

**Subject:** Reject permits for Bioenergy DevCo

**Date:** Friday, December 2, 2022 at 9:57:44 AM Eastern Standard Time

**From:** Glayton=fwwatch.org@mg.gospringboard.io on behalf of Greg Layton

**To:** HearingComments, DNREC (MailBox Resources)

Dear DNREC,

Please do the right thing and deny permits to Bioenergy Devco's biogas plant proposed for Seaford. If approved, the project would pollute our air, pollute our water, exacerbate climate change, and harm a vulnerable immigrant community.

Food & Water Watch, my employer, and others have publicly disseminated materials that document the dangers this project poses. Honest and inquisitive regulators should have resources by now, but perhaps a reminder would help.

To that end, I am including two fact-based opinion pieces I submitted to local media.

The first appeared in the Delaware State News / Bay to Bay News on Nov. 25.

It is titled "Biogas energy will exacerbate climate change"

Here is the text:

"One year ago, Gov. John Carney released Delaware's Climate Action Plan. Next month, a fight over its ramifications will come to a head. Carney's plan to save our nation's lowest-lying state from rising seas and a changing climate hinges upon embracing so-called "renewable natural gas." This is a green-sounding euphemism for factory farm waste, a dirty fuel that threatens public health, climate and the environment.

"Delawareans have only a short time remaining to weigh in on our state's first industrial biogas plant in southern Delaware — it's going to take all our voices to stop it.

"Climate change is already upon us, with 22,000 Delawareans currently at risk from coastal flooding, and it's only getting worse. Already, residents of South Bowers in Kent County are often stranded by invading bay waters, even in calm weather. Sea levels have been said to be rising faster there than anywhere else along the Atlantic coast, causing dangerous driving conditions and delaying mail delivery for days. Unless we reduce our reliance on the dirty fuels supercharging the climate crisis, Delaware's coasts will likely disappear under up to 4 feet of water in the next century, destroying homes, rendering roads unusable and wrecking our \$3.5 billion tourism industry.

"Still, despite visible evidence of climate change, Carney's state regulators are considering a project that would add to the problem. A company called Bioenergy Devco is proposing Delaware's first industrial biogas plant, which would raise our state's climate-warming pollution at the very time we must be reducing our reliance on dirty fuels.

"The scheme is outrageous: Bioenergy Devco proposes trucking hundreds of thousands of tons of poultry industry waste to a refinery, near Seaford, to produce methane gas. The company has already lined up a 20-year contract with Perdue to supply poultry litter, bones, feathers, bedding and slaughterhouse sludge as fuel. All the company needs to break ground is the OK from Carney's Department of Natural Resources and Environmental Control.

"Bioenergy Devco's gas plant would exacerbate climate change. The gas the facility proposes to produce would be methane, a greenhouse gas nearly 90 times more potent than carbon dioxide. When burned, that gas would add more climate-warming pollution to the atmosphere than a passenger car driving 71 million miles. Plus, gas flares, trucks and pipelines integral to Bioenergy Devco's facility are notoriously leaky.

"Despite the misleading attempt to brand it as "renewable," biogas is a far dirtier source than renewable resources like wind and solar. Over its lifetime, the methane in biogas emits a whopping 490 grams of carbon dioxide per kilowatt-hour of energy it produces — more than 10 times the emissions from solar and 14 times that of wind. Delaware's efforts to double down on solar and wind generation must be paired with a drawdown of dirty energy sources like biogas. A Food & Water Watch analysis found that, while wind and solar generation have grown, our failure to limit dirty fuels has impaired our ability to

substantially reduce emissions.

"Bioenergy Devco's gas plant offers Gov. Carney a chance for redemption. The Department of Natural Resources and Environmental Control is now considering five permits this proposal needs to go forward, and the public opposition is fierce. At a public hearing last month, comments in opposition outnumbered those in support, 3-to-1.

"Biogas is the wrong direction for Delaware and our climate. Gov. Carney must stop the plant and stop biogas. DNREC is accepting comments on Bioenergy Devco's proposal until Dec. 2. Tell Gov. Carney and state environmental officials to deny Bioenergy Devco its permits. Visit the Food & Water Watch—Delaware Facebook page to learn how."

The second piece I am submitting appeared in the Cape Gazette on Nov. 6

It is titled "Bioenergy gas plant is marketing, not magic."

Here's the text:

"Bioenergy Devco's gas plant is not magic. Its proposed Sussex County methane refinery would not make poultry waste disappear, as the Cape Gazette's recent editorial endorsement suggests. In fact, it could result in even more waste harming our local waterways.

"Delaware, and Sussex County in particular, have a serious poultry waste problem. Bioenergy's scheme is no fix at all.

"Delaware's rivers and streams are the most polluted in the country, causing fish kills and toxic algal blooms; poultry waste is to blame. Delaware also leads the nation in the percentage of drinking-water wells contaminated with nitrates; poultry waste is to blame. Drinking nitrate-contaminated water has been linked to health problems including disabilities and developmental delays in children, and Delaware ranks among the 10 worst states in the nation for both. Just half an hour from where Bioenergy Devco hopes to build its methane refinery, 600 people in Millsboro have been unable to drink their nitrate-contaminated well water for five years and counting, fearing serious health concerns. Again, poultry waste is to blame.

"Bioenergy Devco's plans to truck massive amounts of pollution-laden waste from three states to Seaford to produce climate-warming methane gas, would leave that waste behind to foul our rivers, thus continuing the trend.

"While poultry waste could come into Bioenergy Devco's plant from anywhere, much of it will almost certainly stay in Delaware, likely right here in Sussex County. The company's permit applications show that they plan to use Seaford's local wastewater treatment plant to deal with their leftovers, meaning more pollution in the Nanticoke River and Chesapeake Bay. Bioenergy Devco will market the waste that comes out of its gas plant as compost or biofertilizer. But that's just spin. The waste is the same as that already plaguing our state, and it will find its way onto Delaware farms and fields, and into our waterways and wells, exacerbating the same problems that excessive poultry waste has caused for decades.

"The poultry industry has strapped Delawareans with its waste for too long. Bioenergy Devco's proposal will only invite more business as usual. By monetizing the industry's pollution, Bioenergy Devco would actually make the problem worse. The company has already signed a contract with Perdue to take the poultry giant's waste for up to 20 years. Could Mountaire be next? If they get their permits in Seaford, nothing's to stop them from signing contracts with any polluting entity they choose.

"Bioenergy Devco's gas plant is not a magic solution to our poultry waste woes. It's only deceptive marketing. We're not buying it.

"DNREC is currently considering whether to approve this project. Anyone invested in the safety of our drinking water and the health of our residents and waterways should speak out against this scheme and ask Gov. Carney to stop Bioenergy Devco's project. Whether you're local to Seaford or not, we all drink the water. Share your opposition here: <https://fwwat.ch/3TbSrEZ>."

These opinion pieces are based upon a fair amount of research, research that I hope your staff has also conducted. For example, where I wrote that biogas plants are notoriously leaky, an honest researcher can quickly find a source that verifies my claim. To dismiss my claims as mere opinion would be foolish.

I thank you for your time and consideration.

I urge you to say no to this dirty biogas proposal and reject Bioenergy DevCo's permits.

Sincerely,

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