

Susan O'Neill, Chair

Charlotte Davis, Executive Director

Testimony in Opposition of
House Bill 718 – Renewable Energy Portfolio Standard – Eligible Sources – Alterations
(Reclaim Renewable Energy Act of 2023)
Economic Matters Committee
March 9, 2023

The Rural Maryland Council opposes House Bill 718 – Renewable Energy Portfolio Standard – Eligible Sources – Alterations (Reclaim Renewable Energy Act of 2023). This bill removes several energy sources from eligibility for inclusion in the State Renewable Energy Portfolio (RPS), more specifically: (1) certain forest-related and gas sources of qualifying biomass; (2) thermal biomass systems that use primarily animal manure; (3) poultry litter-to-energy; (4) waste-to-energy; and (5) refuse-derived fuel. The bill also makes several conforming changes. The bill, which applies to all RPS compliance years starting on or after January 1, 2023, may not be construed to impair an existing obligation or contract right.

The passage of this bill will impact rural and agricultural parts of the State by excluding energy derived from several of the current sources that are considered Tier 1 renewable resources in the State Renewable Energy Portfolio, which are food waste, poultry litter and wood biomass. The exclusion of these materials will result in more waste materials that could be used for clean renewable energy. Additionally, it negatively impacts the individuals, businesses, and farmers that take advantage of the materials that are currently listed as Tier 1 renewable resource.

The removal of food waste will result in more wasted food going to landfills. In 2015, the US Environmental Protection Agency and the US Department of Agriculture announced a national goal to reduce food waste by 50% by 2030. According to the Maryland Department of the Environment, over nine hundred thousand tons of food waste is generated annually and only a small portion is recycled while a majority is disposed of in landfills or incinerated. Food waste as a renewable fuel source can provide significant contributions towards on-farm energy use, revenue generation, and climate change mitigation. An example of this is a partnership between West Nottingham Academy and Kilby Farm Creamery located in Cecil County, Maryland. In partnership, the school diverts nearly 7 tons of food waste annually from their dining hall to the farm digester where it becomes compost and energy to run the farm.

The Maryland Department of Agriculture currently works to fund the construction of anaerobic digesters in Maryland. The construction of the Bioenergy Devco facility at the Maryland Food Center Authority was completed in 2021. According to Bioenergy Devco's website, the facility is capable of recycling 115,000 tons of organics annually to produce approximately 265,000 MMBtu of renewable natural gas and 20,000 tons of soil amendment for agricultural and other land use. The resulting greenhouse gases prevented from being released into the atmosphere have the equivalent environmental impact of a 47,000-acre forest, or 56 times the size of Central Park.

The bill's removal of poultry litter could also significantly impact Maryland's poultry farmers. Construction is underway for CleanBay Renewables Westover bio-refinery which, using anaerobic digestion, will recycle more than 150,000 tons of chicken litter annually and convert it into renewable natural gas and a nutrient-rich fertilizer product. By repurposing a potential source of excess nutrients, CleanBay can generate 765,000 MMBTUs of sustainable renewable natural gas, which it will sell to Chesapeake Utilities.

The State of Maryland also recently invested in an anaerobic digester as part of the natural gas pipeline to the University of Maryland Eastern Shore and the Eastern Correctional Institute. This digester and pipeline will provide a cleaner and cheaper energy resource to a minority and low-income area. The current Tier 1 renewable resources provide positive economic and environmental impacts to Maryland.

The Rural Maryland Council respectfully requests your opposition of House Bill 718.

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.

“A Collective Voice for Rural Maryland”



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