

**Testimony Supporting HB166**  
**House Economic Matters Committee**  
**March 7, 2024**

**Position: SUPPORT**

Dear Chair Wilson and Members of the Committee,

The undersigned **87 organizations** urge you to pass the Reclaim Renewable Energy Act (HB166) to stop wasting Maryland residents' money and make more funding available for real renewable energy - at no additional cost to the state budget. Trash incineration is neither clean nor renewable; its inclusion in the Renewable Portfolio Standard (RPS) is counter to the program's goals. Maryland ratepayers would be better served if their funds currently subsidizing trash incineration were supporting real renewable energy instead. With both government and advocate support, 2024 is the year to eliminate trash incineration from the RPS.

**The purpose of the RPS is to support clean, renewable energy, which Maryland needs now more than ever.** When establishing the RPS in 2004, the legislature wrote that the benefits of renewable energy include "long-term decreased emissions" and "a healthier environment." Since 2004, the urgency of supporting renewable energy development in Maryland and throughout our grid has only become greater. Maryland must urgently act to reduce greenhouse gas emissions and carefully assess how we are spending the state's resources to fight climate change, including the effectiveness of the Renewable Portfolio Standard program at delivering long-term decreased emissions and a healthier environment.

**Maryland is wasting an increasing amount of RPS money on trash incineration, much of it out of state.** Over three years, due to the market-based nature of the subsidy (the amount of electricity produced by incinerators has not increased), the total subsidies to trash incinerators through Maryland's RPS ballooned from \$11.5 million in 2020 to \$24.7 million in 2022. In 2022, the BRESCO incinerator in Baltimore received \$4.2 million; the Montgomery County incinerator in Dickerson received \$8.7 million, and the Covanta incinerator in Lorton, VA, received a windfall of \$11.7 million - twice as much as Montgomery County's incinerator and three times as much as the incinerator in Baltimore. If these trends continue and trash incineration remains in the RPS, Maryland ratepayers will be increasingly harmed: we will be wasting ever-increasing amounts of money, much of it out of state, that isn't putting renewable power on the grid.

**Trash incineration is not clean, renewable energy and is contradictory to the goals of the RPS.** Trash incineration is among the dirtiest methods of producing electricity. [A new 2023 study in PLOS Climate](#) found that "incinerators emit more greenhouse gas emissions per unit of electricity produced than *any* other power source" - even coal plants. [EPA's Emissions Inventory](#) indicates that in 2020, the three trash incinerators profiting from Maryland's RPS emitted 2.5 million tons of CO<sub>2</sub> into the atmosphere. New emissions limits required at the BRESCO incinerator by a [court settlement in 2020](#) do not include *any* requirement to decrease CO<sub>2</sub> emissions and allow the incinerator to continue to emit mercury and lead, which are not safe for

human exposure at any level. In its [Final Report Concerning the Maryland Renewable Portfolio Standard](#), the Maryland Power Plant Research Program analyzed the emissions profile of the Renewable Portfolio Standard and found that “the Maryland RPS has resulted in modest greenhouse gas reductions but may be working at cross-purposes with the state’s efforts to reduce nitrogen oxides (NOx) and sulfur dioxide (SO2) emissions,” in part because of the inclusion of trash incineration. In the Reclaim Renewable Energy Act, the legislature has a choice between making millions of dollars available to support real renewable energy that delivers long-term decreased emissions and a healthier environment, or to support trash incineration. The choice is clear: Maryland should support energy sources that emit no CO2, mercury, or lead, instead of those that do.

**Eliminating trash incineration from the RPS is a budget-neutral means of making more money available for renewable energy.** Maryland needs to invest in climate solutions, and finding funding for the \$1 billion per year called for in Maryland’s Climate Pollution Reduction Plan poses a significant challenge as the state budget contracts. Analyses consistently show that passing the Reclaim Renewable Energy Act is not associated with a financial cost to the state. Instead it will redistribute the subsidy Maryland ratepayers already pay that had been wasted profiting trash incinerators to support renewable energy sources that remain in the RPS.

**This action is recommended in Maryland’s [Climate Pollution Reduction Plan](#).** In the plan released last month, the Maryland Department of the Environment recommends aligning the Renewable Portfolio Standard with the forthcoming Clean Power Standard. Although details of the Clean Power Standard are under development, one important detail is clear: the plan specifies that the Clean Power Standard will not include trash incineration (pages 21, 23). On page 90, the plan lists recommended legislative actions, including:

*Legislative Action #2: Modify the Renewable Portfolio Standard - In consultation with MDE and MEA, pass legislation to modify the definitions of qualifying resources in the RPS to align with definitions of clean power resources under the forthcoming Clean Power Standard.*

Likewise, the **Maryland Commission on Climate Change’s [2023 Annual Report](#)** recommends:

*Mitigation Working Group Recommendation #18: Due to the energy source’s contributions to the state’s GHG emissions, the General Assembly should adopt legislation to remove municipal solid waste incineration as an eligible generating source from the RPS.*

Maryland governmental bodies, climate experts, renewable energy business, environmental and environmental justice advocates, and community organizations are united: burning trash is not clean energy, and Maryland must stop subsidizing it through the Renewable Portfolio Standard.

Sincerely,

Mid-Atlantic Justice Coalition  
Clean Water Action  
Chesapeake Climate Action Network  
Food and Water Watch  
Indivisible HoCoMD  
Unitarian Universalist Legislative Ministry of Maryland  
Progressive Maryland  
Institute for Local Self-Reliance  
Cedar Lane Unitarian Universalist Environmental Justice Ministry  
Mountain Maryland Movement  
Beaverdam Creek Watershed Watch Group  
Montgomery Countryside Alliance  
Centro de Apoyo Familiar  
Chesapeake Physicians for Social Responsibility  
CASA  
Maryland PIRG  
Environment Maryland  
League of Women Voters of Maryland  
Cleanwater Linganore Inc.  
Climate Communications Coalition  
Concerned Citizens Against Industrial CAFOS (CCAIC)  
Waterkeepers Chesapeake  
Sugarloaf Citizens Association  
Environmental Integrity Project  
Envision Frederick County  
Glen Echo Heights Mobilization  
Safe Healthy Playing Fields Inc  
Friends of Sligo Creek  
Elders Climate Action  
Ask the Climate Question  
South Baltimore Community Land Trust  
Zero Waste Montgomery County  
Howard County Climate Action  
Fellowship of Scientists and Engineers  
Sugarloaf Alliance  
Maryland Legislative Coalition  
Gwynns Falls Community Association  
Maryland Legislative Coalition Climate Justice Wing  
National Aquarium  
Maryland Energy Advocates  
Nuclear Information and Resource Service  
The Climate Mobilization, Montgomery County chapter  
Mobilize Frederick  
Climate Law & Policy Project

Echotopia LLC  
Baltimore Phil Berrigan Memorial Chapter Veterans For Peace  
Compost Crew  
Maryland Latinos Unidos (MLU)  
Beyond Extreme Energy  
350.org  
Baltimore Transit Equity Coalition  
Climate Reality Greater Maryland  
Third Act Maryland  
Casa de Restauracion Hispana Cristiana  
Public Employees for Environmental Responsibility  
Maryland Catholics for Our Common Home  
Baltimore 350  
Ebenezer Church of God  
Milagros de Jesucristo Inc  
Maryland Green Party  
Blue Water Baltimore  
Community Development Network of Maryland  
Sentinels of Eastern Shore Health  
The Center for Community Engagement, Environmental Justice, and Health (CEEJH)  
1199SEIU United Healthcare Workers East  
Green Sanctuary Committee of the Unitarian-Universalist Church of Silver Spring  
Audubon Mid-Atlantic  
Earthjustice  
Baltimore Community ToolBank  
Biodiversity for a Livable Climate  
Sustainable Hyattsville  
Climate Change Working Group of Frederick County  
Potomac Riverkeeper Network  
Gunpowder Riverkeeper  
Neighborhood Sun  
Maryland Ornithological Society  
Iglesia Pentecostes Manantiales de Agua Viva  
Timothy Baptist Church  
#CoalFreeCurtisBay  
Emmanuel United Methodist Church, Laurel, MD  
BWCUMC Creation Care Team  
Women's Democratic Club of Montgomery County  
One Montgomery Green  
UFCW Local 1994 MCGEO  
Chesapeake Earth First!  
Interfaith Partners for the Chesapeake  
North Avenue and Hilton Street Business and Community Taskforce