

December 1, 2014

Dear Administrator Gina McCarthy,

We, the undersigned organizations are alarmed that on November 19, 2014 the EPA released the [Revised Framework for Assessing Biogenic CO2 Emissions from Stationary Sources](#). This new Framework has a significant impact on the EPA Clean Power Plan, yet was released less than two weeks before the December 1, 2014 deadline for public comments on the Plan.

The EPA Memo for this Framework unilaterally asserts that climate pollution from burning waste and biomass “are likely to have minimal or no net atmospheric contributions of biogenic CO2 emissions” and hence, should not be counted as harmful emissions, despite growing evidence to the contrary.

The growing body of evidence that burning waste and biomass has long term climate consequences includes a 2014 study of U.S. biomass energy emissions found that burning biomass is worse for the climate than burning coal.¹ This adds to the many studies that have found that biomass energy is more carbon-intensive than coal, and that the life-cycle emissions associated with various sources of biomass and waste fuels are much greater than those of fossil fuels.² According to EPA’s own database,³ burning municipal waste is the most carbon intensive form of energy generation, producing over twice the amount of CO2 per unit of energy than coal plants. This has been corroborated by recent studies comparing the emissions of waste (“WTE”) incinerators and coal plants in Maryland⁴ and New York.⁵

If the EPA formalizes this new biogenic emissions framework, and allows all biogenic emissions to be counted as zero in emissions rate calculations, the door will be opened wide for states to encourage the co-firing of biomass and waste in power plants through various subsidies and incentives that states will implement under the Clean Power Plan. This will lead to a severe increase in both greenhouse gas and toxic emissions.

Incentivizing any form of combustion energy, whether it be coal, gas, trash, or biomass, raises serious concerns about increased public health impacts, especially for communities already overburdened by such industrial pollution. We are gravely concerned that together, the Clean Power Plan and this biogenic emissions framework will result in an increase of health consequences and related economic burdens for frontline communities of color and low income communities across the United States. As Dr. Robert Bullard noted in his 2011 article “Dismantling Energy Apartheid in the United States,” “burning biomass to generate electricity.... is neither green nor clean.”⁶ The EPA should prioritize the reduction of pollution burdens in communities disproportionately impacted, not promote such avenues for greater harm.

By allowing exemptions for pollution control requirements for power plants using waste derived fuels and so-called “sustainable” forestry and agricultural feedstocks,⁷ the EPA is sending a clear signal to a range of combustion energy companies that they can access a free pass for increases in their climate and toxic pollution loads, by burning biomass fuels and substituting a portion of their fossil fuels with such feedstocks.

Such exemptions would fly in the face of recommendations made by over 90 scientists earlier this year in a July 14th letter,⁸ which stated “only when bioenergy results in additional carbon being sequestered above and beyond the anticipated baseline can there be a justification for concluding that such energy use results in little or no increase in carbon emissions.”

We believe the EPA should adhere to the Precautionary Principle in ensuring the protection of community health, while applying rigorous science in assessing real greenhouse gas emissions reductions. In doing so, the implementation of the Clean Power Plan should in no way incentivize the combustion of waste, biomass, or any other fuels for energy generation.

Sincerely,

National and regional organizations

Center for Earth, Energy and Democracy
Center for Social Inclusion
Earthjustice
Energy Justice Network
Environmental Integrity Project
Friends of the Earth - US
GAIA (Global Alliance for Incinerator Alternatives)
Greenpeace
Institute for Local Self-Reliance
Sierra Club
The Heartwood Council
Toxics Action Center
WildEarth Guardians
World Team Now

State organizations

California

California Communities Against Toxics
California Safe Schools
CLASS
Mercedians Against Fracking
SBM Management

Colorado

Eco-Cycle

Delaware

Green Delaware

Florida

Citizens for Sanity

Maryland

Community Research
No Incinerator Alliance
Wisacre Films LLC

Massachusetts

Perlmutter Associates

Michigan

Zero Waste Detroit Coalition

Minnesota

Eureka Recycling
Minneapolis Neighbors for Clean Air
Neighborhoods Organizing for Change
Nothing Left to Waste

Montana

Montanans Against Toxic Burning

New Hampshire

ACTS Now

New York

Jamesville Positive Action Committee
New York Public Interest Research Group
The Real Majority Project

Ohio

Athens County Fracking Action Network

Oregon

Beyond Toxics
Our Forests

Pennsylvania

Chester, PA EJE

Texas

Texas Campaign for the Environment

Wisconsin

RecycleWorlds

Submitted by Global Alliance for Incinerator Alternatives.

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ENDNOTES

¹ Partnership for Policy Integrity, *Trees, Trash and Toxics: How Biomass Energy has Become the New Coal*, April 2014.

² A) Manomet Center for Conservation Sciences for the Commonwealth of Massachusetts, *Biomass Sustainability and Carbon Policy Study*, June 2010.

B) UK Department of Energy and Climate Change, *Life Cycle Impacts of Biomass Electricity in 2020*, July 2014.

C) Energy Justice Network, *Trash Incineration More Polluting than Coal*, www.energyjustice.net/incineration/worsethancoal

D) Energy Justice Network, *Biomass Incineration and Climate*, www.energyjustice.net/biomass/climate

³ EPA eGRID 2010 Emissions Data for U.S. Electric Power Plants: www.energyjustice.net/egrid

⁴ Waste-to-Energy Incinerators Pollute More Per of Hour of Energy than Coal-Fired Power Plants and Are Not Renewable: environmentalintegrity.org/archives/6709

⁵ NY Department of Conservation, Comments to New York State Public Service Commission in the Matter of the application of Covanta Energy Corporation, August 19, 2011.

⁶ Dr. Robert Bullard, "Dismantling Energy Apartheid in the United States," *Dissident Voice*, 2011. www.dissidentvoice.org/2011/02/dismantling-energy-apartheid-in-the-united-states/

⁷ November 19th Memo from Janet G. McCabe, Assistant Administrator, EPA Air and Radiation, <http://www.epa.gov/climatechange/downloads/Biogenic-CO2-Emissions-Memo-111914.pdf>

⁸ Letter to Joe Goffman, Senior Counsel, EPA Office of Air and Radiation: www.caryinstitute.org/sites/default/files/public/downloads/news/2014_06_epa_biomass_carbon.pdf