A BILL ENTITLED

AN ACT concerning


FOR the purpose of authorizing certain biomass systems primarily fueled with qualifying biomass other than animal manure to be eligible for renewable energy credits; altering the definition of “thermal biomass system”; and generally relating to the renewable energy portfolio standard and thermal biomass systems.

BY repealing and reenacting, without amendments,

Article – Public Utilities
Section 7–701(a) and 7–704(i)
Annotated Code of Maryland
(2020 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities
Section 7–701(r)
Annotated Code of Maryland
(2020 Replacement Volume and 2020 Supplement)

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.

(r) “Thermal biomass system” means a system that:
(1) uses as fuel:

(i) [primarily] animal manure, including poultry litter, and associated bedding to generate thermal energy; [and]

(ii) [food waste or] qualifying biomass [for the remainder of the feedstock]; OR

(II) FOOD WASTE;

(2) is used in the State; and

(3) complies with all applicable State and federal statutes and regulations, as determined by the appropriate regulatory authority.

Energy from a thermal biomass system is eligible for inclusion in meeting the renewable energy portfolio standard.

(2) (i) A person that owns and operates a thermal biomass system that uses anaerobic digestion is eligible to receive a renewable energy credit.

(ii) A person that owns and operates a thermal biomass system that uses a thermochemical process is eligible to receive a renewable energy credit if the person demonstrates to the Maryland Department of the Environment that the operation of the thermal biomass system:

1. is not significantly contributing to local or regional air quality impairments; and

2. will substantially decrease emissions of oxides of nitrogen beyond that achieved by a direct burn combustion unit through the use of precombustion techniques, combustion techniques, or postcombustion techniques.

(3) A person that is eligible to receive a renewable energy credit under paragraph (2) of this subsection shall receive a renewable energy credit equal to the amount of energy, converted from BTUs to kilowatt–hours, that is generated by the thermal biomass system and used on site.

(4) The total amount of energy generated and consumed for a residential, nonresidential, or commercial thermal biomass system shall be measured by an on–site meter that meets the required performance standards established by the Commission.

(5) The Commission shall adopt regulations for the metering, verification, and reporting of the output of thermal biomass systems.
SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.