

House Bill 3562

Sponsored by Representative C EDWARDS

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies types of biomass that may be used to generate electricity for purpose of meeting renewable portfolio standard.

A BILL FOR AN ACT

1
2 Relating to renewable energy; amending section 4, chapter _____, Oregon Laws 2007 (Enrolled Sen-
3 ate Bill 838).

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** Section 4, chapter _____, Oregon Laws 2007 (Enrolled Senate Bill 838), is amended
6 to read:

7 **Sec. 4.** (1) Electricity generated utilizing the following types of energy may be used to comply
8 with a renewable portfolio standard:

9 (a) Wind energy.

10 (b) Solar photovoltaic and solar thermal energy.

11 (c) Wave, tidal and ocean thermal energy.

12 (d) Geothermal energy.

13 (2) Except as provided in subsection (3) of this section, electricity generated from biomass and
14 biomass byproducts may be used to comply with a renewable portfolio standard, including but not
15 limited to electricity generated from:

16 (a) Organic human or animal waste;

17 (b) Spent pulping liquor;

18 [*(c) Forest or rangeland woody debris from harvesting or thinning conducted to improve forest or*
19 *rangeland ecological health and to reduce uncharacteristic stand replacing wildfire risk;]*

20 **(c) Woody biomass as defined in ORS 526.277;**

21 (d) Wood material from hardwood timber grown on land described in ORS 321.267 (3);

22 (e) Agricultural residues;

23 (f) Dedicated energy crops; and

24 (g) Landfill gas or biogas produced from organic matter, wastewater, anaerobic digesters or
25 municipal solid waste.

26 (3) Electricity generated from the direct combustion of biomass may not be used to comply with
27 a renewable portfolio standard if any of the biomass combusted to generate the electricity includes:

28 (a) Municipal solid waste; or

29 (b) Wood that has been treated with chemical preservatives such as creosote, pentachlorophenol
30 or chromated copper arsenate.

31 (4) Electricity generated by a hydroelectric facility may be used to comply with a renewable

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 portfolio standard only if:

2 (a) The facility is located outside any protected area designated by the Pacific Northwest Elec-
 3 tric Power and Conservation Planning Council as of July 23, 1999, or any area protected under the
 4 federal Wild and Scenic Rivers Act, Public Law 90-542, or the Oregon Scenic Waterways Act, ORS
 5 390.805 to 390.925; or

6 (b) The electricity is attributable to efficiency upgrades made to the facility on or after January
 7 1, 1995.

8 (5) Up to 50 average megawatts of electricity per year generated by an electric utility from
 9 certified low-impact hydroelectric facilities described in section 3 (4) of this 2007 Act may be used
 10 to comply with a renewable portfolio standard, without regard to the number of certified facilities
 11 operated by the electric utility or the generating capacity of those facilities. A hydroelectric facility
 12 described in this subsection is not subject to the requirements of subsection (4) of this section.

13 (6) Electricity generated from hydrogen gas derived from any source of energy described in
 14 subsections (1) to (5) of this section may be used to comply with a renewable portfolio standard.

15 (7) If electricity generation employs multiple energy sources, that portion of the electricity
 16 generated that is attributable to energy sources described in subsections (1) to (6) of this section
 17 may be used to comply with a renewable portfolio standard.

18 (8) The State Department of Energy by rule may approve energy sources other than those de-
 19 scribed in this section that may be used to comply with a renewable portfolio standard. The de-
 20 partment may not approve petroleum, natural gas, coal or nuclear fission as an energy source that
 21 may be used to comply with a renewable portfolio standard.

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