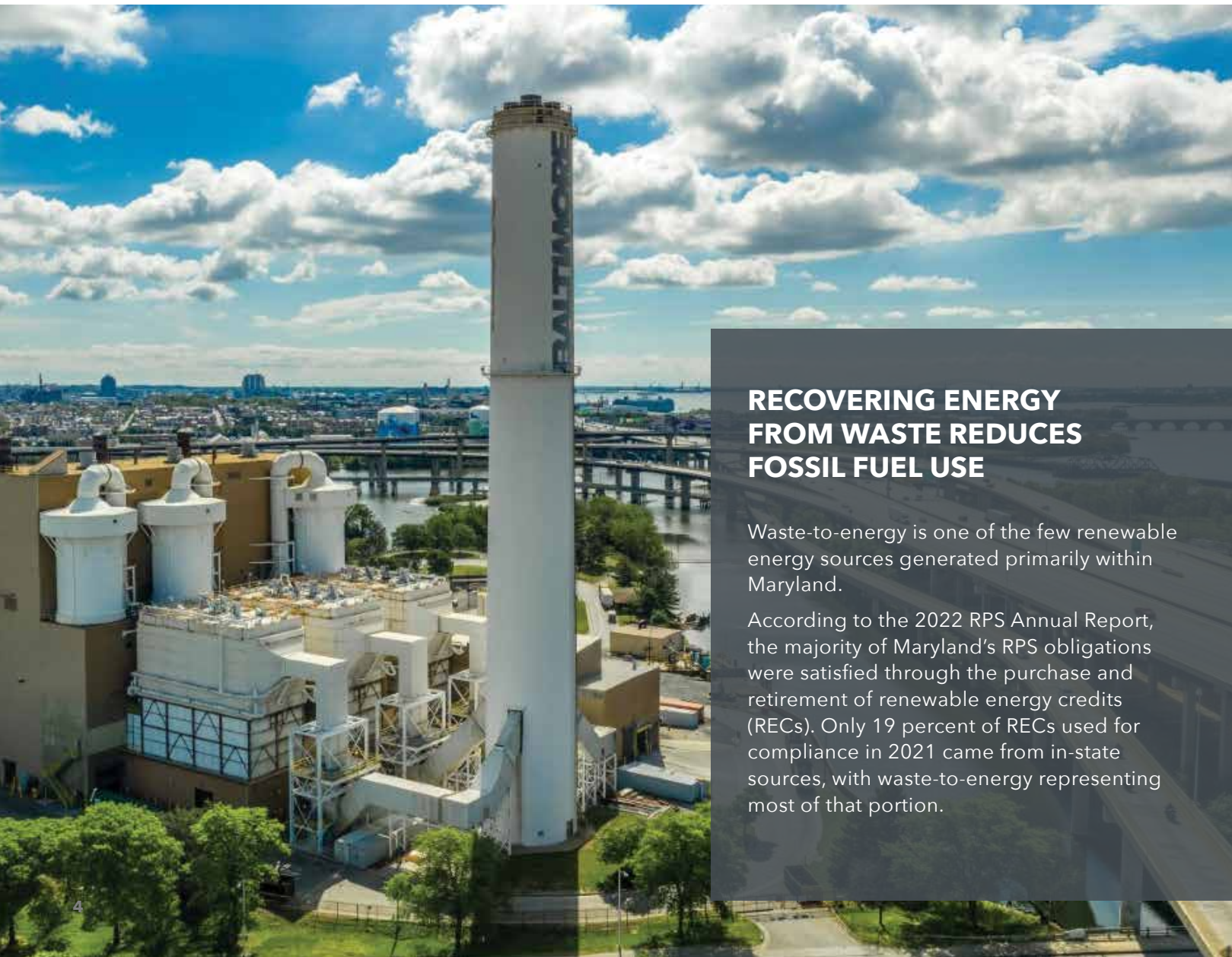
**Offset 648K barrels of oil** needed to create the equivalent amount of energy



**Power the equivalent of 31K+ homes** with energy converted from waste



**Eliminate thousands** of tractor trailer trips to and from landfills



### RECOVERING ENERGY FROM WASTE REDUCES FOSSIL FUEL USE

Waste-to-energy is one of the few renewable energy sources generated primarily within Maryland.

According to the 2022 RPS Annual Report, the majority of Maryland's RPS obligations were satisfied through the purchase and retirement of renewable energy credits (RECs). Only 19 percent of RECs used for compliance in 2021 came from in-state sources, with waste-to-energy representing most of that portion.



### WIN WASTE COMPLETES \$45 MILLION INVESTMENT IN AIR QUALITY CONTROL UPGRADES

WIN Waste Innovations has completed upgrades to air quality control systems at its waste-to-energy plant in Baltimore. The \$45 million dollar investment helps ensure the plant is one of the lowest-emitting waste-to-energy facilities in the world.

Work on the upgrade began in 2022 and was completed in July 2023. The upgrade includes installation of state-of-the-art equipment and technology that will help WIN Waste keep the plant's emissions well below even the strictest regulations.

"Our emissions levels are already consistently well below U.S. EPA and the even stricter State of Maryland regulations, but in working with city officials, we were asked to do even better. We're proud to confirm we have done just that," says Travis Satiritz, Corporate Maintenance Account Manager at WIN Waste Baltimore.

"We are excited to be at the forefront of waste-to-energy technology," Satiritz says. "Our ongoing investment in air quality means WIN Waste Baltimore will continue to safeguard public and environmental health, while sustainably managing the city's growing amount of waste."

## HOW WE SUPPORT THE CITY WE LOVE

WIN Waste Innovations invests nearly \$750,000 in vital Baltimore-based nonprofit organizations each year. These groups share our dedication to making the city and state better places to live and work. Together with our partners, WIN Waste has helped provide youth workforce training, expand urban gardens, remove tons of illegally dumped trash from neighborhoods, and created scores of new green spaces citywide, among many other initiatives.



WIN Waste supports local waste reduction initiatives, including those of the nonprofit 4MyCity. Using WIN Waste's \$50,000 contribution, 4MyCity supplies thousands of low-income families in Baltimore City with biodegradable bags so they can easily compost their food scraps. The compost generated enriches the soil of community gardens throughout the city.



WIN Waste employs local landscaping firm Division Street to build and maintain urban gardens throughout the city of Baltimore.



WIN Waste employees work shoulder to shoulder with thousands of residents across the city to remove more than 2 million pounds of illegally dumped trash and street litter.

## 52 WEEKS, 100+ CLEANUPS

### WIN WASTE HIRES RETURNING CITIZENS TO HELP MAKE THE CITY SHINE



## OUR COMMUNITY PARTNERS

- Health Tech Alley
- Challenge2Change
- We Our Us
- Reaching Innocent Children Hearts
- My Father's Plan
- (R.I.C.H) Foundation
- Action Baybrook
- The National Institute of Health's
- Urban Oasis
- 4MyCity
- CEAL DMV
- Arch Social Community Network
- City of Refuge
- Victory Garden
- University of Maryland Medical Center's Office of
- Community Engagement and Workforce Development
- Pass It On
- Ark Church
- Baltimore Brothers Inc
- Friends of Garrett Park
- YSL - Young Successful Leaders
- S.O.N.S of Phoenix
- Pleasant Beginnings
- Rosemont Neighborhood
- Improvement Association
- Tendea Family
- Mount Clare Community Council
- Grow Home
- Madeira Street Garden
- Hollins Roundhouse Association



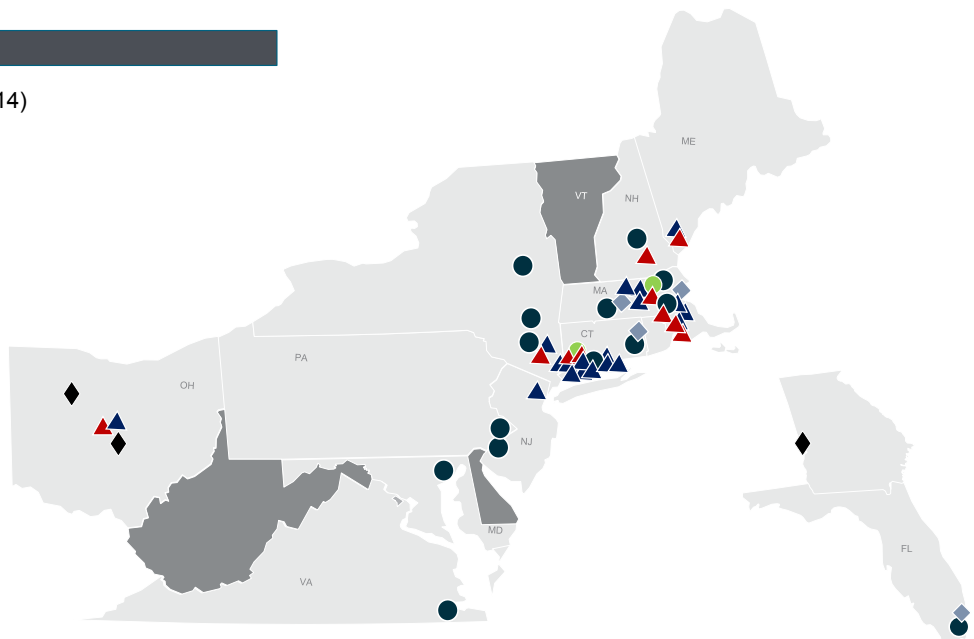
**People first:** The Occupational Safety and Health Administration (OSHA) designates “Star” sites through its Voluntary Protection Program (VPP). WIN Waste Baltimore is an OSHA-designated “Star” worksite. It is the highest safety rating OSHA bestows, and fewer than one percent of worksites in the United States achieve the designation.

## ABOUT WIN WASTE INNOVATIONS

WIN Waste Innovations is a waste management company committed to delivering essential solutions to customers and communities. Its 2,200-strong team operates a platform of 53 strategically located collection, transfer, and disposal assets, including include waste-to-energy facilities, transfer stations, ash monofills, and landfills, as well as fleets of rail cars and collection vehicles, including electric trash trucks. WIN Waste embeds sustainability into every step of the waste handling process – from curbside pickup to the transfer of renewable energy onto the electric grid. By recovering and recycling reusable materials and transforming waste into renewable energy – offsetting the need for fossil fuel – WIN Waste plays a critical role in the sustainability of our planet.

### WIN WASTE LOCATIONS

- WtE Facilities (Disposal/Energy) (14)
- ◆ Ash Monofills (4)
- ◆ Landfills (3)
- ▲ Transfer Stations (20)
- Material Recovery Facility (2)
- ▲ Hauling Locations (10)



# **SB146 - UNF - Win Waste Innovations.pdf**

Uploaded by: Caitlin McDonough

Position: UNF



TO: The Honorable Brian J. Feldman, Chair  
Members, Senate Education, Energy, and the Environment Committee  
The Honorable Karen Lewis Young

FROM: Michael Dougherty

DATE: January 24, 2024

RE: **OPPOSE** – Senate Bill 146 – *Renewable Energy Portfolio Standard – Eligible Sources – Alterations (Reclaim Renewable Energy Act of 2024)*

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On behalf of WIN Waste Innovations and our Baltimore facility (WIN Waste), we submit this letter of **opposition** to Senate Bill 146 because it removes waste-to-energy as a Tier 1 renewable energy source from the Renewable Energy Portfolio Standard (RPS). Such a change would have a significant negative impact on WIN Waste, our customers such as the City of Baltimore and Baltimore County, and the State’s ability to reach its own goals relating to, greenhouse gas (GHG) reduction, and investment in renewable energy and in-state energy generation.

WIN Waste is an integral part of Maryland’s energy, environmental, and economic infrastructure, providing sustainable waste management for the City of Baltimore and Baltimore County. Every day, we divert waste from landfills to annually convert nearly 700,000 tons of post-recycled waste from area homes and businesses into 400,000 megawatt hours of clean, renewable baseload electricity – enough to power ~31,000 Maryland homes, while reducing landfilling, lowering GHG, recycling ~12,000 tons of metals that would also otherwise be landfilled and offsetting the need for nearly 650,000 barrels of oil.

**During the summer of 2023, WIN Waste completed more than \$45 million in upgrades to its Baltimore WTE facility, ensuring its emissions are among the lowest of any such facility in the world.** The company will continue to aggressively invest in maintenance for all areas of the facility to ensure its continued high reliability, safety, and efficiency well into the future. WIN Waste will also continue to invest in new technologies and equipment to ensure the facility operates within strict state and federal guidelines designed to protect the environment and public health. **Moreover, the company will continue to invest nearly \$1 million annually to Baltimore City community and environmental initiatives.**

Energy-from-waste reduces GHG by approximately 1.3 tons for every ton of waste processed. In addition, WIN Waste generates “green steam” for downtown Baltimore’s heating and cooling system, which services 255 businesses, including the M&T Bank Stadium, home of the

Baltimore Ravens. It is essential that the committee take a holistic look at the objectives of the RPS and the broad and ongoing role of WTE, which results in a net reduction of GHG in multiple ways and incentivizes in-state, non-fossil fuel generation.

WTE is one of the few renewable energy sources primarily generated in Maryland. According to the [2022 RPS Annual Report](#), the majority of Maryland's RPS obligations were met through the purchase and retirement of renewable energy credits (RECs). Only 19 percent of the RECs used for compliance in 2021 came from in-state sources, with WTE representing most of that portion.

Energy-from-waste has been endorsed by the U.S. Environmental Protection Agency as the preferred method to landfilling for waste disposal. In fact, it's embraced by the European Environmental Agency, the Center for American Progress, the World Economic Forum, the Intergovernmental Panel on Climate Change, Kyoto Protocol's Clean Development Mechanism, and the United Nations Environment Programme, among many others. More than 30 states recognize waste to energy as renewable energy.

Moreover, Baltimore City's 2020 "Less Waste, Better Baltimore" Master Plan recommends continued utilization of energy-from-waste because the alternative of long-haul trucking is "a cost-prohibitive and environmentally degrading option." In fact, the master plan and other analyses have estimated eliminating WTE from the local waste management process would cost taxpayers as much as \$100 million over several years. That amount would include expanding local landfill capacity and building truck and rail transfer stations to transport an increased volume of waste to out-of-state disposal sites.

In its December 2017 report, the Environmental Integrity Project, funded by the Abell Foundation, reported that "on-road vehicles are the largest contributor to the air pollution that people breathe in Baltimore"

As Maryland waste volumes continue to increase, jurisdictions are already hauling waste to out-of-state landfills using tractor trailers. This additional tractor-trailer traffic, which increases air pollution and fossil-fuel usage, will continue to grow if less waste is safely and responsibly managed locally. According to the Maryland Department of the Environment, nearly 14 million tons of waste was generated in Maryland counties and the City of Baltimore during calendar year 2021, up 19.3 percent from the roughly 11.6 million tons generated in calendar year 2020. WTE plays an essential role in reducing the volume of waste filling local landfills and being trucked to distant disposal sites.

A 2020 study by the Abell Foundation confirms that social determinants of health are a primary driver of asthma in Baltimore City. It found, "The link between environmental exposures and asthma symptom burden is clear: Children are more likely to experience asthma exacerbations if they live in areas with high rates of housing code violations or if they are exposed to high levels of allergens or environmental triggers in the home. Research indicates that more than 84% of homes of children with asthma in Baltimore City contain detectable levels of mouse allergens in bedroom dust and air samples."

As reflected in the December 2019 Report of the Maryland Power Plant Research Program, Figure ES-11, WIN Waste's Baltimore facility is an important economic engine to the region – providing jobs, economic stimulus in the form of capital investments and the purchase of goods and services, local property taxes, and we remain actively engaged in a series of community, environmental and economic initiatives spending tens of millions in the region annually.

As you consider Senate Bill 0146, we hope you will recognize the tremendous environmental and economic benefits WIN Waste provides to Maryland. The elimination of energy-from-waste as a Tier 1 renewable energy source will adversely affect the continued viability of WIN Waste, but also Maryland's ability to meet its high RPS goals. Renewable energy credits help the facility continue to provide affordable and dependable disposal services to the City and the County, while promoting and supporting recycling, diverting waste from landfills, and reducing GHG. We urge the Senate Education, Energy, and the Environment Committee to give Senate Bill 146 an unfavorable report.

# **Renewal Energy Portfolio Standard**

Uploaded by: David Pendleton

Position: UNF



LARRY KASECAMP  
Legislative Director

DAVID PENDLETON SR  
Assistant Director

TOM CAHILL  
Secretary



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January 24, 2024

## LATE TESTIMONY

The Honorable Chairman Brian Feldman and Members  
Senate Education, Energy, and the Environment Committee

### RE: SB146 – OPPOSE

As Assistant State Legislative Director for the Transportation Division of the International Association of Sheet Metal, Air, Rail and Transportation Worker's I am urging your committee to deliver an unfavorable report on SB146, "*Renewable Energy Portfolio Standard - Eligible Sources - Alterations (Reclaim Renewable Energy Act of 2024)*."

Our members are employed by CSX in providing rail service to Covanta, the waste-to-energy facility in Montgomery County. We understand there are hundreds of other union and non-union workers employed in the operations of this and other waste-to-energy facilities throughout the state. We believe these jobs are at risk if this legislation to eliminate waste-to-energy from Maryland's Renewable Energy Portfolio Standard (RPS) is passed into law.

We have been in opposition to the attempts of eliminating biomass from the RPS for several years. When testifying on the legislation, we always proclaim that the jobs associated with the industries that would be affected by that legislation were at risk. The supporters of the legislation always take the position that the jobs are not at risk as these industries will continue to operate afterward, even though they would like to see them close.

Of course, no one can predict the future, but one must look no farther than what happened to the Verso Paper Mill that was in Allegany County, Maryland. After being constantly attacked year after year by legislation to eliminate their ability to receive credits under the RPS for generating electricity for their own operation, this wayed heavily in their decision to close the plant and move production to other facilities in other states where they were not under constant attack.

The result was the loss of over 800 direct union jobs in the plant that paid excellent wages and had great health care and pension benefits. All told, over 3000 jobs were lost when considering the ancillary jobs associated with the production facility. This has been a severe blow to the economy of Allegany County.

We understand renewable energy policies are important and are related to addressing climate change. But sometimes the goals of these legislative efforts result in unintended consequences. Closing of the Verso Paper Mill is an example. The lateral movement of the production line did not result in less making or use of biomass, nor did it lessen the amount of exhaust into the air. It just took place in another state who benefited from the increase in jobs.

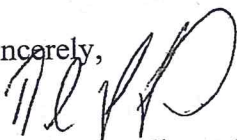
In addition, it was reported that part of the production line equipment was sold to a company in Poland for their use in their production of paper. The demand for the product does not go away just because the plant closes. I would venture to say that Poland does not have the same air quality standards as Maryland, which then results in the opposite affect desired.

Until the state takes responsibility for the jobs they are responsible for eliminating with their policies, we cannot support legislation such as SB146. These facilities and the jobs associated with their processes are middle class family sustaining jobs that pay good wages and benefits that cannot be replaced easily, if at all. Moreover, they provide economic benefits for communities through suppliers, service providers, educational resources, and tax payments.

**We therefore urge your committee to give SB146 an unfavorable report!**

Thank you for your consideration.

Sincerely,



David P. Pendleton Sr.  
Assistant MD State Legislative Director  
 Transportation Division

# **SB 146 - Renewable Energy Portfolio Standard - Eli**

Uploaded by: Donna Edwards

Position: UNF



# MARYLAND STATE & D.C. AFL-CIO

AFFILIATED WITH NATIONAL AFL-CIO

7 School Street • Annapolis, Maryland 21401-2096

Balto. (410) 269-1940 • Fax (410) 280-2956

*President*

**Donna S. Edwards**

*Secretary-Treasurer*

**Gerald W. Jackson**

**SB 146 - Renewable Energy Portfolio Standard - Eligible Sources - Alterations  
(Reclaim Renewable Energy Act of 2024)  
Senate Education, Energy, and the Environment Committee  
January 24, 2024**

**OPPOSE**

**Donna S. Edwards  
President  
Maryland State and DC AFL-CIO**

Chairman and members of the Committee, thank you for the opportunity to provide testimony in opposition to SB 146. My name is Donna S. Edwards, and I am the President of the Maryland State and DC AFL-CIO. On behalf of the 300,000 union members in the state of Maryland, I offer the following comments.

Waste-to-Energy (WTE) facilities around Maryland employ hundreds of workers directly and support hundreds more through transportation, facility maintenance, and secondary and tertiary support industries and businesses. The workers at the plants enjoy family-sustaining wages with benefits, which, oftentimes, do not exist in the communities in which they are located.

SB 146 removes waste-to-energy and refuse-derived fuel from Tier 1 of the Renewable energy Portfolio Standard. A clean and sustainable energy future depends on a robust RPS, which includes these sources of energy. Without them, we cannot meet our renewable energy needs, and would need to dispose of the waste in another fashion. Waste would still be a pollution issue, leading to the State continuing to intervene on proper disposal. We would not realize the energy benefits of WTE facilities nor the well compensated jobs they create and support, yet we would be saddled, as taxpayers, with the additional costs of the remediation of pollution.

We urge an unfavorable on SB 146.

# **SB 146 - Blaylock Testimony.pdf**

Uploaded by: Frazier Blaylock

Position: UNF

**Testimony by Frazier Blaylock  
Before the Senate Education, Energy and Environment Committee  
In Opposition to SB 146  
January 25<sup>th</sup>, 2024**

Good afternoon, my name is Frazier Blaylock and I work for Covanta Energy, which has provided reliable, cost-effective materials management and the generation of clean, renewable energy for Montgomery County since 1995. We operate the County's waste transfer station at Shady Grove and the waste-to-energy facility that the County owns located in Dickerson.

I am here today to express our opposition to SB 146, which would remove waste-to-energy (WTE) from Tier 1 of Maryland's Renewable Portfolio Standard (RPS). The elimination of waste-to-energy as a Tier 1 renewable source would ignore the many benefits this facility brings to our communities and treat it unfairly in the very competitive energy and disposal markets.

WTE is a clean, local, efficient, and economical form of renewable baseload energy production and post-recycled waste disposal that helps Maryland divert waste from landfills while producing energy to reduce our reliance on fossil fuels. The Montgomery plant generates enough electricity to power 30,000 homes for a year, or power 75,000 electric cars for a year. These plants can be located close to population centers where trash is generated, and thus avoid the long-haul truck traffic associated with most landfill sites.

Unlike Montgomery, our neighbors in Frederick County transport 96% of their waste by trailer trucks to a private landfill in Chambersburg, PA. This is according to the County's own website.

The process of converting waste into energy is a key part of an integrated materials management plan that focuses on waste reduction, reuse, recycling, and recovery of energy.

The revenues, employment, and labor earnings derived from managing waste, producing energy, and recycling metals are the direct economic benefits of WTE.<sup>1</sup> Employees at WTE plants are technically skilled and are compensated at a high average wage. WTE facilities provide stable, long-term, well-paying jobs, while simultaneously infusing dollars into local economies through the purchase of local goods and services.

A study of WTE technologies by the Joint Institute for Strategic Energy Analysis for the U.S. Department of Energy concluded that WTE is a “refined, clean, well-managed application for energy production.”<sup>2</sup> WTE meets the two basic criteria for establishing what a renewable energy resource is—its fuel source (trash) is *sustainable* and *indigenous*. WTE facilities recover valuable energy from trash after efforts to “reduce, reuse, and recycle” have been implemented by households and local governments.

The facilities we operate are internationally recognized as GHG mitigation tools, even after accounting for our stack emissions of fossil-based CO<sub>2</sub>. The IPCC called waste-to-energy a “key GHG mitigation measure.” This is done by diverting degradable organics from landfills, the 3rd largest source of methane globally and in the United States, displacing grid connected fossil-fuel fired electrical generation, and recovering metals for recycling. Alongside recycling, WTE has been a cornerstone of Europe’s efforts to reduce GHG emissions from the waste management sector.

Our GHG benefits relative to landfilling have been recognized by California’s air and waste regulatory agencies, U.S. EPA scientists, Columbia University’s Earth Engineering Center, U.S. EPA, the Obama Administration’s Clean Power Plan, the World Economic Forum, and the Joint Institute for Strategic Energy Analysis (“NREL”). EPA scientists, in a prominent peer reviewed paper, concluded WTE facilities reduce GHG emissions relative to even those landfills equipped with energy recovery

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<sup>2</sup> Joint Institute for Strategic Energy Analysis. 2013. Waste Not, Want Not: Analyzing the Economic and Environmental Viability of Waste-to-Energy (WTE) Technology for Site-Specific Optimization of Renewable Energy Options. Technical Report NREL/TP-6A50-52829.

systems.<sup>3</sup> EfW facilities generate carbon offsets credits under both the Clean Development Mechanism (CDM) of the Kyoto Protocol and voluntary carbon offset markets.<sup>i,ii</sup> The Montgomery facility avoids 442,000 metric tons of GHGs each year, which is equivalent to removing 109,000 vehicles for 1 year or displacing 546 million pounds of coal.

The benefits of diverting waste away from landfills to recycling and energy recovery are clearer than ever. Across a series of recent studies employing direct measurement of methane plumes via aircraft downwind of landfills, actual measured emissions from landfills have averaged twice the amount reported in GHG inventories, including Maryland's.

Furthermore, Maryland's inventory downplays methane's role in the climate, using an outdated methane GWP. Today, scientists recognize methane as a potent short-lived climate pollutant that is more than 30 times stronger than CO<sub>2</sub> over 100 years, and 84 times stronger over 20 years, when all of its impacts are considered.<sup>iii</sup> States currently leading on climate, like New York and California, have adopted methane's 20-year GWP in planning and legislation.

Finally, to remove WTE from Tier one and yet leave landfill gas in Tier 1 is counter to the US and EU waste hierarchies and counter to Maryland's goal of reducing the GHG's that contribute to climate change.

For the reasons stated in this testimony, Covanta strongly opposes SB 146. Thank you for your consideration of these remarks.

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<sup>i</sup> Clean Development Mechanism: *Large-Scale Consolidated Methodology: Alternative waste treatment processes, ACM0022*. Available at: <https://cdm.unfccc.int/methodologies/PAmethodologies/approved>

<sup>ii</sup> Verified Carbon Standard Project Database, <http://www.vcsprojectdatabase.org/> See Project ID 290, Lee County Waste to Energy Facility 2007 Capital Expansion Project VCU, and Project ID 1036 Hillsborough County Waste to Energy (WtE) Facility 2009 Capital Expansion Unit 4.

<sup>iii</sup> The IPCC concluded that "it is likely that including the climate-carbon feedback for non-CO<sub>2</sub> gases as well as for CO<sub>2</sub> provides a better estimate of the metric value than including it only for CO<sub>2</sub>." See p714 & Table 8-7 of Myhre, G. *et al.* (2013) *Anthropogenic and Natural Radiative Forcing*. In: *Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change* [Stocker, T.F., *et al.* (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. [https://www.ipcc.ch/pdf/assessment-report/ar5/wg1/WG1AR5\\_Chapter08\\_FINAL.pdf](https://www.ipcc.ch/pdf/assessment-report/ar5/wg1/WG1AR5_Chapter08_FINAL.pdf)

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# **SB0146\_UNF\_NWRA\_RPS - Eligible Sources - Alteratio**

Uploaded by: Pam Kasemeyer

Position: UNF

**Maryland-Delaware Solid Waste Association**  
a chapter of the



TO: The Honorable Brian J. Feldman, Chair  
Members, Senate Education, Energy, and the Environment Committee  
The Honorable Karen Lewis Young

FROM: Pamela Metz Kasemeyer  
J. Steven Wise  
Danna L. Kauffman  
Andrew G. Vetter

DATE: January 25, 2024

RE: **OPPOSE** – Senate Bill 146 – *Renewable Energy Portfolio Standard – Eligible Sources – Alterations (Reclaim Renewable Energy Act of 2024)*

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The Maryland-Delaware Solid Waste Association (MDSWA), a chapter of the National Waste and Recycling Association, is a trade association representing the private solid waste industry in the State of Maryland. Its membership includes hauling and collection companies, processing and recycling facilities, transfer stations, and disposal facilities. MDSWA and its members **oppose** Senate Bill 146, which seeks to remove waste-to-energy and refuse-derived fuel as Tier 1 sources in Maryland’s Renewable Energy Portfolio Standard.

Waste-to-energy is not only a renewable source of energy, but also regarded by the U.S. Environmental Protection Agency as a reliable and responsible method of waste disposal, and is subject to stringent state and federal air, water, and solid waste regulations. As the Association representing the entire private solid waste industry, we are deeply concerned about how this bill will affect the waste-to-energy facilities in the State of Maryland and the jurisdictions that rely on them for management of their solid waste. For example, WIN Waste Innovations, formerly Wheelabrator Technologies, operates a waste-to-energy facility servicing the City of Baltimore, Baltimore County, and numerous commercial clients. It processes up to 2,250 tons of post-recycled waste each day, resulting in 400,000 megawatts of clean electricity, while also providing steam for downtown Baltimore’s heating and cooling system.

The Maryland Department of Environment data shows that Maryland waste generation is increasing, not decreasing. Baltimore County just announced the expansion of its landfill. Removing waste-to-energy would be a step backward toward increasing the availability of renewable energy in Maryland and would negatively impact the jurisdictions for which waste-to-energy is a critical component of their solid waste management infrastructure. As such, an unfavorable report is requested.

**For more information:**

Pamela Metz Kasemeyer  
J. Steven Wise  
Danna L. Kauffman  
Andrew G. Vetter  
410-244-7000

# **CleanBay Renewables - Informational Testimony - SB**

Uploaded by: Courtney Spangler

Position: INFO



726 Second Street, Suite 3B  
Annapolis, MD 21403  
info@cleanbayrenewables.com  
410.514.6488

January 24, 2024

The Honorable Chairman Brian J. Feldman  
The Honorable Vice Chair Cheryl C. Kagan  
The Honorable Karen Lewis Young  
Maryland General Assembly, Senate Education, Energy, and the Environment Committee  
2 West Miller Senate Office Building  
Annapolis, MD 21401

Re: SB 146 – Renewable Energy Portfolio Standard – Eligible Sources – Alterations  
(Reclaim Renewable Energy Act of 2024)

Dear Chairman Feldman, Vice Chair Kagan and Senator Lewis Young:

CleanBay Renewables is an enviro-tech company at the forefront of sustainability and innovation. We use proven technology to process agricultural byproducts and harness their energy potential in the form of renewable natural gas (RNG), while also generating carbon-zero, natural, controlled-release fertilizer. The clean energy and fertilizer we produce reduces greenhouse gas (GHG) emissions including carbon dioxide and nitrous oxide at a significant scale.

Third party carbon lifecycle analysis shows that each MMBtu of RNG sourced from CleanBay offsets approximately 0.5 tons of carbon dioxide equivalent (CO<sub>2</sub>e). At full capacity, each of our facilities can reduce GHG emissions by up to 122,000 metric tons of CO<sub>2</sub>e annually, which is comparable to taking about 25,000 passenger vehicles off the road each year.

RNG can play a pivotal role in Maryland's clean energy transition whether it be to offset the use of fossil natural gas or serve as an input to the production of renewable hydrogen or renewable electricity. It will be critical to scale production of alternative fuels like RNG during the energy transition as we work toward the net-zero emissions goal that was set for 2045. Maryland needs to embrace many types of renewable energy sources to meet net-zero targets.

The electric power sector is Maryland's top natural gas-consuming sector according to the U.S. Department of Energy's Energy Information Administration. In October 2023 alone, electricity from natural gas accounted for more than 1 million Megawatt Hours (MWh) or 48% of Maryland's electricity consumption. Renewables, on the other hand, supplied only about 12% of Maryland's annual electricity consumption.





The newly released Climate Pollution Reduction Plan published by the Maryland Department of the Environment has called for the state's Renewable Portfolio Standard (RPS) to require 50% of electricity consumed in the state to be generated by renewable sources by 2030. Maryland is behind on reaching this target, and it will be critical to keep all options on the table to bridge the gap. RNG is a near-term renewable energy solution that can replace a portion of our state's fossil gas consumption and provide more baseload clean energy.

RNG sourced from the agricultural sector has a particularly favorable Carbon Intensity (CI) profile due to avoided methane and nitrous oxide emissions. Agricultural byproducts can be repurposed into RNG, which is especially advantageous because it has the added benefit of reducing on-farm GHG emissions. This approach presents an opportunity to recycle the byproducts of making our food into a clean source of energy.

There are significant economic benefits for area farmers who can sell their on-farm byproducts to RNG producers for use as feedstock as input to the process of making RNG. This opens up a revenue stream and allows farmers to more sustainably operate their facilities. It also provides an incentive for farmers to sustainably monetize their "leftovers" and adopt climate-smart best management practices.

Utilities across the state are looking for ways to offset fossil natural gas with clean energy, and RNG can play a meaningful role in decarbonizing the power sector. In 2022, Maryland as a whole consumed 103 million MMBtu of natural gas to create electricity, similar to the amount of nuclear energy used to create electricity for the state. Replacing a portion of that natural gas with low- or negative-carbon RNG would reduce emissions from the power sector with little to no equipment upgrades required.

In closing, RNG sourced from agriculture and food waste is a necessary energy transition approach in the near-term. Maryland currently consumes 5x more energy than it produces, and we have set aggressive goals for clean electricity in the coming years. Recycling agricultural byproducts into RNG helps create the baseload, homegrown energy that we need while reducing carbon emissions from the agricultural sector. Let's start considering science-based carbon lifecycle analysis of each energy source. Thank you.

Sincerely,

Thomas Spangler  
Executive Chairman, CleanBay Renewables  
[www.cleanbayrenewables.com](http://www.cleanbayrenewables.com)

# **RNG to Meet Sustainability Goals.pdf**

Uploaded by: Courtney Spangler

Position: INFO



# CARBON-NEGATIVE RENEWABLE NATURAL GAS CAN HELP COMPANIES AND GOVERNMENT AGENCIES MEET SUSTAINABILITY GOALS

Responsible company leaders in all sectors of the economy are seeking new solutions to meet sustainability goals. While purchasing renewable electricity to power daily operations can be an important component of these plans, there are also significant benefits to purchasing carbon-negative renewable natural gas (RNG). **CleanBay Renewables can help companies achieve Scope 1-3 emission reduction goals using verified greenhouse gas (GHG) protocols and positively affect the environmental performance of company operations.**

## DECARBONIZING BUSINESS OPERATIONS

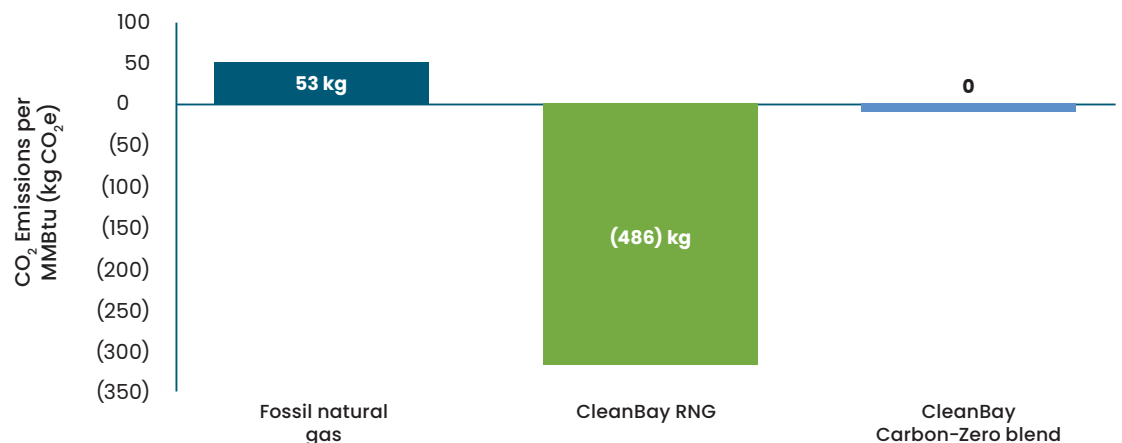
CleanBay Renewables can help businesses reduce their direct emissions, indirect emissions from energy purchases, and Scope 3 emissions from other activities.

CleanBay's RNG can benefit a variety of businesses by decarbonizing energy usage in buildings, data centers, manufacturing facilities, and powering vehicle fleets. Our RNG is carbon-negative and seamlessly integrates into existing U.S. and Canadian natural gas infrastructures.

With some careful additional steps, CleanBay's RNG can be responsibly transformed into clean hydrogen, advanced biofuels, or sustainable aviation fuel (SAF). Our carbon-negative RNG can support the production of large volumes of carbon-zero or low-carbon hydrogen for industrial and fuel cell use.

Companies are able to use indirect "book and claim" accounting or gas scheduling methodology for procurement and ownership of CleanBay's RNG and the associated environmental attributes.

### CARBON EMISSION COMPARISON – NATURAL GAS



## REDUCING GHG EMISSION

**Studies show that our RNG leads to major GHG reductions.** Each MMBtu of RNG sourced from CleanBay offsets approximately 0.5 ton of CO<sub>2</sub>e. A purchase of 1,000 MMBtus will reduce emissions by an estimated 486 tons CO<sub>2</sub>e. Our RNG can also be blended with fossil natural gas at a ratio of at least 7:1 to create carbon-zero natural gas, thus significantly extending the volume of emissions reductions.

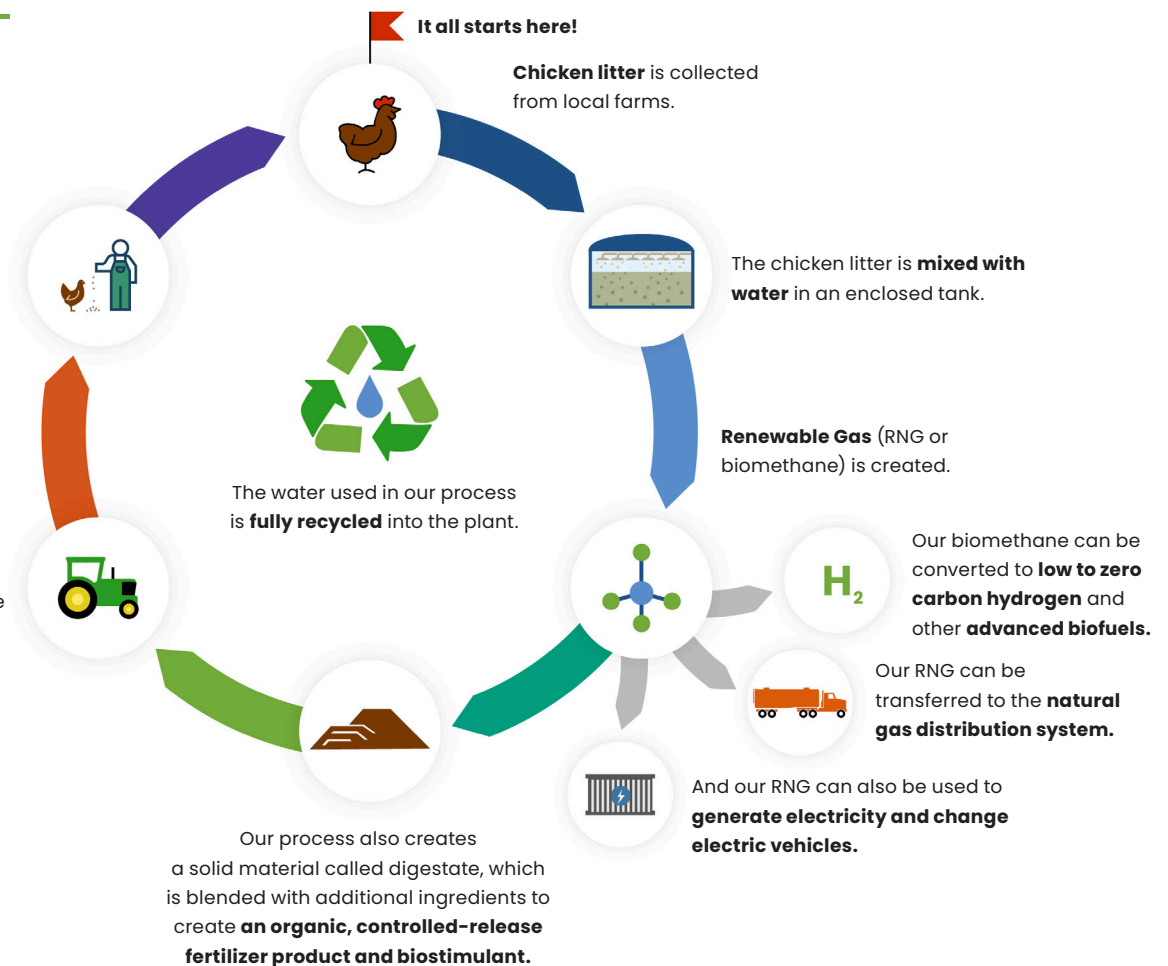
## ABOUT CLEANBAY RENEWABLES

**CleanBay Renewables** is an enviro-tech company at the forefront of sustainability and innovation. We use proven technology to process agricultural byproducts and harness their energy potential in the form of RNG, while also generating carbon-zero, natural, controlled-release fertilizer. The clean energy and fertilizer we produce reduces GHG emissions for the purchasers of our energy and agriculture products.

## OUR PROCESS

Our fertilizer can also help farmers grow **crops used for chicken feed**, starting the process all over again.

Local farmers can use our fertilizer to **improve soil health** and increase organic food production.





**SB146\_LOI\_EEE.pdf**

Uploaded by: Nina Themelis

Position: INFO



**BRANDON M. SCOTT**  
MAYOR

*Office of Government Relations  
88 State Circle  
Annapolis, Maryland 21401*

**SB0146**

January 25, 2024

**TO:** Members of the Senate Energy, Education and the Environment Committee

**FROM:** Nina Themelis, Director of Mayor's Office of Government Relations

**RE:** Senate Bill 146 - Renewable Energy Portfolio Standard – Eligible Sources – Alterations (Reclaim Renewable Energy Act of 2024)

**POSITION: Letter of Information**

Chair Feldman, Vice Chair Kagan and Members of the Committee, please be advised that the Baltimore City Administration (BCA) would like to provide the following **letter of information** regarding Senate Bill (SB) 146.

Maryland's Renewable Portfolio Standard (RPS) has an explicit goal to "recognize and develop the benefits associated with a diverse collection of renewable energy supplies. The State's RPS Program does this by recognizing the environmental and consumer benefits associated with renewable energy." Through Maryland's RPS, electricity suppliers are required to meet a minimum amount of renewable energy within their sales. Renewable Energy Credits or RECs, which are classified as Tier 1 or Tier 2 can be traded or purchased by suppliers to claim those credits. REC payments function as subsidies for renewable energy generation and relate to energy output. The bill removes waste to energy and refuse to energy facilities as eligible for such subsidies under Maryland's RSP.

The removal of waste to energy and refuse to energy from Tier 1 of the renewable energy credits would not have a known direct financial impact on the City of Baltimore considering the waste to energy facility located within the City, the Wheelabrator facility, is privately operated. However, if the removal of these credits were to cause that facility to close, Baltimore City finances and operations as they relate to waste management would likely be significantly affected. The City of Baltimore is currently facing an estimated \$100M deficit for Fiscal Year 2025. The BCA remains committed to its long-term waste diversion efforts and in ensuring that the future of waste disposal and diversion centers around mutually shared sustainability goals.

The Baltimore City 10 Year Solid Waste Management Plan was recently updated and adopted in November 2023. This plan outlines the steps the Administration seeks to take in reducing waste and encouraging waste diversion. In combination with the 10 Year Solid Waste Plan, the Department of Public Works (DPW) recently outlined its priorities for the six-year Capital Improvement Program (CIP). Some components of that plan include improvements to the Eastside Transfer Station, with a total projected cost of \$23.5M and an estimated timeline to

completion of three years. There is a remaining funding gap of \$16.5M to complete this project and the City has secured \$2M between a previous state grant and City funding programmed into the CIP.

Co-located at the Eastside Transfer Station will be the Solar-Powered Scalable Composting Facility. The City was awarded an EPA SWIFR Grant of \$4M for this facility. This project will result in 12,000 tons of organic materials being diverted from landfill and incineration streams; thus, annually reducing 6,000 tons of greenhouse gas (GHG) emissions. The facility will be designed to scale up as operational and organic collection demands increase, to a maximum capacity of 24,000 tons per year. This is the first of four (4) composting facilities planned to be developed in the City.

Additionally, we are expanding capacity at the Quarantine Road Landfill. CIP funds have been set aside each year to prepare for the expansion of the Quarantine Road Landfill by creating additional landfill cells on an adjacent acquired landfill property, and by increasing the height of the landfill. The cost for this expansion is currently estimated at \$99M. Full buildout of the landfill will increase capacity to accept waste to 2048, provided the City's agreement with WIN Waste remains in place until 2031. One of the first steps toward this expansion is to relocate Quarantine Road (and related utilities) that cuts between the two landfill properties. Road relocation construction will begin in FY25, with the first landfill cell construction beginning in FY26 and completed in FY28.

The BCA is also in the planning phases for several long-term capital investments including the construction of a Construction and Demolition Recycling Center. Construction and demolition debris accounts for 35% of the waste disposal stream, presenting a great opportunity to divert this material for reuse, recycling, and repurposing. It would reduce reliance on incineration or landfilling, saving disposal costs and landfill space. The rough estimate for this facility is approximately \$25M.

As mentioned above, the City is also planning for an additional three (3) composting facilities to be located at various locations around the City, with each facility having the capacity to accept and manage 24,000 tons of organics per year. Assuming that these facilities could be sited on land owned by the City, the estimated cost is \$8M per facility.

The BCA remains committed to waste diversion efforts and in reducing overall carbon emissions within the City. For the above reasons, the BCA respectfully submits this **letter of information** regarding SB146.