BDC - 2024 - SB 808 - Anaerobic Digestion Technolo

Uploaded by: Aaron Greenfield

Position: FAV

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

From: **Bioenergy Devco**

Subject: **Senate Bill 808, Anaerobic Digestion Technology - Coordination and Guidance**

Date: **March 5, 2024**

Position: **Favorable**

Bioenergy Devco supports Senate Bill 808, Anaerobic Digestion Technology - Coordination and Guidance.

This testimony is offered on behalf of Bioenergy Devco (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 808 requires the Department of Agriculture, in coordination, with the Maryland Energy Administration, the Department of the Environment, the Department of Commerce, the University of Maryland College of Agriculture and Natural Resources, electric companies, farmers, and industry to ensure anaerobic digestion technology projects are not unduly delayed. This coalition will establish guidance for farmers regarding the development and implementation of anaerobic digestion technology. The guidance established must include information on obtaining required permits and electric interconnection, available tax incentives and energy rebates and relevant regulations for waste systems, including for systems that incorporate animal waste and other resources, such as food waste.

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

Senate Bill 808 is consistent with the recommendation from the recently released report on Maryland's- Animal Waste Technology Fund Assessment Report and Strategy Planning-University of Maryland school of Agriculture. The report makes clear that the Department of Agriculture should work more closely with other government agencies, such as Maryland Department of Energy and Maryland Energy Administration, to create unity in the process of permitting, energy rebates, and tax credits, and creating a regional approach to funding waste technologies that includes out-of-state impacts.

BDC respectfully requests a favorable report on Senate Bill 808.

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

SB 808 - Anaerobic Digestion Technology - Support.

Uploaded by: Grayson Middleton

Position: FAV

Educate. Advocate. Innovate.

Date: March 4, 2024
To: Members of the Senate Committee on Education, Energy, and the Environment
From: Grayson Middleton, Government Affairs Manager
Re: SB 808 – Anaerobic Digestion Technology – Coordination and Guidance – **Support**

Delmarva Chicken Association (DCA) the 1,600-member trade association representing the meat-chicken growers, processing companies, and allied business members on the Eastern Shore of Maryland, the Eastern Shore of Virginia, and Delaware supports SB 808 and urges a favorable committee report.

The chicken community has been a leader in sustainability among agricultural enterprises for over three decades. We were among the first group in the region to widely adopt solar energy and were among the first to seriously study and implement ways in which our waste and bi-product could be minimized and reused. Chicken litter, which was once a nuisance for poultry farmers, is now a widely sought after and easily profitable fertilizer. Perdue Farms was a pioneer when they developed one of the first manure pelletizing plants in the country, whereby chicken litter was processed into dry pellets for use as fertilizer by farmers and home gardeners. This product was shipped around the country, and diverted tons of chicken litter from the region. Unfortunately, it never turned a profit, and that Seaford, Delaware facility is once again serving as ground zero in the region for a new and exciting technology which will once again (albeit more efficiently) turn waste into a valuable product through anaerobic digestion. This technology also has major potential for the Maryland chicken community.

We at DCA fully support the use of anaerobic as just one of many possible tools for food and animal waste, particularly from poultry processing plants. This technology has been proven as an energy efficient process whereby waste is converted into clean burning natural gas and nutritious soil amendments. This is also a green technology. Anaerobic digestion diverts waste from treatment plants and landfills and reduces the need to obtain natural gas from other sources, such as fracking.

For more than 20 years, anaerobic digestion has been successfully implemented throughout the European Union and receives substantial incentives both from the EU and its constituent nations as a renewable energy source. As of 2016, there were approximately 17,500 anaerobic digestion plants throughout the EU, with most of them in Germany. These countries have seen significant decreases in food and animal waste going to landfills and treatment plants, and the biproduct is widely regarded as a green and even preferable alternative to commercial fertilizer.

Anaerobic digestion is still in its infancy in the United States, and only a handful exist in Maryland. To fully take advantage of this technology and its vast potential, there is a need for stakeholders across the state and from a variety of backgrounds to come together and ensure how it can be uniformly regulated, incentivized, and made practical.

We urge a **favorable** vote on SB 808.

Should you have any additional questions, please feel free to contact me at Grayson Middleton at middleton@dcahicken.com or 410-490-3329.

Educate. Advocate. Innovate.

Sincerely,

Grayson Middleton

SB808_RMC_SupportTestimony.pdf
Uploaded by: Molli Cole
Position: FAV

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***Susan O'Neill**, Chair*

***Charlotte Davis**, Executive Director*

Testimony in Support of
Senate Bill 808 – Anaerobic Digestion Technology - Coordination and Guidance
Senate Education, Energy, and the Environment Committee
March 5, 2024

The Rural Maryland Council supports Senate Bill 808 – Anaerobic Digestion Technology - Coordination and Guidance. The bill proposes that the Department of Agriculture collaborates with the Maryland Energy Administration, the Department of the Environment, the Department of Commerce, the University of Maryland College of Agriculture and Natural Resources, and other relevant stakeholders to ensure that the implementation of anaerobic digestion technology projects is not delayed unnecessarily. Additionally, the Department, in partnership with certain State agencies, is required to provide guidance to farmers on the development and implementation of anaerobic digestion technology.

Anaerobic digestion is a biological method to create renewable energy, in the form of methane (CH4)– enriched biogas, from organic rich substrates, such as manure, food waste, and wastewater sludge. The Rural Maryland Council has been working to develop more relationships with farmers and institutional systems in support of the use of anaerobic digestion.

In 2013, ECOCORP, Inc. completed the construction of an anaerobic digester facility at the Eastern Correction Institution in Somerset County. The anaerobic digester supplies a portion of the power needed at the prison. The digester uses heat to deodorize and sterilize manure, while using the methane gas it produces to generate electricity.

In 2018, the Department of Agriculture awarded a $1.85 million grant to Kilby Farm, LLC in Cecil County to install an anaerobic digester at its 400-dairy operation. The project represents a retrofit to an existing, but non-operational, digestive system that created a reliable power supply for the farm throughout the year. A digestor can benefit farmers as it can provide a new source of income for them - biomethane, electricity, heat, and biofuel can be sent to the department of energy to be sold to other farms. Additionally, the use of cow manure in the methane digestor reduces the greenhouse gas emissions that would otherwise be produced in livestock operations.

In 2021, Bioenergy Development Company completed the construction of an anaerobic digestion facility on the Maryland Food Center campus in Jessup. This is the largest anaerobic digester in the state and has the potential to divert approximately 125,000 tons of food waste generated per year from landfill disposal and produce enough energy to power 4,800 homes. In addition to reducing greenhouse gas emissions and creating renewable energy, it will also improve Maryland's recycling processes and create up to 50 new jobs.

The Council supports and encourages anaerobic digestion technology to benefit farmers, institutional systems, and the environment.

The Rural Maryland Council respectfully requests your favorable support of Senate Bill 808.

The Rural Maryland Council (RMC) is an independent state agency governed by a nonpartisan, 40-member board that consists of inclusive representation from the federal, state, regional, county, and municipal governments, as well as the for-profit and nonprofit sectors. We bring together federal, state, county, and municipal government officials as well as representatives of the for-profit and nonprofit sectors to identify challenges unique to rural communities and to craft public policy, programmatic or regulatory solutions.

SB 808 - Carozza Testimony_FINAL.pdf
Uploaded by: Senator Mary Beth Carozza
Position: FAV

MARY BETH CAROZZA
Legislative District 38
Somerset, Wicomico,
and Worcester Counties

Education, Energy, and
the Environment Committee

Executive Nominations Committee

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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

March 5, 2024
The Senate Education, Energy, and Environment Committee
SB 808 – Anaerobic Digestion Technology – Coordination and Guidance
Statement of Support by Bill Sponsor Senator Mary Beth Carozza

Thank you Chair Feldman, Vice Chair Kagan, and my fellow members of the distinguished Senate Education, Energy, and Environment Committee for this opportunity to present Senate Bill 808 – Anaerobic Digestion Technology – Coordination and Guidance, and to respectfully ask for your support for this bill.

SB 808 would require the Maryland Department of Agriculture to coordinate with several State agencies, including the Maryland Energy Administration, the Maryland Department of the Environment, and the Maryland Department of Commerce to establish guidance for farmers regarding the development and implementation of Anaerobic Digestion technology. This guidance would include information on obtaining required permits and electric interconnection, available tax incentives and energy rebates, and relevant regulations for waste systems, especially those that incorporate animal waste.

As many of you know from visiting Kilby Farms during the Interim, Anaerobic digestion is a process through which bacteria breaks down organic matter, such as animal manure, wastewater biosolids, and food wastes. This process creates a product known as biogas, and when purified, biogas is a renewable energy that can be used to provide heat, generate electricity, fuel our vehicles, and create other energy products.

Anaerobic digestion is hugely beneficial to our farmers in ways that more traditional waste management systems simply do not offer. For example, anaerobic digesters can destroy more than 90 percent of disease-causing bacteria, helps keep the soil healthy, and protects local water resources by reducing nutrient run-off. It also allows farms to be more energy independent. Many farms must engage in diverse revenue streams in order to remain afloat, and anaerobic digestion is a potential revenue stream for our farmers that can also contribute to us reaching our renewable energy goals.

As an example, Millennium Farms is a 50-acre farm with an anaerobic digester facility that has been in operation in 2017. This facility converts 1,200 tons of poultry litter from the farm into a nutrient-rich soil conditioner sold under the brand name “Element Soil.” Based on the success of

this facility, the operating company is currently working on building a second, larger anaerobic digestion facility in Somerset County and intends to work on various agricultural-related projects in cooperation with the University of Maryland Eastern Shore.

The digestate produced by anaerobic digestion currently is classified as an approved soil conditioner under the Maryland Commercial Fertilizer Law. Last year, I sponsored legislation that would have created a workgroup to consider incentives for the use of this organic soil produced by the anaerobic digestive process. At the same time, the State of Virginia was conducting a similar workgroup called the Waste Diversion and Recycling Task Force, which released their findings in November of 2022, so I want to thank our neighbors for doing the work for us. The University of Maryland also released the Maryland Animal Waste Technology Assessment and Strategy Planning Final Report in September of 2023, which provided extensive information regarding anaerobic digestion specific to Maryland.

SB 808 is based on the findings and recommendations of both the Task Force and the Final Report. The Task Force recommended that there should be regulations that define siting, design, construction, and operational requirements for anaerobic digesters. The Final Report recommended to create consistency and efficiency in the process of permitting, energy rebates, and tax credits, and creating a regional approach to funding waste technologies that includes out-of-state impacts.

According to the EPA, anaerobic digesters on livestock farms generated enough energy to supply 53,000 homes in 2013 alone. That was over 10 years ago. This is an untapped renewable energy source in Maryland, and establishing guidance for farmers regarding the development and implementation of Anaerobic Digestion technology would support the current and future needs of this important industry.

Mr. Chair and Vice Chair, I respectfully urge the Senate Education, Energy, and Environment Committee Members for a favorable report on Senate Bill 808. Thank you for your kind attention and consideration.

SB 808 support testimony.pdf
Uploaded by: Stephanie Lansing
Position: FAV

UNIVERSITY OF MARYLAND
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March 4, 2024
2024 SESSION SUPPORT TESTIMONY
SB 808: Anaerobic Digestion Technology – Coordination and Guidance

SB 808: Anaerobic Digestion Technology – Coordination and Guidance
COMMITTEE: Education, Energy, and the Environment
POSITION: Testimony in Support of Senate Bill 808

Honorable Chair, Vice Chair, and Members of the Committee, thank you for the opportunity to submit this statement for the record **in support of Senate Bill 808**.

This letter is submitted on behalf of the University of Maryland's College of Agriculture and Natural Resources in their support of the importance of anaerobic digestion permitting assistance that this bill would create. University of Maryland will assist, as needed, to ensure that anaerobic digestion technology implementation is not unduly delayed and provide copies of our prepared resources, such as FactSheets, an Animal Waste Technology Report for Maryland, and a Farmer's Guide for Biogas to assist the committee in providing permitting guidance for this technology.

Anaerobic digestion transforms waste into renewable energy while reducing greenhouse gas emissions. During anaerobic digestion, *biogas* is produced from naturally occurring microbes that break down biodegradable material inside a sealed, oxygen-free reactor called a digester. Anaerobic digestion can process a wide range of feedstocks, such as food scraps, manure, crop waste, or sewage sludge. With rising concerns about odors and greenhouse emissions from manure and food waste, the use of anaerobic digestion processing allows farmers to greatly reduce or eliminate these odors as well as greenhouse gas emissions, especially methane emitted from open manure lagoon or landfill storage. Additionally, the anaerobic digestion process produces renewable bioenergy that is non-intermittent (24 hours a day) and organic fertilizer that is odor-free and pathogen-free, allowing valuable nutrients and organic matter in waste to be used to grow crops and offset the use of chemical-based fertilizers while significantly decreasing the potential for eutrophication.

We conducted a Third-Party Monitoring Assessment of the Kilby Farm Digester in Cecil County for the Maryland Department of Agriculture. The digester processed dairy manure, Dissolved Air Flotation (DAF) waste from poultry processing, and food waste. The digester resulted in an 81% reduction in GHG emissions compared to the baseline (23,751 $MtCO_2e$ emitted annually from an uncovered lagoon), with a 448% reduction in eutrophication potential and production of 2000 MWh of electricity annually, which is enough to power 190 houses. I led a tour of Maryland Senators from the Education, Energy, and the Environment Committee on a tour in October 2023 of Kilby Farm. The owner of Kilby Farm revealed that it had been over the 3 years since the system had been operational and powered more than 190 homes per year with renewable energy, yet they had not been paid a dime by the electric company. The lack of permit assistance and coordination in this space results in farmers not getting paid for their contribution

to generating renewable energy, reducing greenhouse gas emission, eliminating reductions, and creating organic fertilizer from food waste. The passage of **SB 808** would ensure that coordination takes place within this space and ensure that another farmer does not have to wait 3 years for the payment that they deserve from Maryland's Net Metering laws.

Additionally, I lead a team of experts in animal waste technologies, agricultural economics, and environmental justice on an assessment of Maryland Department of Agriculture's Animal Waste Technology Fund. In this 100+ page report (and shorter report summary), we showed that while the annual greenhouse gas emissions from all manure in MD (533,652 $MtCO_{2e}$) were concentrated in Fredrick and Washington counties that all of these greenhouse gas emissions could be eliminated through use of anaerobic digestion. By using anaerobic digestion in the dairy manure lagoons in Fredrick County, 111,527 $MtCO_{2e}$ of annual greenhouse gas emissions could be eliminated, followed by Washington (107,336 $MtCO_{2e}$) and Carroll (59,032 $MtCO_{2e}$) counties. Additionally, sealed lagoons through anaerobic digestion help in conserving water, reducing odors, and preventing the contamination of surrounding ecosystems. In Frederick County, implementation of anaerobic digestion for manure lagoons could provide 34,745 MWh of renewable electricity and power more than 3,000 homes per year. These benefits could decrease environmental justice impacts on surrounding communities. It is important to ensure that minority and vulnerable populations are not excluded from the decision making process of anaerobic digestion systems, understand the impact of odor reductions, and receive scientific-based information on the large emission reductions from implementing anaerobic digestion systems. The emissions from anaerobic digesters are not similar to fossil fuel systems, there are large-scale reductions in emissions, as shown by USDA and EPA initiatives to increase anaerobic digestion facilities.

Thank you for the opportunity to share our support of **SB 808**. We hope for a favorable outcome.

Sincerely,

Stephanie Lansing, Ph.D.
Professor and Director of the Bioenergy and Biotechnology Laboratory
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Support of SB808 - Anaerobic Digestion Technology

Uploaded by: Tyler Hough

Position: FAV

Maryland Farm Bureau
3358 Davidsonville Road | Davidsonville, MD 21035
410-922-3426 | www.mdfarmbureau.com

March 4th, 2024

To: Senate Education, Energy, and the Environment Committee

From: Maryland Farm Bureau, Inc.

RE: **Support of SB808 - Anaerobic Digestion Technology - Coordination and Guidance**

On behalf of the member families of the Maryland Farm Bureau, I submit written testimony in favor of SB808 Anaerobic Digestion Technology - Coordination and Guidance. This bill would require the Department of Agriculture to coordinate with certain 4 State agencies and other stakeholders to ensure anaerobic digestion technology 5 projects are not unduly delayed and establish certain guidance for farmers regarding the 7 development and implementation of anaerobic digestion technology.

SB808 demonstrates a thoughtful approach by requiring the Department of Agriculture to collaborate with various stakeholders, including the Maryland Energy Administration, the Department of the Environment, the Department of Commerce, the University of Maryland College of Agriculture and Natural Resources, electric companies, farmers, and industry. This coordinated effort ensures a comprehensive perspective and a more effective implementation of anaerobic digestion technology projects.

The provision for establishing guidance for farmers is commendable. By working in conjunction with relevant state agencies, the Department of Agriculture can provide essential information to farmers regarding the development and implementation of anaerobic digestion technology. This includes details on obtaining necessary permits, understanding electric interconnection, and accessing tax incentives and energy rebates. Moreover, the guidance covers pertinent regulations for waste systems, incorporating animal waste and other resources like food waste, thereby promoting environmentally conscious farming practices.

The emphasis on preventing undue delays in anaerobic digestion technology projects is crucial. Timely implementation is not only beneficial for farmers

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looking to adopt these technologies but also contributes to the overall success of sustainable initiatives, aligning with the state's commitment to environmental stewardship.

SB808's consideration of waste systems that incorporate animal waste and other resources, such as Dissolved Air Flotation residuals (DAF), reflects a forward-thinking approach to sustainable agriculture. This aligns with the broader global movement towards circular economies and responsible resource management.

Maryland Farm Bureau Supports SB808 and urges a Favorable Report

Tyler Hough
Director of Government Relations
Please contact Tyler Hough, (443) 878-4045 with any questions

Testimony Opposing SB808_HB1466- Anaerobic Digesti

Uploaded by: Gabrielle Ross

Position: UNF

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

Position: <u>OPPOSE</u>

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 tax-payer 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:

1. *Financial feasibility of alternative animal waste management ...* (n.d.). Retrieved February 13, 2023, from https://arch.umd.edu/sites/default/files/docs/publications/Financial%20Feasibility%20of%20AWTF%20Projects%20January%202018.pdf

2. Lansing, S., & Hassanein, A. (n.d.). *Factsheet PFED Poultry Litter Digester*. Retrieved February 13, 2023, from https://mda.maryland.gov/resource_conservation/counties/UMD%20Factsheet%20PFED%20Poultry%20Litter%20Digester.pdf

3. *Permitting guidance for Maryland anaerobic digestion facilities*. (n.d.). Retrieved February 13, 2023, from https://mde.maryland.gov/programs/land/RecyclingandOperationsprogram/Documents/Anaerobic%20Digestion%20Facility%20Permitting%20Guidance%20-Revised%20Sept%202022.pdf

4. https://enst.umd.edu/extension/anaerobic-digestion

5. Land and Materials Administration Resource Management Program. (n.d.). *YARD WASTE, FOOD RESIDUALS, and OTHER ORGANIC MATERIALS DIVERSION AND INFRASTRUCTURE STUDY GROUP*. Retrieved from https://mde.maryland.gov/programs/Land/RMP/Documents/HB%20171%20final%20report.pdf

6. “Biogas or Bull****?” Friends of the Earth, 25 Aug. 2017, foe.org/resources/biogas-or-bull/. Accessed 2 Mar. 2024.

Oppose MD Digesters SB 808 FWW.pdf
Uploaded by: Jorge Aguilar
Position: UNF

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Education, Energy, and the Environment Committee
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Unfavorable Testimony for Senate Bill 808
Anaerobic Digestion Technology - Coordination and Guidance

Chair Brian Feldman and Vice Chair Cheryl Kagan,

On behalf of our over 40,000 members in Marylanders, we urge you to oppose the proliferation of waste-to-energy schemes like poultry-waste biogas. Manure, litter and sludge are waste streams. When they are regarded as revenue streams, perverse incentives to maximize manure production follows. Unfortunately, anaerobic digester projects and their financing depend on the generation of emissions to remain financially viable, running opposite the goal of emissions reduction.

Poultry waste is already impacting the region, and anaerobic 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 to operate.

Prompting the large-scale development of anaerobic digesters and other waste-to-energy schemes has real implications for Marylanders:

1. **Biogas digesters threaten air and water quality, and put sensitive ecosystems like the Chesapeake Bay at risk**. Biogas facilities emit smog-forming nitrogen oxides, ammonia and hydrogen sulfide into the air, and the digestate that remains is highly concentrated with harmful ammonia that leaches into soil and waterways.
2. **Digesters entrench industrial pollution**. Biogas buildout entrenches phosphorus and nitrogen-rich waste streams. Instead of reducing waste streams, it monetizes them and creates methane refineries across the state. According to the USDA “An anaerobic digester does not change the volume of the material or the amount of nutrients in the waste stream. The by-products from the system will need to be utilized in accordance with the nutrient management plan.”
3. **Digesters threaten our climate by entrenching gas infrastructure**. The Maryland Office of Public Council released a report late 2022 showing that the replacement and expansion of gas infrastructure will cause gas delivery costs to skyrocket in Maryland. They add, “Because we need to address climate change, to which fossil gas contributes,

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> gas utilities themselves face the possibility that their investments will become obsolete and uneconomic. If that happens, the public may be asked to bail them out."

It is also clear that the bill does not factor the public health implications nor the environmental justice impacts that digesters may have on the communities where they may be sited. As written, the bill fails to outline a process for community participation, which seems reckless and exclusionary to the stakeholders that live where these digesters are sited. In Maryland, it is likely that digesters would be sited in communities which are already overburdened with pollution and that have had little voice in decisions impacting their health and environment.

For these reasons the state should not be trying to expedite permitting of anaerobic digesters.

We urge an unfavorable report to SB808 and thank you for your thoughtful consideration

Signed,

Jorge Aguilar
Southern Region Director
Food & Water Watch

ILSR-SophiaJones SB 808 Testimony-UNF.pdf
Uploaded by: Sophia Jones
Position: UNF

INSTITUTE FOR Local Self-Reliance

TESTIMONY TO THE MARYLAND SENATE COMMITTEE ON EDUCATION, ENERGY, AND THE ENVIRONMENT

SB0808 – Anaerobic Digestion Technology - Coordination and Guidance

Position: Unfavorable

March 5, 2024 Public Hearing

Sophia Jones, Policy Lead, Composting for Community Initiative, sjones@ilsr.org

Institute for Local Self-Reliance 1200 18th Street, NW, Suite 700, Washington, DC 20036

Dear Members of the Committee,

My name is Sophia Jones and I am submitting testimony **in opposition of SB 808** on behalf of the Institute for Local Self-Reliance (ILSR), a national nonprofit that has been working to advance infrastructure for organic materials processing in Maryland and across the country for decades.

We question the narrow focus on anaerobic digestion in SB 808, as if it's the sole technology or system to handle the state's organic materials. Anaerobic digestion and composting are both solutions to recycle and repurpose organics, however **this bill would give unfair advantage and priority to advancing anaerobic digestion over composting**.

To be clear, we are supporters of anaerobic digestion as an organics management option. We are primarily concerned about the likelihood of producing contaminated products, an issue more commonly prevalent in centralized facilities (both anaerobic digesters and compost facilities) that accept contaminated feedstocks and that are coupled with depackagers. When it comes to quality soil amendments, bigger is not always better. See ILSR's Hierarchy to Reduce Food Waste & Grow Community (included also as an attachment).

Moreover, while the quality of compost products is regulated in Maryland (COMAR 15.18.04.05), there are no quality standards for products of anaerobic digestion, potentially encouraging anaerobic digestion processes that create low-quality and contaminated byproducts that jeopardize Maryland soils.

ILSR served on the Yard Waste, Food Residuals, and Other Organic Materials Diversion and Infrastructure Study Group from 2018 to 2019, which studied organics management options, including anaerobic digestion. Many of that Study Group's recommendations have yet to be addressed.

Maryland has ambitious emission and waste reduction goals that we must work diligently to meet. Policies creating clear permitting pathways and markets for soil amendments are needed to

support development of diverse and decentralized infrastructure for both composting and anaerobic digestion.

We urge an unfavorable vote on SB 808.

Sincerely,

Sophia Jones
Policy Lead, Composting for Community Initiative
Institute for Local Self Reliance

Attachment: Hierarchy to Reduce Food Waste and Grow Community, Institute for Local Self-Reliance