

**SB447: Anaerobic Digestion Workgroup**  
Senate Education, Energy, and the Environment Committee  
February 15, 2023

Favorable With Amendment

Dear Chairman Feldman and Members of the Committee

Clean Water Action has deep concerns with SB447, the Anaerobic Digestion Workgroup. In the interest of furthering the conversations:

**Membership Concerns**

The workgroup fails to include environmental, health, science, and impacted community representation. While the Institute for Local Self Reliance is a great resource on waste policy, they were not consulted before being named as a member of the workgroup. We are concerned that without sufficient representation and with enough numbers to have a significant voice on the workgroup, that concerns about in which neighborhoods facilities are sited, the impact of biogas on the environment and community health, and other concerns will not be considered.

At the very least, members should be added representing soil conservation scientists, community members from environmental justice areas, public health, a research institution like the Hopkins Center for a Livable Future, and environmental organizations.

Unfortunately, we do not feel like we have sufficient time to suggest which voices need to be included to sufficiently balance the industry interests on the workgroup and to confirm with those voices that they have the time and capacity to engage with the workgroup.

**Outcome Concerns**

The scope given for the workgroup is far too narrow to deliver a useful outcome for the State of Maryland regarding anaerobic digestion policy. The workgroup's mandate does not speak to issues of scale; contamination, especially of PFAS; distribution; public health impacts and equity; siting; and carbon management. The workgroup is so narrowly focused on anaerobic digestion and digestate, yet this group seems like it would benefit from an expanded scope to incorporate compost. The workgroup is asked to identify and examine appropriate uses to recycle the digestate - would that be composting? And if so, why is there no representation of The MD-DC Compost Council on this workgroup?

The workgroup is expected to identify and examine options for incentivizing the use of digestate as agricultural fertilizer and manufactured topsoil - but it will not be equipped to do so without the presence of soil scientists as members of the workgroup. Should digestate be incentivized as an agricultural fertilizer? Are there any concerns that contaminated feedstock will pose problems for using digestate as an agricultural fertilizer? Does the workgroup have sufficient expertise to speak to the benefits and concerns about using digestate as an agricultural fertilizer or manufactured topsoil?

We would like to echo here the concerns of the Institute of Local Self Reliance:

We believe that, to be successful in making infrastructure recommendations for organic materials management, this bill would have to be completely rewritten to change the Workgroup's work mandate and composition.

Clean Water Action is concerned that this workgroup will require significant revision to adequately balance workgroup membership and scope, and encourages the Committee not to pass this legislation without substantive amendments, which will be difficult within the legislature's time constraints.

Thank you,

Emily Ranson  
Maryland Director  
Clean Water Action  
[eranson@cleanwater.org](mailto:eranson@cleanwater.org)  
410-921-9229