A BILL ENTITLED

AN ACT concerning


FOR the purpose of specifying that energy from a certain qualifying thermal biomass system is eligible for inclusion in meeting the renewable energy portfolio standard; specifying that a person that owns and operates a certain qualifying thermal biomass system shall receive a certain renewable energy credit under certain circumstances; requiring the total amount of energy generated and consumed by a residential, nonresidential, or commercial qualifying thermal biomass system to be measured in a certain way; requiring the Public Service Commission to adopt certain regulations; defining a certain term; altering a certain term; providing for a delayed effective date; and generally relating to the eligibility of qualifying thermal biomass systems for inclusion in meeting the renewable energy portfolio standard.

BY repealing and reenacting, without amendments,

Article – Public Utilities
Section 7–701(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Public Utilities
Section 7–701(h–1) and 7–704(h)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Public Utilities

7–701.

(a) In this subtitle the following words have the meanings indicated.

(H–1) “QUALIFYING THERMAL BIOMASS SYSTEM” MEANS A SYSTEM THAT:

(1) GENERATES ENERGY USING PRIMARILY FOOD WASTE, CROP WASTE, CROPS GROWN FOR ENERGY PRODUCTION, OR ANIMAL MANURE, INCLUDING POULTRY LITTER;

(2) PROVIDES ENERGY USED FOR SPACE HEATING OR COOLING, WATER HEATING OR COOLING, COMBINED HEAT AND POWER, HUMIDITY CONTROL, OR THERMAL END USE IF FUEL OR ELECTRICITY WOULD OTHERWISE BE CONSUMED;

(3) IS LOCATED IN A FACILITY THAT IS CONNECTED TO THE STATE’S ELECTRIC DISTRIBUTION GRID; AND

(4) HAS ALL APPLICABLE STATE AND FEDERAL PERMITS.

(l) “Tier 1 renewable source” means one or more of the following types of energy sources:

(1) solar energy, including energy from photovoltaic technologies and solar water heating systems;

(2) wind;

(3) qualifying biomass, INCLUDING QUALIFYING THERMAL BIOMASS SYSTEMS;

(4) methane from the anaerobic decomposition of organic materials in a landfill or wastewater treatment plant;

(5) geothermal;
(6) ocean, including energy from waves, tides, currents, and thermal differences;

(7) a fuel cell that produces electricity from a Tier 1 renewable source under item (3) or (4) of this subsection;

(8) a small hydroelectric power plant of less than 30 megawatts in capacity that is licensed or exempt from licensing by the Federal Energy Regulatory Commission;

(9) poultry litter-to-energy;

(10) waste-to-energy; and

(11) refuse-derived fuel.

7–704.

(H) (1) Energy from a qualifying thermal biomass system is eligible for inclusion in meeting the renewable energy portfolio standard.

(2) A person that owns and operates a qualifying thermal biomass system shall receive a renewable energy credit equal to the amount of energy, converted from BTUs to kilowatt-hours, that is generated by the qualifying thermal biomass system.

(3) The total amount of energy generated and consumed for a residential, nonresidential, or commercial qualifying thermal biomass system shall be measured by an on-site meter that meets the required performance standards of the International Organization of Legal Metrology.

(4) The Commission shall adopt regulations for the metering, verification, and reporting of the output of qualifying thermal biomass systems.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 2013.