STATE OF MARYLAND
OFFICE OF THE GOVERNOR

MARTIN O'MALLEY
GOVERNOR

STATE HOUSE
100 STATE CIRCLE
ANNAPOLIS, MARYLAND 21401-1925
(410) 974-3901
(TOLL FREE) 1-800-811-8336

TTY USERS CALL VIA MD RELAY

May 25, 2011

Mr. Harvey Gershman
5404 Linden Court
Bethesda, MD 20814-1643

Dear Mr. Gershman:

After careful deliberation, I have decided to sign Senate Bill 690 Renewable Energy Portfolio - Waste-to-Energy and Refuse-Derived Fuel. Our State has an aggressive goal of generating 20% of our energy from Tier I renewable sources by 2022 and we intend to achieve that goal through as much in-state energy generation as possible. This will require a diverse fuel mix including onshore and offshore wind, solar, biomass including poultry litter, and now waste-to-energy if we are to realize our 20% goal.

Maryland is not alone in this determination. Over half of the states that have a renewable energy goal classify municipal solid waste as a renewable fuel. European countries that are many decades ahead of the United States in reducing their carbon footprint and their reliance on fossil fuels make broad use of modern waste to energy facilities and employ comprehensive recycling efforts in order to land fill as little waste as possible. In fact, Sweden, a leader in this arena, sends 45% of it's waste to waste-to-energy facilities, recycles 41%, and has reduced the quantity of waste going to land fills by 50% over a 1994 baseline.

Despite the success of recycling programs in our State, including in Harford and Montgomery counties, where existing waste-to-energy facilities coexist with robust recycling programs, the reality is that Marylanders generate tons of solid waste each and every day. If there is no waste-to-energy facility available, these tons of trash are simply dumped into landfills, no value is derived from the waste, and our State continues to rely on coal-fired generation to account for 55% of our energy needs.

Therefore, the question is not whether waste-to-energy facilities are better for the environment than coal-fired generation or better for the environment than the land filling of trash, but rather whether waste-to-energy facilities are better than the combination of coal and land filling, based on the best available science. The answer to that question is a qualified "yes".

On carbon emissions, those greenhouse gases that degrade our environment and contribute to global warming, waste to energy facilities are better for the environment than the combination of coal generated electricity and land filling of solid waste. With regard to sulfur oxides, nitrogen oxides and particulate matter emissions, waste-to-energy facilities are generally lower per megawatt hour electricity generated than coal fired generation. And on mercury emissions, the answer depends on how thoroughly mercury containing items are sorted out from the waste stream before the combustion process occurs.

Mercury emissions are the most worrisome aspect of waste-to-energy facilities, but can be limited through vigorous regulation. To this end, I have instructed Maryland's Department of the Environment to strictly regulate the amount of mercury emanating from both existing and proposed waste-to-energy facilities in our State. This is not enough, however. We must also remove mercury from the waste stream altogether; my Administration is considering legislative proposals to ensure that happens.

This legislation is but one part of a comprehensive solid waste management approach. We made progress last week, when I signed into law House Bill 817, which increases our education efforts on composting and requires the Department of the Environment to conduct additional study of the issue. I want to keep moving forward, however, to a zero waste environment. Last year, the General Assembly created a study group to evaluate additional steps that can be taken to increase commercial recycling and reduce plastic bag usage. The group is also looking at electronic recycling measures, bottle deposits, beverage container recycling issues, and long-term funding for such measures. A final report is due in December of 2011. I am hopeful that recommendations from the study group will be implemented through the regulatory and legislative process.

With this decision, I also reaffirm my commitment to bringing offshore wind to Maryland. It is only through a diverse, renewable fuel mix that we will be able to reach our aggressive goals, protect our precious environment, and create the economic engine to move Maryland forward.

Sincerely,

Governor

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