



## Testimony in Opposition of SB0447

Anaerobic Digestion Workgroup

February 13, 2023

Dear Members of the Committee:

Thank you for the opportunity to submit testimony in **opposition to SB0447**, on behalf of Sentinels of Eastern Shore Health (SESH), whose mission is to facilitate a truly healthy community where every member of the community has a role in a participatory decision making process, especially things that may impact public health or deteriorate common resources to be preserved for future generations.

To date, there have been numerous studies 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. The University of Maryland also has a test facility located in Pocomoke, operated by Planet Found Energy Development LLC.

To date, we have invested many dollars on these studies. We are extremely concerned and have a few questions that we would like to raise for the committee:

1. **Why do more tax-payer dollars need to be used to fund more research?**
2. **Why were groups, like the Institute For Local Self-Reliance not consulted before this bill was drafted?**
3. **Why is this work group lacking environmental and public health scientists, Maryland Commission on Environmental Justice and Sustainable Communities (CEJSC) and community stakeholder groups?**

The work group makeup is **heavily biased**, even including a trade group for the industry and industry leaders, but seems to be lacking in 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 **identify and examine options for incentivizing the use of the digestate produced during anaerobic digestion as agricultural fertilizer and manufactured topsoil.**

**Again, we are talking about incentives before the work group ever meets, even though there have been several studies done already.**

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

There is also no mention of research on the emissions or safety in terms of siting. 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. For all these reasons, **we strongly oppose SB 0447 and ask that the committee does not support this bill.**

Thank you for your time and consideration.

Sincerely,

Maria Payan  
Co-founder Sentinels of Eastern Shore Health

Gabby Ross, Assateague Coastkeeper, Assateague Coastal Trust

Monica Brooks, Concerned Citizens Against Industrial CAFOS (CCAIC)

Alex Villazon, Climate & Justice Legal Fellow, Waterkeepers Chesapeake

Protectors of the St. Martin River

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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](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>