



General Assembly

January Session, 2013

Raised Bill No. 6535

LCO No. 3797



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:
(ET)

AN ACT REDEFINING CLASS I RENEWABLE ENERGY SOURCES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (26) of subsection (a) of section 16-1 of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (26) "Class I renewable energy source" means (A) energy derived
5 from solar power, wind power, a fuel cell, methane gas from landfills,
6 anaerobic digestion of organic waste, ocean thermal power, wave or
7 tidal power, low emission advanced renewable energy conversion
8 technologies, a run-of-the-river hydropower facility provided such
9 facility has a generating capacity of not more than five megawatts,
10 does not cause an appreciable change in the river flow, and began
11 operation after July 1, 2003, or a sustainable biomass facility with an
12 average emission rate of equal to or less than .075 pounds of nitrogen
13 oxides per million BTU of heat input for the previous calendar quarter,
14 except that energy derived from a sustainable biomass facility with a
15 capacity of less than five hundred kilowatts that began construction
16 before July 1, 2003, may be considered a Class I renewable energy

17 source, [or] (B) any electrical generation, including distributed
18 generation, generated from a Class I renewable energy source, or (C)
19 useful thermal energy derived from a Class I renewable energy source
20 under subparagraph (A) of this subdivision, cogeneration technology,
21 methane gas from anaerobic digesters, geothermal or air source
22 heating and cooling equipment or biodiesel or renewable diesel blend;

23 Sec. 2. Subdivision (45) of subsection (a) of section 16-1 of the
24 general statutes is repealed and the following is substituted in lieu
25 thereof (*Effective from passage*):

26 (45) "Sustainable biomass" means biomass that is cultivated and
27 harvested in a sustainable manner. "Sustainable biomass" does not
28 mean construction and demolition waste, as defined in section 22a-
29 208x, finished biomass products from sawmills, paper mills or stud
30 mills, organic refuse fuel derived separately from municipal solid
31 waste, or biomass from old growth timber stands, except where (A)
32 such biomass is used in a biomass gasification plant that received
33 funding prior to May 1, 2006, from the Clean Energy Fund established
34 pursuant to section 16-245n, or (B) the energy derived from such
35 biomass is subject to a long-term power purchase contract pursuant to
36 subdivision (2) of subsection (j) of section 16-244c entered into prior to
37 May 1, 2006, (C) such biomass is used in a renewable energy facility
38 [that is certified as a Class I renewable energy source by the authority
39 until such time as the authority certifies that any biomass gasification
40 plant, as defined in subparagraph (A) of this subdivision, is
41 operational and accepting such biomass,] in an amount not to exceed
42 one hundred forty thousand tons annually, [is used in a renewable
43 energy facility] that was certified as a Class I renewable energy source
44 by the authority prior to December 31, 2007, and uses biomass,
45 including construction and demolition waste as defined in section 22a-
46 208x, from a Connecticut-sited transfer station and volume-reduction
47 facility that generated biomass during calendar year 2007 that was
48 used during calendar year 2007 to generate Class I renewable energy
49 certificates, or (D) in the event there is no facility as described in

50 subparagraph (A) or (C) of this subdivision accepting such biomass, in
51 an amount not to exceed one hundred forty thousand tons annually, is
52 used in one or more other renewable energy facilities certified either as
53 a Class I or Class II renewable energy source by the authority,
54 provided such facilities use biomass, including construction and
55 demolition waste as defined in said section 22a-208x, from a
56 Connecticut-sited transfer station and volume-reduction facility that
57 generated biomass during calendar year 2007 that was used during
58 calendar year 2007 to generate Class I renewable energy certificates.
59 Notwithstanding the provisions of subparagraphs (C) and (D) of this
60 subdivision, the amount of biomass specified in said subparagraphs
61 shall not apply to a biomass gasification plant, as defined in
62 subparagraph (A) of this subdivision;

63 Sec. 3. Subsection (a) of section 16-1 of the general statutes is
64 amended by adding subdivision (53) as follows (*Effective from passage*):

65 (NEW) (53) "Useful thermal energy" means energy in the form of
66 direct heat, steam, hot water or other thermal form that is used by a
67 facility located in the state of Connecticut for heating, cooling,
68 humidity control, process use or other valid thermal end use energy
69 requirements, for which fuel or electricity would otherwise be
70 consumed.

71 Sec. 4. Subsection (b) of section 16-245a of the general statutes is
72 repealed and the following is substituted in lieu thereof (*Effective from*
73 *passage*):

74 (b) An electric supplier or electric distribution company may satisfy
75 the requirements of this section (1) by purchasing certificates issued by
76 the New England Power Pool Generation Information System,
77 provided the certificates are for (A) energy produced by a generating
78 unit using Class I or Class II renewable energy sources and the
79 generating unit is located in the jurisdiction of the regional
80 independent system operator, [or] (B) energy imported into the control

81 area of the regional independent system operator pursuant to New
82 England Power Pool Generation Information System Rule 2.7(c), as in
83 effect on January 1, 2006, or (C) useful thermal energy that is metered
84 and reported by an approved independent monitor; (2) for those
85 renewable energy certificates under contract to serve end-use
86 customers in the state on or before October 1, 2006, by participating in
87 a renewable energy trading program within said jurisdictions as
88 approved by the Public Utilities Regulatory Authority; or (3) by
89 purchasing eligible renewable electricity and associated attributes from
90 residential customers who are net producers.

91 Sec. 5. Section 16-245a of the general statutes is amended by adding
92 subsection (h) as follows (*Effective from passage*):

93 (NEW) (h) On or before July 1, 2013, the authority shall initiate a
94 contested case proceeding to determine the specific guidelines by
95 which a facility utilizing useful thermal energy would qualify as a
96 Class I renewable energy source. Such guidelines shall include: (1)
97 Unit eligibility requirements, including emissions thresholds and
98 metering standards, (2) monitoring and verification standards,
99 including the required qualifications to be certified as an independent
100 monitor, and (3) calculation and creation of renewable energy
101 certificates.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16-1(a)(26)
Sec. 2	<i>from passage</i>	16-1(a)(45)
Sec. 3	<i>from passage</i>	16-1(a)
Sec. 4	<i>from passage</i>	16-245a(b)
Sec. 5	<i>from passage</i>	16-245a

Statement of Purpose:

To add anaerobic digestion of organic waste and useful thermal energy to the definition of Class I renewable energy source and to expand the definition of sustainable biomass.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]