Energy Justice Network

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

**FAVORABLE**

**Senate Bill 146**

**Renewable Energy Portfolio Standard - Eligible Sources – Alterations**

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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 ($CO_2$) 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

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 ($CO_2$ equivalents) in 2022**. There are no pollution controls that reduce $CO_2$ 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.