



***IWSA WEEKLY UPDATE***  
**February 20, 2009**

### **WTE DEVELOPMENTS**

**On February 17, President Obama signed the \$787 billion American Recovery and Reinvestment Act (H.R. 1, otherwise known as “the stimulus bill”) into law, which contained several provisions that could benefit waste-to-energy.** Obama, who signed the bill in Denver before an audience of 250 business and community leaders, said in a statement he is assigning a team of managers “to ensure that the precious dollars we have invested are being spent wisely and well.” Please see the attached memorandum for a memorandum from IWSA summarizing the provisions of the stimulus bill that may benefit private and public development of waste-to-energy facilities and expansions.

**Senate Democratic leaders are weighing various strategies for moving energy legislation this spring, including how to proceed with a renewable electricity production mandate.** While proposals circulated in the House and Senate have not included waste-to-energy, IWSA remains committed to pursuing all avenues to include waste-to-energy in any bill considered in Congress. Senate Energy and Natural Resources Chairman Jeff Bingaman has said he plans to have a bill ready in the next two months. Although Senate Majority Leader Reid suggested Wednesday that Bingaman's committee might move a renewable-electricity mandate in the next couple of weeks, a Reid spokeswoman later said "things just aren't that specific yet." Bingaman's committee had a hearing last week on his draft plan to require power plants to produce 20 percent of their electricity from renewable-energy sources, such as wind, solar and geothermal, by 2021. Up to a quarter of that could be met through energy efficiency. But Bingaman received mixed response on his panel to the idea, which could lead him to move it separately from a broader bill that he hopes to introduce with Energy and Natural Resources ranking member Lisa Murkowski.

**IWSA is lobbying hard to ensure that waste-to-energy is included, but we need your help!** Please take a few moments to log on to <http://capwiz.com/wte/issues/alert/?alertid=9781426> and send an email to your Senators and Representatives in support of including waste-to-energy in the RPS. All you need is a zip code. Please take the time to make sure your voices are heard. You can also direct colleagues to the upper right hand corner of [www.wte.org](http://www.wte.org) to register their position.

**Covanta Energy has been named a "Climate Action Leader" by the California Climate Action Registry.** The California Climate Action Registry, a private nonprofit organization committed to solving climate change through emissions reporting and reduction, has named Covanta a "Climate Action Leader" for voluntarily calculating, verifying and publicly reporting its greenhouse gas (GHG) emissions under the California Registry's rigorous program. Covanta

has also established internal goals of reducing its energy usage and improving its operational efficiency. Covanta is also a Founding Member of The Climate Registry, a nonprofit collaboration among North American states, provinces, territories and Native Sovereign Nations that sets consistent and transparent standards to calculate, verify and publicly report greenhouse gas emissions into a single registry.

**Last week, the *IWSA Weekly Update* highlighted a new report published in the *International Journal of Health Geographics* concluding that waste-to-energy does not impact health.** The summary included a typographical error. To summarize, it concluded that the findings do *not* lend support the hypothesis that the environmental contamination occurring around a waste-to-energy plant may induce major teratogenic effects. To view the entire study online, please visit: <http://www.ij-healthgeographics.com/content/8/1/8>.

### ***IN THE COMMITTEES***

**IWSA spoke** at a public meeting in Frederick County, MD in support of a proposed 1,500 ton per day greenfield waste-to-energy facility. (*Public Affairs Committee*)

**IWSA submitted** joint comments with the Medical Waste Institute to U.S. Environmental Protection Agency in response to a proposed rule on medical waste incinerator MACT standards, the precedent of which will likely affect future municipal waste combustor rules. (*Technical Committee*)

**IWSA coordinates** with OSHA on health and safety projects under the IWSA-OSHA Alliance Agreement. (*Health and Safety Committee*)

**IWSA plans** activities related to the Massachusetts Mercury Separation Plan for 2009. (*State Committee*)

### ***RELATED STORIES***

**Environmental Protection Agency Administrator Lisa Jackson said Feb. 17 the agency will reconsider a memorandum issued by her predecessor, Stephen Johnson, saying that power plants and other industrial sources are not required under the Clean Air Act to control carbon dioxide emissions.** However, Jackson declined to stay the memorandum as requested by the Sierra Club, which asked EPA for reconsideration Dec. 31, 2008. Jackson also said that state permitting authorities “should not assume the memorandum is the final word on appropriate interpretation of Clean Air Act requirements” because the agency is reconsidering the memorandum. Johnson issued a memorandum Dec. 18, 2008, saying that carbon dioxide is not a regulated pollutant under the Clean Air Act, and therefore, EPA, states, and other permitting authorities are not required to consider carbon dioxide emissions in permits issued under the prevention of significant deterioration (PSD) program. PSD requires new and modified power plants and other major sources, in areas that currently meet air quality standards, to install modern pollution controls if they increase emissions. EPA's Environmental Appeals Board said in a Nov. 13, 2008, decision that EPA had not adequately explained its position that PSD permitting decisions are not required to include consideration of carbon dioxide emissions. EPA

said Feb. 17 in a statement that it “will vigorously review the Johnson memo to ensure that it is consistent with the Obama Administration's climate change strategy and interpretation of the Clean Air Act.” EPA Administrator Lisa Jackson's letter granting reconsideration of the memorandum on regulation of carbon dioxide emissions under the Prevention of Significant Deterioration Program is available at [http://pub.bna.com/ptcj/JacksonLetter\\_Memo\\_Reconsideration.pdf](http://pub.bna.com/ptcj/JacksonLetter_Memo_Reconsideration.pdf). (*Daily Environment Report* 2/18/09)

**New Hanover County commissioners are debating about how to handle the county's waste.** Right now, the county's waste is burned at the WASTEC plant. However, to keep the incinerator burning, the county must invest \$9.5 million for repairs. While county leaders are questioning that cost, they're examining a variety of options. The Solid Waste Advisory Board suggests a hybrid option. "Number one, fix WASTEC up. Contract with Waste Industries to haul a large portion of the trash to Sampson County and then continue to operate our landfill on a very limited basis," David Sims, a member of the advisory board, said. The county is also examining the possibility of closing or selling WASTEC, then only operating the landfill. Another option is to hire a private company to take over the waste operations completely. County leaders are examining a number of factors in the decision, including the developing a green community, creating long-term flexibility and costs. Staff and the commissioners are now trying to put together a comprehensive list of all their priorities for what they think the county needs. (*News14.com* 2/16/09)

### **UPCOMING CONFERENCES & EVENTS**

The 17<sup>th</sup> Annual North American Waste-to-Energy Conference (NAWTEC)  
Chantilly, VA  
May 18-20, 2009