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.