



**ENERGY RECOVERY COUNCIL  
WEEKLY UPDATE  
April 10, 2009**

### **WTE DEVELOPMENTS**

**This week marked the launch of the Energy Recovery Council, its new logo, and its new website.** After many years, the Integrated Waste Services Association changed its name to the “Energy Recovery Council”. Our new tagline succinctly describes what we stand for: “renewable energy from waste”. This change will provide focus to our mission of promoting waste-to-energy as a climate-friendly and renewable source of energy. In addition to the new name, we have updated our website. Our new home on the web is located at [www.energyrecoverycouncil.org](http://www.energyrecoverycouncil.org). This modern website provides the tools necessary to efficiently and effectively communicate the positive messages associated with our industry. Please check the site often as it will evolve to support the goal of being your resource for information on waste-to-energy. As you familiarize yourself with the website, please use the search function to look for keywords of interest on the site. Another tip is to peruse the FAQ page, which will direct you to pages on a variety of topics, including greenhouse gases, emissions, recycling, health & safety, etc.

**Senators Amy Klobuchar (D-MN) and Olympia Snowe (R-ME) last week introduced legislation this week which would establish a renewable portfolio standard (RPS) and defines waste-to-energy as an eligible renewable.** The legislation is entitled “American Renewable Energy Act of 2009” (S. 826) and requires utilities to ultimately obtain 25 percent of their generation portfolio from eligible renewables by 2025.

**Columbia University’s Center for the Sustainable Use of Resources convened a meeting in Washington, DC on January 28 to discuss the data supporting greenhouse gas calculations used by the waste management industries.** The meeting was attended by representatives from the waste-to-energy industry, representatives from the landfill industry, and scientists involved in waste management research. The meeting was chaired by Professor Nickolas Themelis and Professor Themelis has released a final summary of the meeting which is attached for your review.

**This week, the Internal Revenue Service set out the 2009 calendar year inflation adjustment factors and reference prices used to determine the availability of the Section 45 tax credits waste-to-energy and other renewable sources.** The 2009 inflation adjustment factors apply to calendar year 2009 sales of kilowatt hours of electricity produced in the United States or one of its possessions from qualified energy resources. For 2009, the PTC is worth 2.1 cents for wind, closed-loop biomass, geothermal energy, and solar energy; and 1.1 cent per kilowatt hour on the sale of electricity produced in open-loop biomass facilities, small irrigation

power facilities, landfill gas facilities, trash combustion facilities, qualified hydropower facilities, and marine and hydrokinetic renewable energy facilities.

**U.S. Labor Secretary Hilda Solis has selected Jordan Barab to be Deputy Assistant Secretary for OSHA and Acting Assistant Secretary, effective Monday, April 13.** He comes to OSHA from the House Education and Labor Committee where he served as Senior Labor Policy Advisor for Health and Safety to Chairman George Miller. Prior to that, from 2002 through 2007, Jordan worked at the US Chemical Safety and Hazard Investigation Board. Barab also worked at OSHA as Special Assistant to the Assistant Secretary from 1998-2001.

**The 17<sup>th</sup> Annual North American Waste-to-Energy Conference (NAWTEC) is fast approaching! This year's NAWTEC will take place May 18-20 at the Westfields Marriott in Chantilly, VA.** You may now view the agenda and register online at [www.nawtec.org](http://www.nawtec.org). NAWTEC 17 is setting up to be one of the most successful conferences to date. Keynote speakers include Seth Myones of Covanta Energy (IWSA Chairman), Rick Brandes with U.S. EPA, and John Foden with the Canadian Energy-from-Waste Coalition. There will be eight technical sessions that focus on municipal waste-to-energy operational issues and policy, technology and research initiatives. There is also an opportunity to sign up for a tour of Covanta's Fairfax waste-to-energy facility. Space for the tour is limited, so please register early.

### *IN THE COMMITTEES*

**Energy Recovery Council drafts** comments on the Waxman-Markey energy and climate discussion draft.

**Energy Recovery Council issues a** press release and monitors news coverage of the change in name and identity.

**Energy Recovery Council presents** at a conference focusing on exploring municipal solid waste and wood for energy production in urban and exurban areas of Virginia's north.

**Energy Recovery Council lobbies** on Capitol Hill in support of waste-to-energy priorities on greenhouse gas and renewable legislation.

### *RELATED STORIES*

**A Maryland Senate committee rejected a state bill that would have prohibited waste-to-energy plants near battlefields.** With the bill's failure, the decision whether to build a proposed trash incinerator near the Monocacy National Battlefield rests solely with the Frederick County Commissioners. No final choices have been made on the site, but it appears to be the front-runner. It is located in the McKinney Industrial Park, across the river from the Civil War battlefield. The commissioners are considering building a waste-to-energy facility to solve a long-term waste disposal problem for Frederick and Carroll counties. Commissioner Charles Jenkins said the McKinney site appears to be ideal because it is on county-owned industrially zoned land. And it is next to the county's existing wastewater treatment plant. Jenkins predicts a final decision will be made by the end of the summer. "If we don't have it done by the end of

summer, it would be safe to say that waste-to-energy is dead," Jenkins said. The bill was sponsored by Sen. Alex Mooney, a Republican who represents [Frederick](#) and Washington counties. His district includes the proposed incinerator site. His bill would have prohibited incinerators within one mile of a national park. The Senate Education, Health and Environmental Affairs Committee voted 6-3 Friday to give the bill an unfavorable report. Jenkins said he was glad the committee chose to reject Mooney's bill, saying, "I'm glad that they didn't side with the pandering opportunist (Mooney)." (*Frederick News Post* 4/7/09)

**The Environmental Protection Agency is opening a 60-day comment period April 10 on a proposed rule that for the first time would impose federal greenhouse gas emissions reporting requirements on industrial facilities that emit more than 25,000 tons of carbon dioxide or carbon dioxide-equivalent greenhouse gases a year.** The comment period closes June 9. EPA released the proposal March 10 and held a public hearing on it April 6. According to EPA, the requirements would apply to about 13,000 emission sources in a wide range of industrial sectors, including power plants, automakers, iron and steel producers, petroleum refineries, waste-to-energy and landfills. EPA is under a statutory deadline to complete action on the proposal by June 26. However, an EPA official told BNA April 6 that the agency will not finalize the proposal until later in the year. Greenhouse gas emissions reporting is seen as a prerequisite to mandatory federal controls on greenhouse gas emissions, whether through legislation or through EPA action (*Daily Environment Report* 3/10/09)

**Federal and state policymakers should consider the sustainability of using wood for bioenergy before requiring power plants to achieve 25 percent renewable energy by the year 2025, warned forestry and environment experts yesterday.** With a federal renewable fuel standard in place under the 2007 energy bill and a renewable electricity standard in the legislative pipeline, these experts fear that such renewable energy mandates -- while important tools in mitigating climate change and achieving national energy security -- could lead to overharvesting and degradation of U.S. woodlands. "Renewable does not necessarily mean sustainable," said Robin O'Malley, director of program development at the H. John Heinz III Center for Science, Economics and the Environment. Over the past two decades, the United States has harvested an average of 15.5 billion cubic feet of wood annually, according to an analysis of a report completed by the Department of Energy's Energy Information Administration in 2007. The analysis, which is still in draft form, was done by the nonprofit Pinchot Institute for Conservation to determine how the combined goals of renewable electricity and fuel standards would affect woody biomass supply and forest sustainability. It found that a mandate for 25 percent renewable energy by 2025 under a federal renewable energy standard or a renewable fuel standard -- or both -- would require the harvest of an additional 22.7 billion cubic feet of wood a year, not including the use of residual biomass, such as tree stumps and limbs. (*E&E News* 4/10/09)

## UPCOMING CONFERENCES & EVENTS

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