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June 7, 2019

Mr. John Wassam
Department of Energy Resources
100 Cambridge Street, Suite 1020
Boston, MA 02114

By email to: DOER.RPS@mass.gov

RE: Comments of MassRecycle, Inc. to proposed regulations to amend portions of 225 CMR 14 - Renewable Energy Portfolio Standard – Class I (“RPS Class I”) and 225 CMR 15 - Renewable Energy Portfolio Standard – Class II (“RPS Class II”)

MassRecycle is a 501 (c)(3) not-for-profit, statewide coalition of individuals, governments, businesses, institutions and nonprofit organizations dedicated to promoting and realizing the vital environmental, social and economic benefits created by reducing, reusing and recycling waste materials, and by increasing the utilization of recycled products.

MassRecycle supports changes to 15.07(2) - RPS Class II Waste Energy Minimum Standard which increases the RPS Class II Waste Energy Minimum Standard from the current 3.5% of load to 3.7% for compliance years 2019-2025, with stakeholder review every 5 years beginning 2025.

MassRecycle also supports 15.08(4)(a)2 which increases the ACP for RPS Class II Waste Energy to the ACP rate for RPS Class II Renewable Energy (as determined by 225 CMR 15.08(3)(a)2) until 2026. This change will provide certainty to ratepayers and operators and better align all RPS Class II rates.

These changes will have a direct, positive, economic impact on municipalities throughout the Commonwealth.

The 5-year review window for the minimum standard and ACP in 15.07(2) and 15.08(5) is appropriate and MassRecycle supports consistency between these programs and the solid waste management plan. While a longer time period between reviews would provide more certainty for some energy-from-waste (a/k/a waste-to-energy) operators, the five-year automatic review period will protect ratepayers from long-term stranded costs, while at the same time provide a level of certainty to the industry.

Energy-from-waste facilities are an important part of the integrated solid waste management system that has been developed and used in the Commonwealth for decades. After waste reduction, reuse, recycling and composting, energy-from-waste provides for the efficient disposal of residual residential and commercial waste while producing energy. As landfills around the region close, and no new ones are being

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considered, the alternative to using in-state energy-from-waste facilities would be shipping this solid waste long distances by truck or rail. As solid waste facilities throughout this nation are shut down or are not permitted to expand, this would not only increase costs to household and commercial entities, it will also increase carbon emissions.

Energy-from-waste facilities are also an important part of the Commonwealth's non-fossil energy portfolio. They produce consistent amounts of power – nearly 4% of the total power load in Massachusetts, all produced 24/7. Were these facilities not available, power would need to be supplied by greenhouse gas producing facilities. The slightly higher WECs contained in these proposed regulations would allow additional capital expenditures necessary to make further efficiency and environmental improvements.

As per existing regulation, fifty percent (50%) of the monies collected from Class II Waste Energy RECS are used to fund recycling infrastructure through DEP grants to cities and towns. This is particularly important now that the recycling market is in a state of flux, with many towns paying as much for disposal of recyclable materials as to dispose of solid waste. DEP's grants, funded through the WEC program, can help cities and towns cope with this immediate issue.

Years ago, the legislature determined that energy-from-waste facilities were crucial to Massachusetts when they included them as part of the Class II RPS. The end solid waste management goal should be to reduce carbon and use resources efficiently. An integrated solid waste management system, which includes waste reduction, reuse, recycling, composting, and power through energy-from-waste facilities, meets that goal.

Thank you for allowing us to make these comments.

MassRecycle, Inc.

By:

Gretchen Carey, President

