



DATE: February 27, 2023

TO: Members, Senate Education, Health and Environmental Affairs Committee

FROM: Wicomico Environmental Trust & Friends of the Nanticoke River

RE: **SB 590 – Renewable Energy Portfolio Standard – Eligible Sources – Alterations (Reclaim Renewable Energy Act of 2023)**

The Wicomico Environmental Trust and the Friends of the Nanticoke River, nonprofit environmental organizations based on the Eastern Shore, **OPPOSE SB 590** regarding alterations to eligible sources in the renewable energy portfolio standard.

The bill would alter the definitions of “qualifying biomass,” “thermal biomass system,” and “Tier 1 renewable source” for purposes of excluding energy derived from certain forest–related resources, animal manure, waste, and refuse and gas produced from the anaerobic decomposition of animal waste or poultry waste from being eligible for inclusion in the renewable energy portfolio standard; and generally relating to the renewable energy portfolio standard.

The proposed changes target only waste produced by the poultry industry and by commercial farming and forestry. For example, the new definition of “thermal biomass system” would *exclude* a system using “primarily animal manure, including poultry litter,” but would continue to *include* one using “food waste or qualifying biomass.” A “Tier 1 renewable source” would *exclude* methane captured from the anaerobic digestion of animal or poultry waste but *include* methane from the anaerobic decomposition of organic materials in a landfill or wastewater treatment plant. Similarly, “qualifying biomass” would *exclude* gas from the anaerobic decomposition of animal or poultry waste and most “forest-related resources” but *include* organic waste from “agricultural and silvicultural sources.”

These distinctions have no scientific basis. Biomass disposed of in a landfill – treated favorably by the proposed bill – releases much of its carbon into the atmosphere in the form of methane. In contrast, methane produced by the anaerobic digestion of biomass is captured and available for use as energy. Anaerobic digestion avoids the release of methane into the atmosphere, converts it to a much less potent greenhouse gas (carbon dioxide), avoids open burning and the release of particulates, and produces a product that can replace fracked natural gas. Anaerobic digestion provides these same benefits whether it is used to process food or agricultural waste or, instead, animal, poultry, or forest waste. The same is true of other biomass-to-energy systems, such as pyrolysis with its biochar production.

If this bill succeeds in making biomass-to-energy systems economically unviable, the net effects on the environment will be negative; studies have shown that such systems have lower net greenhouse gas emissions than traditional methods of biomass disposal. The bill also would discourage the production of beneficial products such as biochar, which is a potent ecological tool (adsorbent) for environmental cleanups of heavy metal pollution in mining waste and for remediation of toxic chemical residues such as PFAS.

Finally, technologies such as anaerobic digestion and pyrolysis are important tools for ameliorating current waste problems of the industries – poultry, commercial farming, and forestry – targeted by the bill. They are critical to helping those industries, which are the key economic drivers in many areas of the state, continue to become more sustainable.

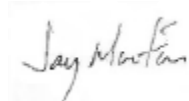
Maryland should continue to be a national leader in encouraging and incentivizing anaerobic digestion, waste-to-energy, and other biomass-to-energy systems to help address climate concerns. Rather than discriminating among industries, we should continue to allow renewable energy credits for all technologies that process waste inputs and capture methane used to replace fossil fuels (see World Resources Institute, *The Production and Use of Renewable Natural Gas as a Climate Solution in the United States* (2018), available at <https://www.wri.org/research/production-and-use-waste-derived-renewable-natural-gas-climate-strategy-united-states>).

For all of these reasons, we respectfully ask that the Committee give an **UNFAVORABLE** report on SB 590.

Sincerely,



Madeleine Adams
President, Wicomico Environmental Trust



Jay Martin
President, Friends of the Nanticoke River