

March 18, 2021

Re: Fossil Fuels and False Solutions in 2035 Clean Energy Standard targets

Dear Member of Congress:

On behalf of our millions of members and activists nationwide, we write to express our concerns about the role of fossil fuels and other false solutions in recent proposals to achieve 100 percent clean energy by 2035.

Although we applaud this new and genuinely ambitious timeline, technology-neutral frameworks pose an unacceptable risk to communities and the climate. The Clean Energy Standards (CES) now under discussion in Congress should rigorously define clean energy to include proven solutions like wind, solar, storage and efficiency—and exclude all fossil fuels and other false solutions. Sacrificing the very definition of “clean” in order to achieve 100 percent clean energy is self-defeating.

The CLEAN Future Act (H.R. 1512) is a prime example of the type of half-measure we must avoid. The CES in the newly proposed bill is defined broadly enough to allow “natural” gas (fossil gas), biomass, and nuclear power to qualify. These false solutions are not clean energy and undermine efforts both to reduce emissions and protect communities from pollution.

This iteration of the CLEAN Future Act includes encouraging environmental justice provisions that would benefit communities disproportionately exposed to pollution and climate impacts. That said, any legislative proposal that includes the promotion or facilitation of false energy solutions effectively debases any and all provisions, however strong, dedicated to increasing and centering environmental justice. Unfortunately, the legislation, as written, contradicts itself - recognizing the importance of reducing, removing, and preventing additional pollution in disadvantaged and vulnerable communities on the one hand, and promoting false climate solutions that do not stop emissions or other pollution at their source on the other.

Fossil fuels are not clean energy. Fossil gas is a threat to our air, water, and climate. The health consequences of fracking, and their tendency to fall disproportionately on low-income communities and communities of color, are well-documented. The idea that any fossil fuels should qualify under a CES even on the basis of “partial credits” is an astounding concession that would subsidize existing fracked gas infrastructure and slow the deployment of cleaner and cheaper renewables.

The solution is not to more accurately measure the lifecycle emissions of gas to determine its role in a CES. The solution is to exclude gas entirely. Every segment of the gas supply chain is a source of harm regardless of whether it is also a source of super-polluting fugitive methane emissions. From drill bits and pipelines to compressor stations and power plants, communities in the path of fracking are in danger. A CES should promote the orderly phaseout of fracked gas and other fossil fuels—not prolong their existence by egregiously qualifying them as “clean.”

Biomass is not clean energy. Burning biomass is uniquely dangerous to both the climate and public health. In the U.S., most of the biomass electricity generated comes from burning wood or garbage. These are extremely dirty sources of electricity: biomass power plants and garbage incinerators emit more carbon dioxide and harmful air pollutants per unit of energy than coal plants, including nitrogen oxides, volatile

organic compounds, heavy metals, and particulate matter, the leading cause of air pollution-related deaths in the country. Many biomass plants burn whole trees, tires, and treated lumber such as creosote railroad ties, resulting in highly toxic air emissions. As is so often the case, these polluting facilities are disproportionately sited in low-income communities of color already more heavily burdened by pollution.

The accounting gimmick required to claim that burning biomass is carbon neutral ignores the immediacy of the climate crisis. Electricity production from woody biomass not only releases carbon and co-pollutants, but also destroys the forests that we rely on to provide natural carbon sequestration. While burning trees to produce electricity instantly releases their stored carbon, it can take over a century for forests to regrow and absorb that same amount of carbon. Even when hypothetically sourced from wood 'wastes' from logging operations, there is a net increase in carbon emissions for decades.

Burning biomass for energy is incompatible with the scientific consensus that we need to rapidly reduce greenhouse gas emissions and increase forestation in order to combat the climate crisis. In addition, it props up the fossil fuel industry, treating biomass energy as having zero emissions allows coal plants to artificially reduce their 'on paper' carbon emissions when they co-fire with woody biomass. From both a climate and an air pollution perspective, it is not clean energy and has no place in a CES.

Carbon capture and storage (CCS) is not a climate solution. Technological carbon capture applied to high-emitting sources like petrochemical or fossil fuel power plants acts as a license to continuing polluting. The technology does not eliminate source emissions; even if it worked perfectly, it would at best reduce them. But the benefit of these emission reductions is undermined by the additional emissions generated from the CCS process itself. Worse, CCS actually exacerbates the climate crisis when captured carbon is used to pump more oil out of the ground. Subsidies for CCS, enabled by its inclusion in CES proposals, could entrench the fossil economy for decades to come.

Claims that combining CCS with bioenergy (BECCS) is "carbon negative" are based on the disproven assumption that biomass energy is "carbon neutral." Using bioenergy crops for BECCS will have enormous land use impacts, including the social justice impacts of fuel production competing with food production, and using wood for BECCs will result in large reductions in forest carbon sequestration.

CCS also poses environmental, health, and safety risks. Deploying CCS at scale demands a vast new industry involving chemicals (used in carbon capture technology), massive pipeline networks, and toxic waste dumping that threatens frontline communities. Transporting CO₂ by pipeline and injecting it underground are both potentially very dangerous. A leak or rupture from a CO₂ pipeline can lead to potentially catastrophic releases that can harm nearby communities; and CO₂ injection can threaten water supplies and cause seismic activity. Both the Gulf Coast of Texas and the Southern Louisiana petrochemical corridor known as "Cancer Alley" are being targeted for industrial CCS development, which would impose new pollution and safety risks on Black, Brown, and Indigenous communities already suffering the disproportionate and deadly impacts of environmental racism.

Nuclear power is not clean energy. The fuel chain for nuclear power begins with mining, milling, and enriching uranium, all of which are carbon-intensive processes that generate vast amounts of radioactive and toxic wastes. As a consequence, the industry is rooted in environmental injustice and human rights violations. The vast majority of uranium mines, mills, production facilities, reactors, and waste dumps are

located in communities that are disproportionately Indigenous, Black, People of Color, rural, and low-wealth.

Each year, nuclear power plants in the U.S. produce more than 2,000 tons of irradiated nuclear fuel, the deadliest industrial byproduct in the world, which will pose a danger to human health and the environment for more than one million years. The U.S. has no technology capable of isolating this waste from the environment, and no credible plan or policy to create one.

In reality, nuclear reactors throughout the country are aging and reaching the end of their useful lives, at an average age of more than 40 years. Wind, solar, and energy efficiency are already far more affordable and can be deployed much more quickly than nuclear power ever has been. A CES worthy of the name would support the phaseout of nuclear power as part of the transition to a renewable, zero-emissions energy sector.

False solutions do not align with the principles of Environmental Justice. The vast majority of the false solutions cited above would be situated in Environmental Justice communities, putting them at further risk. This is antithetical to the proposed goal of legislation like the CLEAN Future Act to limit new sources of pollution in already overburdened communities. For instance, the vast majority of existing CCS facilities utilize captured carbon dioxide to bolster oil production, not reduce emissions as ostensibly advertised. The risks these projects pose to Environmental Justice communities was on display in 2020 when a pipeline carrying CO₂ for enhanced oil recovery ruptured in Yazoo County, Mississippi – where the majority of the population is Black and 34 percent live in poverty - releasing carbon dioxide at high enough levels to require medical treatment for area residents and the loss of plants and wildlife in significant numbers.

Increasing the use of false solutions increases environmental racism, undercutting the environmental justice proposals in the current version of the CLEAN Future Act and rendering them specious. Environmental justice must not be viewed as or reduced to a theory or political talking point. It is a set of living principles that must be practiced in an effort to dismantle years and decades of systemic racism, dehumanization, extraction, and the rendering of Black, brown, Indigenous, and poor communities into sacrifice zones. The CLEAN Future Act and other CES proposals must remove false solutions to genuinely align with and adhere to these principles.

Conclusion: We urge you to reject proposals that mischaracterize fossil fuels, biomass, and nuclear power as clean energy. As we look to combat the climate crisis, it will be crucial to resist the disingenuous efforts of polluters to co-opt clean energy. Allowing dirty energy to be bundled with clean energy under a CES would prolong the existence of sacrifice zones around dirty energy investments and delay the transition to a system of 100 percent truly clean energy.

Affordable Beauty
ALERT Project
Alliance for a Green Economy
Alliance for the Wild Rockies
Amazon Watch
American Family Voices
Animals Are Sentient Beings, Inc.
Anthropocene Alliance
Aquamarine Studio
Asbury Park Environmental Shade Tree
Commission

Athens County's Future Action Network
Atlantic County Our Revolution
Battle Creek Alliance
Beaver County (PA) Marcellus Awareness
Community (BCMAC)
Beyond Extreme Energy
Beyond Nuclear
Beyond Plastics
Biofuelwatch
Blewater Valley Downstream Association

Boston Clean Energy Coalition
Broome Tioga Green Party
Bucks Environmental Action
Businesses for a Livable Climate
C4 | Christians Concerned About Climate Change
California Chaparral Institute
California Communities Against Toxics
Call to Action Colorado
Cape Downwinders
Catholic Divestment Network

CatholicNetwork.US
Center for Biological Diversity
Center for Environmental Transformation
Center for International Environmental Law
Center for Sustainable Economy
Central Jersey Environmental defenders
Change the Chamber*Lobby for Climate
Christians Caring for Creation
Church Women United in New York State
Citizen Power, Inc
Citizens Awareness Network
Citizens' Environmental Coalition
Citizens for a Clean Pompton Lakes

Citizens for Local Power
Citizens Resistance at Fermi Two (CRAFT)
Citizens United for Renewable Energy (CURE)
Clean Air Action Network of Glens Falls (NY)
Clean Water Action Council of NE WI
Climate Action Now, Western Mass
Climate Action Rhode Island
Climate Crisis Policy
Climate Hawks Vote
Climate Justice Alliance

Climate Justice at Boston College
Coalition Against Pilgrim Pipeline - NJ
Coalition for Outreach, Policy, & Education
Coalition Opposing New Gas Stations (CONGAS)
Coalition to Ban Unsafe Oil Trains
Coalition to Save South Mountain Reservation
Coastal Plain Conservation Group
Colorado Businesses for a Livable Climate
Community Action Works
Community Action Works Campaigns

Community Advocates for a Sustainable
Environment
Community Research
Concern Citizens of Northampton County/Clean
Water for North Carolina
Concerned Citizens for Nuclear Safety
Concerned Residents of Oxford
Conservation Congress
Council on Intelligent Energy & Conservation
Policy

Covenant Solar Initiative
CT Coalition For Environmental Justice
CWA Local 1081
Deer Paths Nature School
Dogwood Alliance
Don't Gas the Meadowlands Coalition
Don't Gas the Pinelands
Earth Action, Inc
Earthkeeper Health Resources
Earthworks
East Michigan Environmental Action Council/
Cass Commons
Eastern CT Green Action

EcoHealth Network
Missouri Botanical Garden
EcoLaw
Eco-Logic, WBAI-FM
Ecological Options Network
Edenton Farmers Market
Eno River Unitarian Universalist Fellowship
Environmental Advocates NY
Environmental Justice Ministry Cedar Lane
Unitarian Universalist Church

Environmentalists Against War
Ethical Culture Society of Bergen County
Extinction Rebellion Charlotte
Family Farm Defenders
Food & Water Watch
Food Shift
FrackbustersNY
FracTracker Alliance
Franciscan Action Network
Franciscan Response to Fossil Fuel

Friends of Buckingham
Friends of the Bitterroot
Friends of the Climate Action Plan
Friends of the Earth
Friends of the Wild Swan
Gas Free Seneca
Global Alliance for Incinerator Alternatives
Global Justice Ecology Project
Go Green OC
Goshen Green Farm
Grassroots Environmental Education

Green Education and Legal Fund
Green Newton
Green Party of Nassau County
Green Sanctuary of the Unitarian Universalist
Church of Reading
GreenLatinos
GreenRoots
Greenvest
Gulf Coast Center for Law & Policy
Healing & Protecting Our Land Together - A Call to
Prayer
Healthy Environment Alliance of Utah
Heart of America NW
Hilton Head for Peace

Howard County Climate Action, MD
Hudson River Sloop Clearwater
IEat Green, LLC
Indian Point Safe Energy Coalition
Indigenous Environmental Network
Institute for Local Self-Reliance
Institute for Policy Studies Climate Policy Program
Interfaith Oceans program
Ironbound Community Corporation
JAPRI.Org

Jewish Climate Action Network
John Muir Project
Just Transition Alliance
Kickapoo Peace Circle
Labor Network for Sustainability
LEAF of Hudson Valley
League of Women Voters of Idaho
Longmeadow Pipeline Awareness Group
Los Padres ForestWatch
Manhattan Project for a Nuclear-Free World

Maryknoll Office for Global Concerns
Micronesia Climate Change Alliance
Mothers Out Front
Multicultural Alliance for a Safe Environment
Nassau Hiking & Outdoor Club
National Family Farm Coalition
Native Ecosystems Council
Nature in the City
NC Climate Justice Collective
New Energy Economy
New Jersey Appleseed PILC

New Jersey Tenants Organization
New York City Environmental Justice Alliance
New York Communities for Change
New York Lawyers for the Public Interest
Newburgh Clean Water Project
NJ State Industrial Union Council
NJ/NY Environmental Watch
NJ-08 For Progress
No Sharon Gas Pipeline
North American Climate, Conservation and
Environment
North American Water Office
North Jersey Green Alliance
North Jersey Pipeline Walkers

Northeast Region American Friends Service
Committee
Northern New Jersey NOW
Nuclear Age Peace Foundation
Nuclear Energy Information Service (NEIS)
Nuclear Information and Resource Service
Nuclear Watch South
Nukewatch
NY Climate Advocacy Project
NYC Safe Energy Campaign

NYCD16 Indivisible
Occupy Bergen County (New Jersey)
Oil Change U.S.
OPAL Environmental Justice Oregon
Orange Residents Against Pilgrim Pipelines
Organized Uplifting Resources & Strategies

Our Revolution Essex County
Our Revolution Falls Church
Our Revolution Gloucester County
Our Revolution Hillsborough
Our Revolution Monmouth County
Our Revolution New Jersey
Our Revolution Passaic County
Our Revolution Somerset County NJ
Our Revolution Trenton Mercer
Our Revolution Union County

OVEC-Ohio Valley Environmental Coalition
Pacific Environment
Partnership for Policy Integrity
Peace and Freedom Party
Peace Farm
People Demanding Action
People Over Pipelines
PHASE (Promoting Health and Sustainable Energy)

Physicians for Social Responsibility PA
Progressive Democrats of America
Project CoffeeHouse
Public Goods Institute
Public Watchdogs
Putnam Progressives
Rachel Carson Council
Radiation Truth
Ramapough Lunaape Nation
RapidShift Network

Reclaim New Jersey's Constitution
Responsible Drilling Alliance (RDA)
River Guardian Foundation
River Valley Organizing
Rogue Climate
Safe Energy Rights Group
San Clemente Green
San Luis Obispo Mothers for Peace
Sane Energy Project
Seneca Lake Guardian

Sequoia ForestKeeper®
Shagbark
Shut Down Indian Point Now
Sisters of Charity Federation
Slow Food North Shore
Snake River Alliance

Social Justice & Witness Task Force of the NJ
Association
SOIL (Save Our Illinois Land)
Solidarity Committee--Capital District
Sonja Brookins
South Asian Fund for Education, Scholarship and
Training INC (SAFEST)
South Beach District 6 Democratic Club of San
Francisco

South Shore Audubon Society
Southern Forests Conservation Coalition
Southern Oregon Climate Action Now
Spruill Farm Conservation Project
Stand.Earth
Stop NY Fracked Gas Pipeline
Stop the Algonquin Pipeline Expansion (SAPE)
Sullivan Alliance for Sustainable Development

Sunflower Alliance
SunnyRidge Beach
Sustainable Energy & Economy Network
Sustainable Marblehead
Syracuse Peace Council
TCM North Jersey
The Borneo Project
The Climate Mobilization North Jersey
The Corner House
The Enviro Show

The Future Left
The Greater Prince William Climate Action
Network
The Last Plastic Straw
Three Mile Island Alert, inc.

Tinker Tree Play/Care
Toxics Information Project (TIP)
Transition Town Glassboro
TwinZIN Fitness
Union County (NJ) Peace Council
Union Hill Freedmen Family Research Group
United for Clean Energy
Upper Valley Clean Air Committee
Valley Watch
Vermont Yankee Decommissioning Alliance
Volusia Climate Action
Waterspirit
We Want Agreement Too
Wendell State Forest Alliance
Wholly H2O
Wild Nature Institute
Wild Oyster Project
WildEarth Guardians
Wine & Water Watch
Women's Earth and Climate Action Network

Wood Pellet Forum
Work on Waste, USA (AEHSP)
Working Group for Emergency Climate Action
Now
Working on Waste
World Stewardship Institute and National
Religious Coalition on Creation Care
Yellowstone to Uintas Connection
Zero Hour
1000 Fountains

350.org
350 Brooklyn
350 Central Massachusetts
350 Columbia
350 Conejo & San Fernando Valley
350 Eastside
350 Eugene
350 Everett, WA
350 Fairfax
350 Maine
350 Massachusetts for a Better Future
350 Montana
350 New Orleans
350 Seattle
350 Sonoma
350 Tacoma
350 Triangle