



THE GENERAL COURT OF MASSACHUSETTS
STATE HOUSE, BOSTON 02133-1053

September 13, 2021

Hon. Jeffrey Roy, House Chair
Joint Committee on Telecommunications, Utilities and Energy
State House, Room 473B
Boston, MA 02133

Hon. Michael Barrett, Senate Chair
Joint Committee on Telecommunications, Utilities and Energy
State House, Room 109-D
Boston, MA 02133

Re: H.3333/S.2197, An Act to prevent biomass energy to protect the air we breathe

Dear Chair Roy and Chair Barrett,

We write to you in support of H.3333/S.2197, *An Act to prevent biomass energy to protect the air we breathe*. This bill aims to prevent the use of biomass energy in Massachusetts which would reduce greenhouse gas emissions and protect and restore forests. We respectfully request that the Committee report this bill out favorably.

Woody biomass emits more carbon dioxide per unit of energy than burning coal which increases greenhouse gas emissions and overall air pollution by releasing particulate matter, making it a harmful source for energy. Low-income communities, communities of color, elderly populations, and persons with respiratory ailments are disproportionately at risk for increased health issues or mortality due to exposure to woody biomass. This is especially concerning considering we are still in the midst of the COVID-19 pandemic and the surge of the Delta variant.

Currently, woody biomass energy can be subsidized through Massachusetts' clean energy programs. This directly contradicts Massachusetts' goal to achieve net-zero carbon emissions by 2050. H.3333/S.2197 aims to remove woody biomass as an eligible fuel source in Massachusetts' Renewable Energy Portfolio Standard (RPS) and Alternative Energy Portfolio Standard (APS), thereby encouraging power and heating plants to use renewable energy sources.

We believe that this is an important step that the Commonwealth needs to take in order to address

both the urgent climate crisis and its impacts on environmental justice communities.

Lastly, we wanted to bring to the Committee's attention a drafting error in the "effective date" language. We are requesting that this date be changed to ensure that we are capturing all facilities. We will attach a redline version of our proposed language for the Committee's review.

Thank you for your consideration. If you have any questions please do not hesitate to reach out to our offices.

Sincerely,

Jay Livingstone
State Representative
8th Suffolk District

Eric Lesser
State Senator
First Hampden and Hampshire District

Orlando Ramos
State Representative
9th Hampden District

Adam Gomez
State Senator
Hampden District

Proposed Language Change

Explanation:

We were alerted last week to a technical oversight in the language of the bill in Section 3 (Effective Date) that we will need to address in order to ensure that any existing facilities in MA are also covered. We believe this can be remedied with a simple strikeout as shown below, making the bill effective upon enactment. Once biomass eligibility is removed from all programs via Sections 1 and 2, there will be no mechanism for existing or future facilities to apply for RPS or APS eligibility.

Language Change:

SECTION 3. [Amended] This act shall take effect upon enactment. [Delete...] ~~and apply to any facility that begins commercial operation after December 31, 2020, or any existing facility that combusts and or gasifies wood-derived biomass to generate electricity or heat, increases its generating capacity, or any facility which modifies its fuel feedstock to include wood-derived biomass, after December 31, 2020.~~