



## **Comments of Partnership for Policy Integrity and RESTORE: The North Woods on Massachusetts Department of Energy Resources Regulatory Reform October 30, 2015**

These comments are provided as feedback on the regulatory reform efforts of Department of Energy Resources (DOER) pursuant with Governor Charlie Baker's Executive Order 562. They are submitted on behalf of Partnership for Policy Integrity and RESTORE: The North Woods — both Massachusetts-based nonprofits. The Partnership for Policy Integrity is a nonprofit group that promotes sound energy policy. RESTORE: The North Woods is a nonprofit dedicated to restoring and protecting wilderness, wildlife, and public lands.

We are making two major recommendations regarding the DOER's regulatory review:

- DOER should maintain and enforce the 2012 regulations that eliminated renewable energy subsidies for low-efficiency wood-burning power plants
- DOER should not add thermal bioenergy to the Alternative Portfolio Standard

The Commonwealth of Massachusetts is a leader in renewable energy and energy efficiency. DOER administers many programs that help to make this possible. The agency deserves a great deal of credit for this important work.

Among the most important actions taken by DOER was the change that was made in 2012 to the Class I Renewable Portfolio Standard (225 CMR 14.00). The amended regulations recognize that:

- burning wood in power plants emits more CO<sub>2</sub> than burning fossil fuels
- both the source of fuel (forestry residues versus whole trees) and the efficiency of conversion to electricity are important to determining the net greenhouse gas impact of bioenergy over time
- subsidizing low-efficiency bioenergy as renewable, alongside zero-emissions technologies like wind and solar, is a waste of money

These changes are consistent with the growing scientific consensus regarding the negative carbon impacts of burning wood for energy — including the groundbreaking *Biomass Sustainability and Carbon Policy Study* by the Manomet Center for Conservation Sciences, which was commissioned by the Commonwealth of Massachusetts. The amended regulations also responded to strong and widespread

public concern about the effects of bioenergy on public health by eliminating subsidies for facilities burning construction and demolition debris, which emit heavy metals and other toxic contaminants when burned. Since their enactment, the changes in Massachusetts' biomass regulations, and the scientific basis for those changes, have influenced the U.S. Environmental Protection Agency to shift its positions in the same direction.

The significance of these changes is becoming increasingly evident as global CO<sub>2</sub> concentrations continue to increase. Massachusetts faces serious threats, including from new pressure to log our forests for the emerging wood pellet industry, and from the growing risk to our coastal waters and fisheries as a result of warming oceans and rising sea levels. We clearly need to use every strategy for mitigating the impacts of climate change, including the protection of forests to absorb and store carbon that would otherwise contribute to climate disruption.

Given increasing recognition of the impacts that the bioenergy industry is having on forests, especially impacts from whole tree harvesting for the emerging wood pellet industry, we are alarmed that DOER is strongly advocating an expansion of the Alternative Portfolio Standard (225 CMR 16.00) to include thermal bioenergy and is aggressively promoting small-scale wood pellet burning for energy. We believe that such a promotion of cutting and burning forests for energy is not an appropriate role for DOER. In fact, we contend that the push to expand subsidies to wood pellet burners runs counter to the revised bioenergy regulations DOER enacted in 2012, and relies on faulty and unsubstantiated analysis of the carbon impacts of wood pellet manufacture and use. We will be submitting this analysis to DOER.

We cannot have it both ways in terms of how we manage our forests to address climate change. We can burn them to meet an increasing portion of our energy needs, or we can manage them so they can absorb an increasing proportion of our carbon emissions. Other than activities that currently yield a relatively small amount of wood for energy, one choice essentially precludes the other. We urge DOER to continue to help lead efforts to keep the carbon in the trees and soil, and out of the atmosphere, by enforcing the current 2012 bioenergy regulations and by eliminating subsidies for thermal bioenergy in the expansion of the Alternative Portfolio Standard.

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