



MASSACHUSETTS FARM BUREAU FEDERATION, INC.

"The Voice of Agriculture"

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March 31, 2022

John Wassam
Department of Energy Resources
100 Cambridge St., Suite 1020
Boston, Ma 02114

Mr. Wassam:

The Massachusetts Farm Bureau Federation (MFBB) thanks you for the opportunity to comment on the proposed Renewable Portfolio Standard (RPS) regulations. MFBB is the largest farming organization in the Commonwealth with approximately 6,000 members. Since 1915, MFBB's experience in issues relating to agriculture here in the Commonwealth has allowed the organization to become known as "Voice of Agriculture" in Massachusetts.

We will address our comments to categories A and B in your rulemaking announcement. With regards to the proposed RPS regulations, MFBB would like to thank the department for grandfathering the two existing RPS facilities, Seaman Paper and Cooley Dickinson Hospital, in the new proposed regulations. We believe that they were inadvertently made subject to the environmental justice setback regulation and appreciate that this has been rectified.

We also appreciate DOER's simplification of the proposed process for qualifying woody biomass in the RPS regulations. These were in the original proposed regulations, and we agree that they should be included in this proposal. It eliminates a burden on foresters in the Commonwealth without harming the integrity of the system. Additionally, it aligns with APS regulations, and we believe that systemic alignment is much easier to enforce and understand for all.

We would like to comment on the proposed language that eliminates any woody biomass CHP system from RPS eligibility if they are within five miles of an environmental justice community. While we appreciate the concern and steps taken towards protecting environmental justice (EJ) communities, we are concerned that the regulations go further than the EJ sections of the Climate Bill passed last year which called for an analysis and scrutiny of the impacts of our policies on EJ communities. The proposed regulations call for an outright ban on eligibility for systems within five miles of an EJ community.

Given this and the broad definition of EJ communities, almost all of the state, including some very wealthy communities, are defined as EJ communities or are within five miles of one. As a result, small CHP systems in the Commonwealth are largely ineligible for the RPS. This will impact potential small systems that may be utilized by communities in public buildings, farms, and other businesses. Some farms already use wood pellet or chip boilers to heat their greenhouses, high tunnels, and farm buildings. It's conceivable that these systems could someday add a power component to also generate renewable power and reduce their utility bills, and we wouldn't want to see this option foreclosed, as it currently is for 90% of the state.

MFBBF does not believe that your proposed EJ setback regulation aligns with the intent of the drafters of the climate bill. The intent, we believe, was to prohibit large utility-scale systems such as the proposed Springfield site (which we did not support). That is evidenced by both the news articles from the legislators advocating for this policy as well as the floor speeches during debate on the bill - it's clear that the criticism of biomass power is aimed at utility-scale plants.

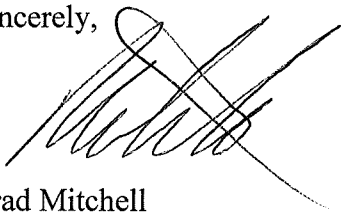
The two existing small CHP systems have operated for many years without any public protest at all because they are clean-burning and highly efficient and we expect this would be the same for any new small CHP systems installed elsewhere in the state.

These CHP systems can often rely more on sawmill residues, non-forest-derived material, and clean wood from shredded pallets instead of forest-derived fuel. This material is destined to rot and release its carbon anyway, so choosing to use it in a CHP system to create power and heat instead of using fossil fuels for that purpose and letting the wood decompose and release its carbon to the atmosphere results in a net carbon savings.

We believe that the environmental setback regulation should exempt small high-efficiency CHP systems under two megawatts of electric generation. This would align with existing policies on net metering system limits. Further, it would allow small CHP systems in areas where there are few alternatives for our farms, municipalities, residents, and small businesses. In western Massachusetts, for example, there are limitations in rural communities for natural gas, and some communities do not have three-phase power and would find it hard to take on significant additional electric demand without expensive grid upgrades. Small-scale wood-fueled CHP can be a solution in these areas. Lastly, MFBBF would advocate for exclusion of biogas systems such as biochar from the EJ setback regulation. They do not combust materials and should be treated the same as anaerobic digesters fueled with manure and/or food waste as their air emission profiles are much the same.

Again, MFBBF wants to thank you for your time and consideration of our comments. We are prepared to respond to any questions you may have or to forward more information on the impact of the proposed regulations on our members.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brad Mitchell', with a large, stylized flourish extending from the end of the signature.

Brad Mitchell
Executive Director