



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 2193		DATE: 3/6/2024
COMMITTEE: Utilities		
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
WITNESS NAME		
REGISTERED LOBBYIST:		
WITNESS NAME: DAVID WINTON		PHONE NUMBER: 573-230-4602
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: LARRY PLEUS		PHONE NUMBER: 573-821-2999	
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CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 3/6/2024 12:00 AM	

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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: ZACH MONROE		PHONE NUMBER: 573-508-2467	
REPRESENTING: AMEREN MISSOURI		TITLE:	
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CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: ZACH POLLOCK		PHONE NUMBER: 573-645-7210	
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CITY: JEFFERSON CITY		STATE: MO	ZIP: 65109
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: CHERYL Y MARCUM		PHONE NUMBER:	
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EMAIL: cymarcum@outlook.com		ATTENDANCE: Written	SUBMIT DATE: 3/5/2024 10:07 PM

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

I strongly oppose House Bill 2193. At a time when global scientific consensus warns that high-polluting countries like us—the U.S.—need to shift away from fossil fuels and reduce industrial livestock production, HB 2193 legally merges Missouri’s high-polluting factory farm industry and our high-polluting fossil fuel industry to the detriment of all Missourians outside those two industries. With a narrowing timeframe to stave off the worst impacts of climate change, we need aggressive action to reduce methane from the country’s largest source—not “voluntary renewable natural gas programs” that marginally reduce methane emissions while entrenching the highly polluting factory farming and fossil fuel systems driving climate change and environmental injustice in the first place. In 2008, Missouri voters passed a ballot initiative, Proposition C, later known as the Missouri Clean Energy Act. It set a mandatory Renewable (Energy) Portfolio Standard that mandates investor-owned utilities in the state use eligible renewable energy technologies to meet 15% of their yearly retail sales by 2021. Eligible technologies include solar thermal, photovoltaics (solar panels), wind, biogas from agricultural operations, and others as approved by the Missouri Department of Natural Resources. The energy title in the 2018 Farm Bill grouped factory farm digesters together with solar and wind as energy projects incentivized by the USDA. Federal conservation incentives administered by USDA/NRCS EQIP and REAP invest enormous sums of taxpayer dollars to fund CAFO manure management, including manure methane digesters. The REAP Website lists anaerobic digesters as the first item for using REAP funds! Loan guarantees cover up to 75% of total eligible project costs. Grants cover up to 50% of total eligible project costs. Combined grant and loan guarantee funding cover up to 75% of total eligible project costs. And, REAP loans approved in Fiscal Year 2023 had an 80% guarantee. CAFOs are polar opposite conservation. Rewarding CAFO owners/operators with Federal conservation funding is a shameful oxymoron. Methane is much more efficient at trapping radiation, about 80% times more potent than carbon dioxide at warming the Earth over 20 years. Methane’s atmospheric lifetime is a fraction of carbon dioxide’s, about 10 years compared to carbon dioxide’s, 300 to 1,000 years, so reducing methane in the atmosphere slows the rate of atmospheric warming much faster than reducing carbon dioxide. To its credit, the Biden Administration committed to achieving a 30% reduction in methane emissions as part of the Global Methane Pledge. Regrettably, it threw its weight behind the voluntary adoption of anaerobic digesters as the primary solution for reducing agricultural emissions. Manure methane biogas—or factory farm gas—greenwashes, actively undermines the Biden Administration’s commitments to fight the climate crisis and achieve environmental justice. Each year in the U.S., livestock animals produce between 1.27 and 1.37 billion tons of waste—or somewhere between three and 20 times more manure than people produce in the U.S. We citizens pay a lot of money to treat our human waste while our Missouri legislature allows application of untreated animal wastes (nonpoint source pollution) to our land with virtually no regulation or oversight. 12% of all greenhouse gas emissions from the U.S. agricultural sector come from what the EPA calls “manure management.”

Animal agriculture is a leading source of methane emissions, accounting for around one-third of both global and U.S. methane emissions. And, after extracting manure methane biogas from the digester, all that solid and liquid waste—digestate—that remains, is applied to our farmland. A report from Colorado State University says capping manure pits for digesters increases the levels of nitrogen in the remaining waste by up to 3.5 times, increasing the nitrate threat to nearby waterways. Shrewd minds pitch manure-to-energy projects to CAFO owners/operators as a solution to help mitigate the cost of production by turning their perpetual supply of animal waste into “renewable” energy through biogas. Install a manure digester in a CAFO and convert the perpetual manure streams into a revenue stream. However, manure biogas digesters installed at CAFOs require supplementary fossil fuel infrastructure, including miles of pipelines stretching from the CAFO to the refinement facility, that take years or decades for biogas companies and CAFO operators to recoup initial costs. Therefore, government support for building out manure biogas risks locking us into the factory farming and fossil fuel systems that manure biogas production depends on for decades to come. Add odor abatement, noise mitigation, truck queuing, effluent discharge, gas pipeline usage, and interconnection with the local power grid that requires both physical hookups, and net metering agreements that can impact the health and wellness of neighboring families. Incentivizing CAFO owners/operators to install manure-to-energy projects instead of encouraging farmers to shift to sustainable farming practices solely profits developers, while locking communities into a cycle of sickness, loss, injury, and destruction. And, gas pipelines and other infrastructure leak tremendous volumes of methane that fuel climate change, negating any alleged “renewable natural gas” savings. See the March 5, 2024, CNN news report, “How this new methane satellite will hold government and companies accountable,” at <https://www.cnn.com/videos/business/2024/03/03/satellite-methane-gas-krupp-sot-nr-contd-vpx.cnn>. HB 2193 allows fossil fuel gas companies like Spire to expand our fossil fuel infrastructure by contracting directly with factory farms (concentrated animal feeding operations—CAFOs) to buy manure methane and charge ratepayers. Gas utilities, which rely on maintaining and expanding gas fuel delivery infrastructure to buildings to generate revenue, view electrification as an existential crisis. The industry’s response has been to pitch fossil gas alternatives—often marketed as “renewable” natural gas—as an alternative to building electrification. That pitch is behind HB 2193. The argument: existing gas infrastructure can continue to operate by replacing today’s fossil fuel methane gas with manure methane non-fossil gaseous fuels. However, emissions from manure methane combusted in natural gas-fired boilers and furnaces include nitrogen oxides (NOx), carbon monoxide (CO), and carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), volatile organic compounds (VOCs), trace amounts of sulfur dioxide (SO₂), and particulate matter (PM). Renewable natural gas (the gaseous product of the decomposition of organic matter) is a pipeline-quality gas that is fully interchangeable with conventional natural gas. It burns like fossil fuel methane and does not burn cleaner than coal. Chinese-owned Smithfield Foods’ strategy to capture their hog manure methane emissions from their massive Class IA swine finishing CAFOs, now extends to Murphy Family Ventures Class IA swine CAFO in Vernon County, about 30 miles from my Cedar County farm home. They are seeking to connect this new methane biogas digester to the “natural” gas pipeline that runs north-south through Cedar County. Hog manure methane emissions are just as toxic as fossil fuel “natural” gas emissions. They remain in Earth’s atmosphere for 300-1,000 years, on top of all of the greenhouse gases emitted since the Industrial Era (generally considered, 1760-1840). These gases are overheating our planet and will make it uninhabitable unless we immediately STOP burning fossil fuels—and this relatively new hog manure biomethane gas. The waste-derived biogas industry appears to be booming; globally, the industry is predicted to reach \$126.2 billion tons by the year 2030, more than doubling over the next decade. For the sake of Missouri’s air and water and our health, for the sake of our planet, please vote NO on HB 2193.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: KORTNIE HUDDLESTON		PHONE NUMBER:
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EMAIL: kortniehuddleston@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 3/6/2024 9:38 PM
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I urge you to oppose HB2193 (O'Donnell) because we must support a rapid decrease of greenhouse gas emissions in order to avert the worst impacts of our already changing climate. Establishing a "renewable" natural gas program would incentive the increased production and increased burning of methane from landfills and confined agricultural feeding operations (CAFOs). Missouri should be promoting electrification, not increased burning of methane. Methane is a greenhouse gas. So-called "renewable natural gas" is mostly methane, which pound for pound, the comparative impact of methane is 25 times greater than carbon dioxide over a 100-year period. Air pollution hurts everyone, with people of color and low-income families suffering disproportionately from fossil fuel pollution. Gas appliances in residential and commercial buildings produce nearly seven times more nitrogen oxide (NOx) emissions than gas power plants do. Nitrogen oxide leads to ozone, commonly called "smog", which can cause asthma and respiratory diseases. Recent research found that air pollution levels in 60% of homes with gas stoves exceeded the US EPA's definition of clean air, meaning that the air pollution levels in these homes would be illegal if found outdoors. Allowing gas corporations to increase rates "at the time the initial investment was made" rather than waiting until an investment is deemed prudent - after it is providing a service to customers - undermines consumer protections and serves as a blank check for the corporations that will be difficult to claw back if misused. Customers should not have to provide what amounts to a direct subsidy for gas corporations, especially when record levels of Missourians are unable to pay their bills because of the pandemic and associated economic crisis.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: MELISSA VATTEROTT		PHONE NUMBER: 314-727-0600	
BUSINESS/ORGANIZATION NAME: MISSOURI COALITION FOR THE ENVIRONMENT		TITLE: POLICY DIRECTOR	
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EMAIL: mvatterott@moenvironment.org	ATTENDANCE: Written	SUBMIT DATE: 3/6/2024 5:43 PM	

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March 5, 2024 Rep. Bob Bromley House Utilities Committee 201 W. Capitol Ave., Rm. 401-A Jefferson City, Missouri 65101 Dear Chairman Bromley and Members of the Committee, Missouri Coalition for the Environment is a statewide, advocacy nonprofit organization that works to empower Missourians to protect their environment and health. On behalf of MCE, I am testifying in opposition to Senate Bill 829 and urge this committee to vote “no” on this bill. SB 829 seeks to facilitate the increased use of methane production from CAFOs by gas corporations in the state. The idea that capturing methane from CAFOs would benefit Missourians is false. Connecting an industry that creates so much public health and environmental harm to an energy provider will prop up this harmful industry. Please see below a blog written by MCE and other partner organizations in the state that debunks the various myths around CAFO-generated methane energy production, also known as “factory farm biogas” or “renewable natural gas.” I urge this committee to vote “no” on SB 829. Thank you for your time and consideration. Please let me know if you have any questions. Thank you for your time and consideration. Sincerely, Melissa Vatterott, JDPolicy Director Missouri Coalition for the Environment mvatterott@moenvironment.org (314) 727-0600, ext. 111 “Factory Farm Biogas is Not Safe, Clean, or Affordable” Blog from Missouri Coalition for the Environment Concentrated Animal Feeding Operations have been threatening the health, environment, and local economies of Missouri for decades and now the agriculture industry is seeking bolster CAFOs’ presence in US agriculture even more with the promotion of Factory Farm Biogas. We’ve seen factory farm biogas operations propped up in Missouri- specifically thanks to a St. Louis-based company Roeslein Alternative Energy setting up biogas digesters at nearly all Smithfield Class IA facilities in Northern Missouri. Factory farm biogas is NOT an alternative source of energy Missouri should welcome. We are concerned that industrial agriculture interest groups in the state will be seeking to grow factory farm biogas operations in the very near future. Missourians need to let their elected officials know that we don’t want to be exposed to the harms that come from factory farm biogas operations on top of all of the harms of CAFOs already (see CAFO page for more information). MCE, Sierra Club, and other partners have pulled data together below to debunk the common talking points of proponents of factory farm biogas. Read below to learn more! DEBUNKING THE MYTHS OF FACTORY FARM BIOGAS Facilities that capture methane from livestock manure at concentrated animal feeding operations (CAFOs) goes by many different names – “biogas”, “renewable natural gas” (RNG), “fossil gas alternatives” (FGAs), “manure digesters”, and so on – but should be more adequately labeled for the industry scheme that it is: “factory farm biogas.” Proponents want to brand such gas as a green, low-carbon fuel. They also want the public to believe that gas is necessary in order to maintain stable sources of energy. In reality, their desired plan would cause us to double down on fossil fuel and fossil fuel-like energy when we should be doubling down on the expansion of renewable energy sources instead. We should be eliminating

any incentives that lead to more fossil gas exploration and fossil fuel-like (i.e., factory farm biogas) manufacturing. By labeling fossil gas and fossil-like gas 'green', we're sending a catastrophic message to the private sector and the rest of the world that natural and biogases are just as legitimate as solar, wind, wave, and other zero-emission renewables. Below, we have elaborated to debunk four of the biggest myths held by proponents of factory farm biogas. Myth: Factory farm biogas projects are good for the environment. Truth: Factory farm biogas is a dirty dead-end that further entrenches both oil and gas infrastructure and the industrial livestock model of concentrated animal feeding operations (CAFOs). Both of these systems rely on exploitation of resources and extraction of wealth from rural communities. Truth: CAFOs in Missouri produce 987 million gallons of animal and process waste according to Missouri Department of Natural Resources (DNR) records in 2021.¹ Methane capture at CAFOs does not reduce the amount, nor the nutrient content of waste that still has to be stored and applied in rural communities and in Missouri's watersheds.² In fact, covering lagoons increases the amount of nitrogen in the lagoon waste by up to 3.5 times that of waste in open lagoons.³ Additionally, because the high cost of implementing factory farm biogas is more attainable for the largest producers, this encourages more concentration of animals and more manure production.⁴ Truth: CAFOs will continue to violate regulations and pollute the environment regardless of factory farm biogas production. Neighboring residents and waterways will still be subjected to spills, leaks, over-application of nutrients on farmland, and airborne emissions.⁵ Myth: Factory farm biogas is a clean energy source that cuts down on greenhouse gas emissions. Truth: "[A]naerobic digesters are solving problems only created by large-scale industrial animal agriculture in the first place, problems that are avoided in more sustainable, pasture-based models."⁶ Truth: Despite methane capture at CAFOs, the extreme concentration of animals and the land application of waste continue to release harmful gasses and emissions into the air.⁴ Truth: The intentional production of methane sources to increase capture can, in itself, lead to more emissions through changing land use, storage leaks, and burning the gas, a process that releases the same pollutants as the combustion of fossil fuels.^{4, 5} Myth: Factory farm biogas will help us make the needed transition away from fossil fuels. Truth: The fossil fuel industry has perpetuated the false promise of "fossil gas alternatives" (FGAs) like factory farm biogas to slow widespread electrification efforts.^{4, 7} Truth: There is no way to scale up factory farm biogas to meet our energy requirements. To be as viable as wind and solar, many more CAFOs would need to be built as well as many more pipelines. If maximum use of CAFOs for biogas was set up, it would supply 13% of energy needed to power the US by 2040.⁴ Truth: "Replacing fossil gas with fossil gas alternatives (FGAs) is extremely costly. High production costs mean FGAs range from 4 to 17 times more expensive than fossil gas."⁴ Truth: "[A new analysis by the Natural Resources Defense Council] estimates that capturable waste methane (e.g., from uncontrolled landfills and wastewater treatment plants) is less than 1% of current gas demand. The rest must be intentionally produced and will pose the risk of additional methane leakage that can offset any potential emission reductions."⁴ Myth: Factory farm biogas is an affordable solution that will generate new revenue for farmers. Truth: Factory farm biogas is significantly more expensive to produce and manage than fossil fuels with anaerobic digester projects costing up hundreds of thousands to millions of dollars.⁴ Truth: Most digester projects are infeasible without government support, and a significant portion of digester revenue is reliant on the sale of government-created "credits".⁸ Truth: Government subsidies and investments in factory farm biogas funnel tax payer dollars into continued dependence on fossil fuel gas while diverting funding away from a true clean energy future.⁸ Truth: Anaerobic digesters are complex systems that require additional training and full-time labor to maintain.⁹ Missouri Department of Natural Resources Web Map Viewer, <https://modnr.maps.arcgis.com/apps/webappviewer/index.html?id=cf630b020a17452fb30994cb4b36f0032> S.G. Lupis et al., "Best Management Practices for Reducing Ammonia Emissions: Lagoon Covers" Colorado State University Extension, 2012, available at <https://extension.colostate.edu/docs/pubs/livestk/01631b.pdf>.³ "Hog farming has a massive poop problem" (Vox), <https://www.youtube.com/watch?v=WsUNylsiDH84> "Rhetoric vs. Reality: The Myth of 'Renewable Natural Gas' for Building Decarbonization" (Earthjustice) https://earthjustice.org/sites/default/files/feature/2020/report-decarb/Report_Building-Decarbonization-2020.pdf.⁵ "The False Promises of Biogas: Why Biogas is an Environmental Justice Issue" <https://sraproject.org/wp-content/uploads/False-Promises-FactoryFarmGas.pdf>⁶ "The misbegotten promise of anaerobic digesters" (The Counter), <https://thecounter.org/misbegotten-promise-anaerobic-digesters-cafo/>⁷ "Despite Gas Industry Claims, 'Renewable' Gas is Not Viable Path to Cut Pollution from Buildings" (Sierra Club) <https://www.sierraclub.org/press-releases/2021/10/despite-gas-industry-claims-renewable-gas-not-viable-path-cut-pollution>⁸ "Are biogas subsidies benefiting the largest industrial animal farms?" (Civil Eats) <https://civileats.com/2021/09/20/are-biogas-subsidies-benefiting-the-largest-industrial-animal-farms/>⁹ AgStar Project Development Handbook <https://www.epa.gov/sites/default/files/2014-12/documents/agstar-handbook.pdf>



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: MICHAEL BERG		PHONE NUMBER: 314-644-1011	
REPRESENTING: SIERRA CLUB MISSOURI CHAPTER		TITLE: SIERRA CLUB MISSOURI CHAPTER POLITICAL DIRECTOR	
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CITY: SAINT LOUIS		STATE: MO	ZIP: 63143
EMAIL: Michael.Berg@sierraclub.org	ATTENDANCE: Written	SUBMIT DATE: 3/4/2024 2:00 PM	
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Sierra Club opposes House Bill 2193 because we support a rapid decrease of greenhouse gas emissions in order to avert the worst impacts of our already changing climate. Methane is a greenhouse gas. So-called “renewable natural gas” (RNG) is mostly methane. “Pound for pound, the comparative impact of CH4 is 25 times greater than CO2 over a 100-year period.” “Domestic livestock such as cattle, swine, sheep, and goats produce CH4 as part of their normal digestive process. Also, when animal manure is stored or managed in lagoons or holding tanks, CH4 is produced. When livestock and manure emissions are combined, the Agriculture sector is the largest source of CH4 emissions in the United States.” By setting up a renewable gas program for gas corporations, Senate Bill 829 incentivizes the increased production of methane gas from landfills and concentrated animal feeding operations (CAFOs). While these operations are touted as part of the solution to the climate problem, in reality their positive effects are overstated and the do not outweigh the negative effects of incentivizing larger concentrations of animals and greater methane production. A recent study of dairy facilities shows that use of biodigesters leads to a significant increase in herd sizes. Incentivizing the increased use of methane is not compatible with the need to avert the worst impacts of climate change. Further, there is no doubt that the proliferation of CAFOs and industrial agriculture has increased the amount of nitrogen and phosphorus entering our waterways, increasing the intensity and frequency of dead zones in waterways and the Gulf of Mexico. In 2019, the same year industrial agriculture lobbyists refused to restore the public majority on the Clean Water Commission or include buffer zones near riparian corridors to minimize nutrient runoff when state lawmakers took away local control of factory farms, the dead zone in the Gulf of Mexico shut down every public beach in the State of Mississippi, negatively impacting its tourism and fishing industries. The Union of Concerned Scientists estimated an annual economic loss of \$552 million to \$2.4 billion from 1980 through 2017 because of the dead zone in the Gulf of Mexico. Larger herd sizes leads to larger problems. What we do on the land in Missouri impacts what happens to our water here and as far away as Louisiana, Texas, and Mississippi. Paying farmers to reduce herd sizes would be a much more effective way of dealing with the environmental problems caused by CAFOs, including methane production. The main effect of more CAFOs working with gas corporations to harvest and sell RNG would be to allow two environmentally destructive industries, factory farms and methane gas producers and distributors, to make overstated claims about increased environmental responsibility. This helps both industries in terms of good publicity but does little to help the rest of us. Already Spire uses RNG as part of its impossible to fulfill claims about going net zero by mid-century. Even in best case scenario studies done by the gas industry, RNG from all sources could never replace anything more than a small

fraction of our present gas use, mostly obtained through highly environmentally destructive fracking. Please reject House Bill 2193.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: MICHAEL DREYER		PHONE NUMBER:	
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EMAIL: mdreyer93@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 3/6/2024 9:37 PM

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I urge you to oppose HB2193 (O'Donnell) because we must support a rapid decrease of greenhouse gas emissions in order to avert the worst impacts of our already changing climate. Establishing a "renewable" natural gas program would incentive the increased production and increased burning of methane from landfills and confined agricultural feeding operations (CAFOs). Missouri should be promoting electrification, not increased burning of methane. Methane is a greenhouse gas. So-called "renewable natural gas" is mostly methane, which pound for pound, the comparative impact of methane is 25 times greater than carbon dioxide over a 100-year period. Air pollution hurts everyone, with people of color and low-income families suffering disproportionately from fossil fuel pollution. Gas appliances in residential and commercial buildings produce nearly seven times more nitrogen oxide (NOx) emissions than gas power plants do. Nitrogen oxide leads to ozone, commonly called "smog", which can cause asthma and respiratory diseases. Recent research found that air pollution levels in 60% of homes with gas stoves exceeded the US EPA's definition of clean air, meaning that the air pollution levels in these homes would be illegal if found outdoors. Allowing gas corporations to increase rates "at the time the initial investment was made" rather than waiting until an investment is deemed prudent - after it is providing a service to customers - undermines consumer protections and serves as a blank check for the corporations that will be difficult to claw back if misused. Customers should not have to provide what amounts to a direct subsidy for gas corporations, especially when record levels of Missourians are unable to pay their bills because of the pandemic and associated economic crisis.