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Conservation groups' lawsuit over emissions seen as threat to forest products industries

By Christopher Cousins

BANGOR, Maine — A national coalition of conservation groups sued the Environmental Protection Agency on Monday over carbon dioxide emissions from large-scale wood-burning power plants that pulp and paper industry officials say are crucial to their businesses.

The conservation groups, which include the Natural Resources Council of Maine and the national Center for Biological Diversity, are attacking an EPA decision to temporarily exempt large-scale wood-fired boilers and other biomass incinerators from carbon dioxide emission limits spelled out in the Clean Air Act. The EPA created the three-year exemption so it could develop better regulations, but the conservation groups argue that the delay will lead to a rush of new carbon-spewing biomass boilers.

"The EPA's action will in the near term increase carbon dioxide emissions that will persist in the Earth's atmosphere and cause climate damage for more than a century," Ann Weeks, an attorney for the Conservation Law Foundation and the Natural Resources Council of Maine, said in a press release.

Dylan Voorhees of the Natural Resources Council of Maine acknowledged that biomass is an important part of Maine energy strategy but said it should be carefully regulated as opposed to being exempted.

"If we don't, our air, waters and forests will suffer," said Voorhees.

Forest products and pulp and paper groups responded to Monday's lawsuit essentially by saying that treating biomass the same as fossil fuels makes no sense because wood products harvested for energy plants make way for new trees that absorb carbon dioxide and offset emissions.

Donna Harman, president and CEO of the American Forest & Paper Association, which will be at the forefront of fighting Monday's lawsuit, said in a press release that biomass plants are carbon-neutral and that overregulating them will cause financial damage to paper and wood products mills across the country.

"Paper and wood products mills generate two-thirds of their energy on average from renewable, carbon-neutral biomass," she said. "These are high-paying, family-wage jobs that are critical for the rural communities where our mills are located."

John Williams, a spokesman for the Maine Pulp and Paper Association, said the key to maintaining carbon neutrality is ensuring that forests are managed sustainably.

"If you consider the fact that you've got to use some gasoline or diesel [to harvest biomass], there's obviously some fossil fuels being used," said Williams. "That's really small compared to burning fossil fuels to

produce the energy in the first place. This lawsuit, if it is successful, will actually do the opposite of what they want."

Neil Ward, spokesman for the Forest Resources Association, said he favors the EPA's three-year exemption because the original rules created "harsh and unreasonable regulations" against any business that uses a biomass boiler. In Maine that includes colleges and local school districts.

"Denying the environmental friendliness of the carbon cycling model is a political decision that responds to groups with other agendas than merely creating a carbon-neutral industrial cycle," said Ward. "It's an attempt to punish value-added industries just for being industries."

Monday's lawsuit was filed in the federal Court of Appeals for the District of Columbia Circuit.