

- 1) Removes the addition of woody biomass from the green energy technology definition.
- 2) Instead add the following definition of woody biomass:

“(c) (A) “Woody biomass energy technology” means a system that employs woody biomass as a fuel for space heating or water heating or as a fuel for combined heat and power system.

(B) “Woody biomass” means material from trees and woody plants, including limbs, tops, needles, leaves and other woody parts, grown in a forest, woodland, farm, rangeland or wildland-urban interface environment that is the by-product of forest management, ecosystem restoration or hazardous fuel reduction treatment.

(C) “Woody biomass” does not mean:

  - (i) Wood pieces that have been treated with creosote, pentachlorophenol, chromated copper arsenate or other chemical preservatives;
  - (ii) Wood that must be retained under state or federal regulations;
  - (iii) Wood required for large woody debris recruitment; or
  - (iv) Municipal solid waste.”
- 3) The specified woody biomass boiler has a minimum 80% lower heating value combustion efficiency.
- 4) Stipulate that: In areas of the state that do not attain compliance with the standards for particulate matter established by the Environmental Quality Commission pursuant to ORS 468A.025, the contracting agency may include new woody biomass technology providing one of the following conditions are met:
  - The biomass system uses pelletized fuel
  - The contracting agency demonstrates to the Department of Environmental Quality that the proposed biomass system produces PM emissions equal to, or less than a functionally equivalent pellet-fueled system (capable of producing the same heat/energy output)

Notwithstanding the conditions above, the Department of Environmental Quality may require additional emissions control technologies or specifications (acknowledge current permitting authority)

- 5) The contracting agency has considered the on-going fuel costs and impacts associated with transporting to and storing of woody biomass fuel at the building site.
- 6) Before line 29, page 3 insert:

“SECTION 2. ORS 279C.528 is amended to read:

**279C.528 State Department of Energy requirements and specifications; record keeping requirements; rules.** (1) Each contracting agency, in soliciting, awarding and administering public improvement contracts that are subject to ORS 279C.527, is subject to rules the State Department of Energy adopts that include, but are not limited to, requirements and specifications for:

  - (a) Using particular green energy technologies in public improvements;
  - (b) Determining the cost-effectiveness of green energy technologies;
  - (c) Submitting documents required under ORS 279C.527 to the department for review; and
  - (d) Determining whether a structure is a public building subject to the requirements of ORS 279C.527.

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(2)(a) Each contracting agency shall collect and maintain information concerning the contracting agency's compliance with ORS 279C.527, which must include, at a minimum:

(A) Records that show how the contracting agency spent moneys the contracting agency used in including appropriate green energy technology as part of constructing, reconstructing or performing a major renovation of a public building;

(B) An identification of each public improvement contract for which the contracting agency spent moneys to include appropriate green technology as part of constructing, reconstructing or performing a major renovation of a public building;

(C) An identification of each public improvement contract for which the contracting agency determined that including green technology as part of constructing, reconstructing or performing a major renovation of a public building was not appropriate;

(D) The total amount the contracting agency would have spent on each public improvement contract identified in subparagraph (C) of this paragraph and the total aggregated amount that the contracting agency must spend to include green energy technology as part of constructing, reconstructing or performing a major renovation of a future public building;

(E) An identification of each public improvement contract that uses moneys the contracting agency did not spend in a previous public improvement contract for including appropriate green energy technology as part of constructing, reconstructing or performing a major renovation of a public building; and

(F) An identification of each public improvement contract for which the contracting agency included new woody biomass energy technology.

(b) Each contracting agency shall compile the information the contracting agency collected under paragraph (a) of this subsection and report the information to the department at times, in a manner and on forms that the department specifies by rule.

(c) The department shall:

(A) Compile and summarize the information the department receives under paragraph (b) of this subsection and, in the department's compilation and summary, specifically:

(i) Identify contracting agencies that have not complied with the requirements of ORS 279C.527 or the reporting requirements set forth in this section;

(ii) Identify public improvement contracts for which contracting agencies have determined that including green energy technology as part of constructing, reconstructing or performing a major renovation of a public building was not appropriate;

(iii) Identify public improvement contracts that use moneys a contracting agency did not spend in a previous public improvement contract on including appropriate green energy technology as part of constructing, reconstructing or performing a major renovation of a public building; ~~and~~

(iv) Identify public improvement contracts that use moneys to include new woody biomass energy technology.

(B) Deliver annually to the Legislative Assembly, on or before the date on which each regular session of the Legislative Assembly begins, a report concerning contracting agency compliance with this section and ORS 279C.527 that includes the compilation and summary the department prepared under subparagraph (A) of this paragraph."