



# SIERRA CLUB

## MAINE CHAPTER

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To: Members of the Joint Committee on Committee on Energy, Utilities and  
Technology  
From: Jacob Stern  
Date: February 2, 2023  
Re: **Testimony in Opposition to L.D. 175: *An Act To Increase The Use Of Municipal  
Waste-To-Energy Processes As A Source Of Renewable Energy***

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Senator Lawrence, Representative Zeigler, and the members of the Joint Committee on Energy, Utilities, and Technology,

I am testifying today on behalf of Sierra Club Maine, representing over 22,000 supporters and members statewide. Founded in 1892, Sierra Club is one of our nation's oldest and largest environmental organizations. We work diligently to amplify the power of our 3.8 million members nation-wide as we work towards combating climate change and promoting a just and sustainable economy. To that end, we urge an "ought not to pass" report on L.D. 175: *An Act To Increase The Use Of Municipal Waste-To-Energy Processes As A Source Of Renewable Energy*.

While there is some value in classifying waste-to-energy as a unique generating source, the proposed legislation flies in the face of decades of work to plan for a clean energy future. The current classification of renewable resources allows for incentivizing specific clean-generating resources, such as solar, wind, and tidal power (see Title 35-A MRSA §3210, sub-§2, ¶B-3). While the existing statute does not perfectly match Sierra Club's preferred resource hierarchy, waste-to-energy has no place in this list.

One of the significant benefits of renewable energy is that most generating sources produce few or no pollutants. However, it has proven impossible for industry to develop a waste combustion process, even with a large biomass proportion, that does not produce unacceptable toxic and hazardous air emissions. Additionally, as the nation with the largest historical emissions of greenhouse gasses, the United States has an obligation to respond vigorously. The Sierra Club places primary emphasis on making substantial cuts in CO<sub>2</sub> emissions as soon as possible by moving polluting fuel sources and shifting to a clean and sustainable energy economy. Incentivizing waste-to-energy generation the same way we do solar and wind would have the effect of moving the needle in the opposite direction.

Additionally, placing waste-to-energy incineration above recycling in the solid waste hierarchy – effectively moving it up two rungs on the ladder, is shortsighted and dangerous (see Title 38 MRSA §2101). Sierra Club strongly opposes incentivizing waste incineration. While some advanced waste treatment technologies are promoted as alternative energy producing, the energy conserved by recycling and composting the source materials exceeds the amount of energy produced by these technologies by three to five times.<sup>1</sup> That being said, our solid waste crisis is complex and much work is needed to move our state towards a zero waste future, but this bill is not the answer.

If enacted, this legislation would disastrously impede progress to developing future clean generating resources. It could allow large industrial incineration facilities to receive the same incentives as clean energy generators, barring progress and increasing pollution levels. We strongly urge an “ought not to pass” report on L.D. 175: *An Act To Increase The Use Of Municipal Waste-To-Energy Processes As A Source Of Renewable Energy*. Thank you for your time and consideration.

Sincerely,  
Jacob Stern

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Member, Executive Committee  
Sierra Club Maine Chapter

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<sup>1</sup> Morris, Jeffrey, Comparative LCAs for Curbside Recycling Versus Either Landfilling or Incineration with Energy Recovery, *The International Journal of Life Cycle Assessment*, July 2005.