

BILL: HB0875

BILL TITLE: Electricity - Renewable Energy Portfolio Standard – Qualifying Biomass

BILL SPONSOR: Delegate Dereck Davis

POSITION: FAVORABLE

MEETING DATE: February 18, 2021

HB0875 - SUPPORT

Mr. Chairman and Members of the Committee:

I, Justin Gallardo of Parkville, support HB0875, “Electricity - Renewable Energy Portfolio Standard – Qualifying Biomass.” I applaud Chairman Davis for taking up the urgency to remove black liquor, which was commended by Speaker Jones via Facebook on January 29, 2021. Speaker Jones acknowledges this flaw as a threat to climate change. This practice overall affects human health and jeopardizes our wildlife. For the first time in our state, we have the chance and opportunity to clean-up the RPS. In a time where we recognize how divide our society is from the global COVID-19 pandemic to the Black Lives Matter Protests to the failed coup of the US Capitol, we are rebuilding our economy and it should not include jobs that harm our environment and our health. I work well with Senator Chris West and he believes that environmental consideration and a prosperous economy are NOT mutually exclusive.

I am overwhelmed with this significant step in cleaning our RPS as we have seen other legislation this session to address it and I am glad there is more like this. I first got involved with the campaign to clean up the RPS when I was an intern with Food & Water Watch Maryland during my last semester as an undergraduate seeking a Bachelor of Science in Environmental Science & Policy at the University of Maryland, College Park – Fall 2015. Since graduation, I have made new connection with Clean Water Action and various environmental groups, social justice groups, labor groups, and activists. Regardless of where we fall on the political spectrum, we can agree that in this case, subsidizing dirty energy does not create safe, clean, and sustainable jobs. These detrimental jobs should not be at the expense of the taxpayers. It is an insult to our license plate that reads, “Protect the Chesapeake.”

Allegheny County:

There was concern last session about how removing black liquor as a qualifying biomass would affect job potential in Luke, Maryland. While I understand it was a main employer for the town, its affects were damaging. Since its closure in April 2019, black liquor seeped from the former mill. This adversely affects water quality and wildlife.

(Source: <https://chesapeakebaymagazine.com/md-to-sue-paper-mill-owners-over-black-liquor-in-potomac-river/>)

This does not have to be the future of Luke as the rest of the county has a highly diverse economy from Western Maryland Health System, Frostburg State University, Hunter Douglas Northeast (window blind manufacturer), American Woodmark (cabinet manufacturer), Allegany College of Maryland, CSX Transportation, and Rocky Gap Casino Resort are far larger employers in this county. Former Speaker of the House Casper Taylor Jr. represented this county and one of his marquee accomplishments was attracting tourism to the Rocky Gap area.

(Sources:

<https://commerce.maryland.gov/Documents/ResearchDocument/MajorEmployersInAlleganyCounty.pdf> (2015)

<https://commerce.maryland.gov/Documents/ResearchDocument/AlleganyBef.pdf> (2019)

<https://www.washingtonpost.com/wp-srv/local/longterm/library/mdstateleg/players/taylor0418.htm>)

There is opportunity to redevelop, for example, in 2019 under the Hogan Administration, there was a major accomplishment of attracting tourism to Williamsport in nearby Washington County with the groundbreaking of the new C&O Canal National Historical Park Headquarters. While Allegheny County is on the lower end of the spectrum in income earnings in the state, it is not a federal persistent poverty county like Somerset County. Allegany County has two HUBZones - South Cumberland and Frostburg - through the Small Business Administration.

(Sources: <https://news.maryland.gov/dhcd/2019/08/08/governor-hogan-participates-in-groundbreaking-for-new-co-canal-national-historical-park-headquarters/>

<https://alleganyworks.org/>)

Language:

The Maryland Public Service Commission clearly states that Waste-to-energy is a Tier 1 source. These sources of energy are in a permanent category, unlike Tier 2 sources which are gradually phased out. This section is directly from the website:

What fuel sources are approved for the Maryland RPS Program?

- Fuel sources are divided into two categories, Tier 1 and Tier 2. Tier 1 includes Solar, Wind, Qualifying Biomass, Methane from a landfill or wastewater treatment plant, Geothermal, Ocean, Fuel Cell that produces electricity from a Tier 1 source, Hydroelectric power plants of less than 30 MW capacity, Poultry litter-to-energy, Waste-to-energy, and Refuse-derived fuel. Tier 2 includes hydroelectric power other than pump storage generation.

Furthermore, the website states what “Qualifying Biomass” is. Black liquor is “mill residue”:

What does “Qualifying Biomass” include?

- According to Section 7-701 of the Public Utilities Article of the Annotated Code of Maryland, “Qualifying biomass” means a nonhazardous, organic material that is available on a renewable or recurring basis, and is:
 - Waste material that is segregated from inorganic waste material and is derived from sources including,
 - Except for old growth timber, any of the following forest-related resources: A) Mill residue, except sawdust and wood shavings; B) Precommercial soft wood thinning; C) Slash; D) Brush; or E) Yard waste;
 - A pallet, crate, or dunnage;
 - Agricultural and silvicultural sources, including tree crops, vineyard materials, grain, legumes, sugar, and other crop by-products or residues; or
 - Gas produced from the anaerobic decomposition of animal waste or poultry waste; or
 - A plant that is cultivated exclusively for purposes of being used at a Tier 1 renewable source or a Tier 2 renewable source to produce electricity.