



**The New York Water Environment Association, Inc.**  
*The Water Quality Management Professionals*

525 Plum Street • Suite 102

Syracuse, New York 13204

(315) 422-7811 • Fax: 422-3851

www.nywea.org • e-mail: pcr@nywea.org

13 October 2020

Basil Seggos, Commissioner  
NYS Department of Environmental Conservation  
625 Broadway  
Albany, NY 12233

Doreen Harris, Acting President and CEO  
New York State Energy Research and Development Authority  
17 Columbia Circle  
Albany, NY 12203

Dear Commissioner Seggos and Acting President Harris,

I write today on behalf of the New York Water Environment Association (NYWEA) in my capacity as the chair of the Utility Executive Committee. We respectfully request NYWEA's appointment to the Waste Emissions Advisory Panel.

NYWEA is pleased to see the effort that you and your colleagues on the Climate Action Council (CAC) have taken to ensure that waste management interests will be reflected in the implementation of the Climate Leadership and Community Protection Act (CLCPA). Working with the Waste Emissions Advisory Panel is a clear opportunity for NYWEA's membership, and the NYWEA Utility Executive Committee in particular, to further our mission to promote sustainable clean water quality management through science, education, and training.

Water and water resource recovery utilities are key players in climate leadership and protection and will be on the front lines implementing the Climate Leadership and Community Protection Act (CLCPA).

Water services in New York State use between 2.5 and 3 billion kilowatt-hours (kWh) of electricity per year. The majority of this energy is consumed in the state's water resource recovery facilities, through the pumping and treatment of wastewater to the required effluent standards. Given the significant energy consumption required to protect the state's water resources, implementation of the CLCPA will impact most of our operations.

Moreover, the goals set forward in the CLCPA's authorizing legislation are not new to us. Utilities statewide are already engaged in a wide variety of programs designed to recover resources from wastewater including biogas, thermal energy, biosolids and a variety of other products that advance our goals for energy and carbon neutrality alongside zero waste-to-landfills.

We are concerned, however, that the CLCPA's narrow definition of renewable energy systems will leave our industry with no clear pathway to achieve our shared goals. Considering the renewable nature of our feedstocks, NYWEA's member organizations, as well as the Intergovernmental Panel on Climate Change, have long considered biogas generated from anaerobic digesters at water resource recovery facilities a renewable resource.

In fact, NYWEA members have been using excess capacity in their digesters to accept other renewable feedstocks such as food waste, as recommended by NYSDEC's Sustainable Materials Management Strategy, for many years. We are very proud, for example, of the work done in partnership with NYSDEC, NYSERDA, and the NYSEFC at the Johnstown Gloversville Joint Wastewater Treatment Facility, which was one of the first water resource recovery facilities in the nation to re-use on-site biogas from its anaerobic digesters to become "net zero" in its energy utilization. This practice, one of the truest forms of recycling, significantly reduces the volume of waste sent to landfills, *increases the volume of renewable biogas produced*, reduces greenhouse gas impacts, and results in biosolids that can be safely land applied to reclaim non-renewable resources such as nitrogen and phosphorous.

The exclusion of anaerobic digesters as renewable energy systems from New York's future carbon free energy portfolio is confusing and in conflict with the State's previous support for digesters and their role as a critical pathway for our industry to achieve carbon neutrality. Our goal is simple and direct; to work with the Waste Emissions Advisory Panel to ensure that the State recognizes the contributions of digesters and comparable technologies to New York's clean energy future. We have much at stake, and also so much to contribute.

I look forward to your response and thank you in advance for your consideration of our request to serve as an active member of the Waste Emissions Advisory Panel to the CAC.

Sincerely,

A handwritten signature in blue ink, appearing to read 'PE', with a horizontal line extending to the right.

Pam Elardo, P.E., Chair  
Utility Executive Committee