



**Testimony Opposing SB808/HB1466- Anaerobic Digestion
Technology - Coordination and Guidance
Education, Energy, and the Environment Committee
Tuesday, March 5th 2024**

Position: OPPOSE

Dear Chair Feldman and Members of the Committee,

Thank you for allowing us to submit testimony in opposition to SB808 today. Concerned Citizens Against Industrial CAFOs (CCAIC) is a community-based organization located on the Eastern Shore of Maryland founded in 2015 to protect citizens from the environmental injustices caused by factory farms. For too long communities on the Eastern Shore have been gravely impacted by the poultry industry's pollution and paying for the cleanup. The communities most impacted by pollution from factory farms, anaerobic digesters and slaughterhouses are often communities of color, low-income, language barriers and health disparities.

Last year, the same bill was put into the legislature and many groups came together to oppose it because of the negative implications industrial anaerobic digesters would have on EJ communities, the environment, and MD taxpayers' wallets. The bill last year also did not include much needed public health experts, engineering scientists, EJ community representatives, and other non-industry stakeholder groups. We are outraged that this bill has once again reared its ugly head back into the legislature with even worse language attempting to force a new industry scheme into the state by the fall of this year, specifically mentioning "*to ensure anaerobic digestion technology projects are not unduly delayed*". Attempts were made last year to adjust this bill to be more inclusive and have a better make up of diverse stakeholders, and this years' bill has not included those suggestions.

Funding for small-scale anaerobic digesters has been available to farmers in Maryland for many years through the Maryland Animal Waste Technology Fund, these grants are provided using Maryland taxpayer dollars. They provide farmers with a means to convert their farms' waste into energy that helps reduce their electricity bills. We do not oppose small-scale digesters as long as they remain on a farm, and they do not receive wastes from other farms in an attempt to grow into an industrial project. In 2021, **\$10.7 million dollars was awarded through these grants. This year, the Maryland Department of Agriculture is planning to award \$1.35 million.** To date, there have also been numerous studies and significant investments done on this topic, including a Financial Feasibility Study from University of Maryland, as well as Maryland Department of the Environment's Permitting Guidance for Maryland Anaerobic Digestion Facilities and an Organic Materials Diversion and Infrastructure Study Group on behalf of HB171 in 2019. The University of Maryland also has a test facility located in Pocomoke, operated by Planet Found Energy Development LLC.

The feasibility study addressed that it was **financially infeasible to have these digesters unless they receive millions of incentives and only produce at industrial scale. Money should not be taken away from small farmers and given to industrial sized companies when they already receive millions in federal subsidies, such as the USDA.** Industrial anaerobic digesters are selling a false promise to the state. These digesters do nothing to combat the nutrient pollution problem. Digesters do not get rid of waste; in fact they concentrate it. Digesters do not stop nutrient pollution like phosphorus run-off, in fact they could make it worse. Digesters guarantee the continued production of waste - because they must be fed continuously to operate for profit.

What we are seeing now is the industry seeking to profit even more off of its own waste, and prop up the fossil fuel industry with the DelMar Pathways pipeline, *so why do Maryland taxpayers have to front the bill?*

The work group makeup is **heavily biased**, even including a trade group for the industry and industry leaders, but seems to be lacking in engineers, scientists, public health experts, Environmental Justice leaders, and community stakeholders. The language in the bill seems to have a predetermined outcome before the work starts, tasking the group to **“to ensure anaerobic digestion technology projects are not unduly delayed”**. Again, we are talking about incentives for this industry before the work group ever meets, even though there have been several studies done already as well as other funding initiatives.

This workgroup has also not been tasked with researching various health and safety concerns associated with the transport, processing and deposition of wastes. There is also no mention of research for PFAs/PFOAs in the digestate (by product), or biological and chemical wastes—PFAS/PFOAs are the forever chemicals which are contaminating our farmland and also found in biosolids- an “approved soil amendment” which farmers are also currently using on their fields.

There is also no mention of research on emissions, potential risks, or safety in terms of siting or facility operation. Any major industry seeking incentives to operate should have **clear, peer reviewed and third-party study information that their business will not adversely affect local residents**. The proposals we have seen to date on the Delmarva Peninsula are being sited in communities which have no political power and already are considered overburdened by the EPA.

As we've seen before in legislative history, workgroups are not effective and end up wasting taxpayer dollars on industry-funded schemes. This current make up for this group has very obvious omissions, which every member of this committee should be incredibly concerned about. For all these reasons, **we strongly oppose SB808 and ask that the committee does not support this bill**. Thank you for your time and consideration.

Sincerely,

Gabby Ross, Founder, Concerned Citizens Against Industrial CAFOS (CCAIC)
Sonia Demiray, Founder, Climate Communications Coalition (ClimateCC.org)
Maria Payan, Co-founder, Sentinels of Eastern Shore Health
Monica Brooks, President, Wicomico County NAACP Branch 7028
Carlos Orbe, Jr. - Maryland Latinos Unidos
Maryland Legislative Coalition Climate Justice Wing
Clean Water Action
HoCo Climate Action
Beaverdam Creek Watershed Watch Group

Sources:

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