

Say NO to Biogas in Delaware

Dear Governor John Carney,

In Delaware, the company Bioenergy DevCo is planning a greenwashed nightmare by proposing to build and operate an anaerobic digestion system on the site of an existing poultry litter composting facility. The company has signed a 20-year agreement with Perdue Farms to process litter from the company's poultry factory farms in Delaware and on Maryland's eastern shore.

Construction of this facility, along with the 20-year agreement with Perdue Farms, will not only bring pollution into Delaware, but will entrench the factory farm industry in the Delmarva region for at least 20 years by creating a market for the huge quantities of waste these facilities generate. This project has the potential to incentivize build out of chicken factory farms in not only Delaware, but also Pennsylvania and Maryland by building infrastructure that could feed the entire region.

Bioenergy DevCo plans to move the gas by dangerous "bomb trucks" to a 455-mile interstate pipeline for distribution in Delaware, Maryland and Pennsylvania, and Chesapeake Utilities is seeking to build additional pipelines throughout the region to allow for further distribution.

Just as alarming, transparency and public involvement have been absent so far in this process. Bioenergy and Sussex County officials are trying to ram this project through by pretending that building a massive anaerobic digester, with gas flares and a slew of other gas production and refining infrastructure, is not a change in use from the existing composting facility that has been on the site for years.

Last year, instead of allowing for public involvement in the local approval to build this facility in a zone otherwise restricted to agricultural lands and single-family homes, the Sussex County Planning & Zoning Commission attempted to rubber stamp Bioenergy's massive overhaul of the site under an old zoning decision that allowed for limited composting activities. By doing this, Bioenergy avoids having to answer to local communities and doesn't even have to get approval from the County Council. The appropriate process is for Bioenergy to submit a new request for a Conditional Use approval, which triggers public hearings and ultimately requires a final decision by the County Council, the local officials actually accountable to voters.

Meanwhile, your Department of Natural Resources and Environmental Control (DNREC) has stated that it plans to ignore the fact that the project does not yet have any local approval and move forward with consideration of various Bioenergy permit applications when it receives them. It will then tell the Zoning Commission via letter that the permits are all but approved, pushing the Commission towards its own final approval. This is a clear attempt by DNREC to inappropriately put its thumb on the scale of the local process, enable the Commission to deny citizens meaningful input in the decision, and circumvent Delaware regulations that require local approval before it can issue the relevant permits.

Worldwide, biogas technology is being promoted as “renewable” energy and a water pollution solution. But burning biogas releases carbon dioxide and other pollutants including smog-forming nitrogen oxides, ammonia and hydrogen sulfide, potentially offsetting other greenhouse gas reductions. Additionally, digestate applied to land can actually pose a greater threat to waterways than raw factory farm waste, because nutrients—already plaguing the Chesapeake Bay and many Delaware waterways—become more susceptible to runoff as a result of digestion.

Factory farms place our public health and food supply at risk, pollute the environment and our air, and wreck rural communities—while increasing corporate control over our food. Digesters will not address any of these issues and stand in the way of a sustainable food system and a stable climate.

As the threats of global climate change and fossil fuel dependence are increasingly being felt worldwide, we do not have time to entertain false solutions like biogas. Investing in natural gas infrastructure and factory farm-linked biogas shifts critical resources away from efforts to reduce emissions and develop truly renewable energy. Instead, it is time to invest in a just transition to a 100 percent, zero emission, clean energy future.

We respectfully request that you direct DNREC not to permit the project. First, local approval is not in place, and the attempt to push the project through the Commission under the inapplicable composting Conditional Use would be unlawful. Second, we do not believe that the project will be able to meet the legal requirements for this kind of facility, prohibiting DNREC from giving it the green light. Additionally, we ask that you oppose all buildout of biogas infrastructure including, but not limited to, tax incentives or other forms of public support for the expansion of biogas, the inclusion of animal manure-based power in the Delaware Renewable Portfolio Standard’s definition of renewable energy and in renewable energy credit or incentive programs, the award of renewable energy grants or loans for the construction of anaerobic digesters on livestock operations, and new gas pipeline construction.

Delaware:

Keep Our Wells Clean
Delaware Concerned Residents 4 EJ
Delaware Interfaith Power and Light
Inland Bays Foundation
Protecting Our Indian River
Sierra Club Delaware Chapter
Sussex Alliance for Responsible Growth- SARG
Sussex Health & Environmental Network

Maryland:

Greenbelt Climate Action Network
Howard County Climate Action
Chesapeake Climate Action Network

Environmental Justice Ministry Cedar Lane Unitarian Universalist Church
Maryland Legislative Coalition
Chesapeake Climate Action Network
Howard County Climate Action
Assateague Coastal Trust

Pennsylvania:

Energy Justice Network
Friends of York County Family Farms

Virginia:

Our Revolution Falls Church
Virginia Democracy Forward (VADF)
350 Loudoun
Virginia Organizing
Protect Our Shore
Sunrise RVA

National/ Regional:

Advocates for a Clean Lake Erie (ACLE)
Center for Food Safety
Delaware Riverkeeper Network
Food & Water Watch
Friends of the Earth US
Institute for Agriculture and Trade Policy
Johns Hopkins Center for a Livable Future
Public Justice
Socially Responsible Agricultural Project