

Lisa Baugher, Civic Leader

WASTE-TO-ENERGY REQUESTS LICENSING EXEMPTION

Frederick County, MD: The Public Service Commission (PSC) received a letter from the Northeast Waste Authority (NEA) last year requesting an exemption on the proposed \$527 million Waste-to-Energy project. On Feb. 23, 2009, Gregory Carmean, PSC Executive Director, said that the PSC had not yet ruled on their request for a blanket exemption.

The comprehensive process to obtain Maryland's Certificate of Public Convenience and Necessity (CPCN) differs sharply from obtaining air permits. [On Feb. 26, 2009, Ms. Robin Davidov stated, "All of the projects developed by the Authority must submit applications for all Federal, State and local permits required for waste to energy facilities, which include air permits and refuse disposal permits, the same permits, as I understand, required under the CPCN process."]

The CPCN automatically triggers involvement of numerous regulatory agencies and provides them with a forum to evaluate additional issues. Issues that affect Frederick's farmers, businesses and residents. Listed below are a few examples of what occurs under the CPCN process that would not likely occur with an air permit application:

- Dept. of Natural Resources would consider pollution impacts to major tributaries of the Chesapeake Bay. This is relevant because the existing site is adjacent to major tributaries of the Chesapeake Bay (Monocacy River feeds into Potomac River):
 - Poor health reports of the Bay frequently generate more regulations on both farmers and businesses
 - Maryland taxpayers pay billions of dollars on efforts to improve the Bay's health
 - Waste Mgt's proposal does not include Selective Catalytic Reduction to control NOx
- The PSC process considers cumulative impacts of new projects with nearby industry:
 - Montgomery County's incinerator and the coal burning Mirant plant are in close proximity to the chosen site
- Maryland Historic Trust would consider historic sites and bring in Federal agencies such as the National Park Service
- And much more

"Why would Waste Management's electric generation project proposed by NEA be exempt from Maryland's 1999 Electric Restructuring Act?" asks Lisa Baugher. "In other words, why should Maryland's rules be ignored for a Texas or New Hampshire corporation?"

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