Concerned Citizens of Russell is dedicated to creating and preserving a quality of life in the Westfield River Valley that promotes and protects our sense of community, the health and well-being of our citizens (especially the vulnerable) and the environment.

February 2009

To Whom It May Concern:

Greetings from the beleaguered town of Russell, Massachusetts. We have here a rather unique view of the ugly underbelly of "clean" energy policy in the Commonwealth, so we do appreciate the opportunity to comment on the Renewable Portfolio Standards Class I and II and the Alternative Portfolio Standard which will greatly affect all of our lives here in the Commonwealth for many years to come.

This weekend I watched a speech given by Commissioner Giudice on YouTube, and over the years have seen and read many other expressions of the enormous pride and sense of teamwork expressed by those in state and regional government who claim they are creating a glorious clean energy future for the Commonwealth. The lofty speeches, the grim determination to overcome every obstacle to make Massachusetts a leader in "clean" energy, seem quite amazing indeed to one who is being sued by a 'renewable' power plant developer who intends to burn millions of tons of chemically contaminated fuel just 1600 feet from our Elementary School.

Recent changes in laws and regulations threaten to undo worthy local companies and turn Massachusetts into a magnet for huge conglomerates specializing in trash and C&D incineration. Trash travels all over the country by rail and truck seeking a comfortable landing place. There is enormous pressure on states to take in trash and C&D because targeted communities rise up and create headaches ranging from mild to severe for these companies.

These state laws governing renewables and alternatives, in concert with other efforts of many fronts, greatly favor incineration and will likely lead to an embarrassing flush of new incineration capacity and the possibility of depressed REC prices. If new facilities are not eligible for qualification but old facilities are, the state is vulnerable to lawsuits. I new facilities are built, whether landfills or incinerators, often a long saga of importing waste, anti-recycling contracts, tax evasion, crippling costs to municipalities, air pollution fatalities, rising asthma rates, cancer clusters, and other various and sundry miseries ensue.

The important questions are, if I were an international waste management conglomerate or a sleazy 'biomass' company looking for a place to import waste and build new incinerators, how happy would I be with Massachusetts? Would I find strict laws, regulations, and oversight? Would I find informed communities? Would I find that I am able to push my agenda forward with the Governor's office, legislators, the EOEEA, the DEP, DOER, and so forth? Would I be exultant thinking that Massachusetts is going in record time from having a strong incinerator ban to becoming an incinerator haven?

After four years of observing the situation, my impression of the progress in these and related laws is that too many in Massachusetts state government want the Commonwealth to be "put on the map" in a big way for trash incineration companies - and too few want to exercise prudence and caution in this matter.

Within the auspices of the tasks left to DOER at this juncture, there remains much room to correct course and greatly improve this set of laws, regulations, guidelines, and definitions. We dearly hope that there exists within the Department the will to do the right thing. If that will is present in any degree, we believe that you will find some support within DEP based on the recently released Tellus Report, some DEP employees' experience with and knowledge of waste management, the Zero Waste model, real-world sorting methods for proposed "fuels" such as construction and demolition debris and waste pallets, competing incineration and emissions control technologies, and so forth.

The support you need may or may not come from the "top," but surely knowledgeable people with their personal integrity intact should be greatly valued wherever they are found - and having the courage to do the right thing is still considered a virtue in some quarters.

P.O. Box 481 Russell, MA 01071 413-862-0037 www.ConcernedCitizensofRussell.org

At Thursday's hearing I made the statement that 80 out of 100 megawatts of new "clean" energy in the Pioneer Valley would come from burning chemically contaminated fuels in neighborhoods. I noticed that one panel member winced as I said it, but it is nevertheless quite true. Russell Biomass intends to include pallets in their fuel mix. Experts have submitted extensive evidence and testimony to both the MEPA office and the Department of Public Utilities that pallets are treated with copper chromium arsenate and other chemicals. To take just that one chemical as an example, copper is a catalyst in dioxin formation, the chromium is the severely toxic hexavalent chromium, and arsenic is well-known as effective in causing fatalities in small quantities.

We hope that the Department sill take the time to correct the record regarding construction and demolition debris. There remains on the record and on your web site a completely unqualified, unsupported blanket statement that after consulting with DEP the DOER does not see a problem with chemical contamination in construction and demolition debris. This is profoundly irresponsible and should be corrected in light of the multiple evidences that construction and demolition debris contains many toxins that are virtually impossible to sort out of the mix.

If a DOER employee disputes these facts or believes that Russell Biomass and its fuel suppliers will self-monitor their fuel supply to keep these chemicals from being burned in Russell, perhaps that individual would like to move his own little children to Russell and/or devote his life to monitoring the fuel supply from pallets.

As for the other megawatts mentioned, Palmer Biomass intends to burn 700 tons of "positively sorted" construction and demolition debris daily in a neighborhood in Springfield. If there is more than one DOER employee who maintains that these fuels are "clean," then that second person can perhaps move their children to a home in Springfield five miles east of the biomass incinerator and/or spend his or her days monitoring the facility that promises to "positively sort" the mercury, lead, arsenic, cadmium, molybdenum, and dozens of other chemicals out of 4900 tons of C&D each week.

Pinetree Power is burning trash cubes and yet is receiving Class I status. Pinetree Power should not be referred to as a biomass plant and should be disqualified from Class I status.

Ample room remains within the regulations, guidelines, definitions, emissions standards, sorting standards, and other means to level the playing field so that incineration is not favored among renewables or alternatives, so that trash burning is not included in Class I, and so that gargantuan WTE companies are not given carte blanche to overwhelm communities with their typical unfair practices and multiple deceptions.

Those who claim they have zero emissions should simply be asked to provide the proof of that. Those who claim they can distinguish a 25 year-old piece of arsenic soaked wood from a piece of clean wood should be asked to show that they can apply that ability with a large team of similarly talented individuals consistently in a real-world sorting facility that processes 5000 tons or more every week. Those who argue against best technology and strict testing of and limits on all emissions should be given the kind of treatment we have come to expect in Russell.

Furthermore, those who claim that burning a 5-year-old tree in 0.2 seconds is "carbon neutral" should be asked to chart "net carbon neutrality" on a timeline offering a straightforward comparison with the present carbon crisis. (The chart must demonstrate of course that the "net carbon neutrality" theory which grants a 50-100 year lien for re-sequestration is an efficacious approach in a carbon crisis set to peak in the next 50-100 years.) Those who, like Energy Secretary Stephen Chu, stand starry-eyed in front of a slide of 12-foot-tall switch grass should be asked to project the number of years that the agricultural soil will hold out when its crops are being burned instead of chopped, tilled, dunged, and composted. Soil scientists warn us that peak oil is nothing compared to the coming peak soil.

There are many ways to creatively inject a little truth and justice into the equation, even at this late stage.

More Americans die from air pollution every year than from automobile accidents. Massachusetts has enough incineration capacity and needs to go forward with a Zero Waste model. Increased incineration capacity will directly compete with the successful expansion of recycling programs and the effective development of Zero Waste practices. There is no such thing as "waste wood" because the so-called

"waste" is needed to replenish the soil and keep the forests healthy and productive. Combustion is not carbon neutral in any meaningful sense when a planet is already deep in a carbon crisis.

Regulations, guidelines, definitions, and other tools are available to you for putting incineration advocates on a steep slope - perhaps so steep that they are disinclined to try to scale it! If you are willing, much good can yet be done and much harm undone within the tasks that remain in the hands of your department.

Sincerely,

Jana S. Chicoine
Spokesperson, Concerned Citizens of Russell