

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1121

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Waste-to-Energy” insert “, Refuse-Derived Fuel, and Small Hydroelectric Power Plants”; in line 4, after “waste-to-energy” insert “and refuse-derived fuel”; in line 5, after the semicolon insert “providing that a Tier 1 source using waste-to-energy, refuse-derived fuel, or certain small hydroelectric power plants is eligible for inclusion in meeting a certain standard only if the source is connected with the distribution grid serving Maryland;”; in the same line, after the second “waste-to-energy” insert “, refuse-derived fuel, small hydroelectric power plants,”; and in line 9, after “(m)” insert “ and 7-704(a) and (f)”.

AMENDMENT NO. 2

On page 2, in line 13, strike “AND”; and in line 14, after “WASTE-TO-ENERGY” insert “; AND

(11) REFUSE-DERIVED FUEL”.

On page 3, after line 16, insert:

“7-704.

(a) (1) Energy from a Tier 1 renewable source:

(i) is eligible for inclusion in meeting the renewable energy portfolio standard regardless of when the generating system or facility was placed in service; and

(Over)

(ii) may be applied to the percentage requirements of the standard for either Tier 1 renewable sources or Tier 2 renewable sources.

(2) (i) 1. Except as provided in subsubparagraph 2 of this subparagraph, energy from a Tier 1 renewable source under § 7–701(l)(1), (8), [or] (9), (10), OR (11) of this subtitle is eligible for inclusion in meeting the renewable energy portfolio standard only if the source is connected with the electric distribution grid serving Maryland.

2. On or before December 31, 2011, energy from a Tier 1 renewable source under § 7–701(l)(1) of this subtitle that is not connected with the electric distribution grid serving Maryland is eligible for inclusion in meeting the renewable energy portfolio standard only if offers for solar credits from Maryland grid sources are not made to the electricity supplier that would satisfy requirements under the standard and only to the extent that such offers are not made.

(ii) If the owner of a solar generating system in this State chooses to sell solar renewable energy credits from that system, the owner must first offer the credits for sale to an electricity supplier or electric company that shall apply them toward compliance with the renewable energy portfolio standard under § 7–703 of this subtitle.

(3) Energy from a Tier 1 renewable source under § 7–701(l)(8) of this subtitle is eligible for inclusion in meeting the renewable energy portfolio standard if it is generated at a dam that existed as of January 1, 2004, even if a system or facility that is capable of generating electricity did not exist on that date.

(4) Energy from a Tier 2 renewable source under § 7–701(m)[(1) or (2)] of this subtitle is eligible for inclusion in meeting the renewable energy portfolio standard through 2018 if it is generated at a system or facility that existed and was operational as of January 1, 2004, even if the facility or system was not capable of generating electricity on that date.

(f) (1) In order to create a renewable energy credit, a Tier 1 renewable source or Tier 2 renewable source must substantially comply with all applicable environmental and administrative requirements, including air quality, water quality, solid waste, and right-to-know provisions, permit conditions, and administrative orders.

(2) (i) This paragraph applies to Tier [2] 1 renewable sources that incinerate solid waste.

(ii) At least 80% of the solid waste incinerated at a Tier [2] 1 renewable source facility shall be collected from:

1. for areas in Maryland, jurisdictions that achieve the recycling rates required under § 9-505 of the Environment Article; and

2. for other states, jurisdictions for which the electricity supplier demonstrates recycling substantially comparable to that required under § 9-505 of the Environment Article, in accordance with regulations of the Commission.

(iii) An electricity supplier may report credits received under this paragraph based on compliance by the facility with the percentage requirement of subparagraph (ii) of this paragraph during the year immediately preceding the year in which the electricity supplier receives the credit to apply to the standard.”.