BILL
ANALYSIS

Technology, Energy & Communications Committee

HB 2892

Brief Description: Defining municipal solid waste to be a renewable resource and electricity from certain waste to energy facilities to be an eligible renewable resource for the purposes of chapter 19.285 RCW, the energy independence act.

Sponsors: Representatives Driscoll, Crouse, Ormsby, Parker, Shea, Morris, Wood and Condotta.

Brief Summary of Bill

- Allows waste-to-energy facilities to qualify as an eligible renewable resource under the Energy Independence Act (Initiative 937).

Hearing Date: 1/27/10

Staff: Scott Richards (786-7156).

Background:

The Energy Independence Act.

In 2006 the voters approved the Energy Independence Act (Initiative 937). Initiative 937 requires certain electric utilities with 25,000 or more customers to meet targets for the use of renewable energy resources and energy conservation.

Renewable Resources Targets.

Each qualifying utility must use eligible renewable resources, acquire equivalent renewable energy credits, or a combination of both, to meet the following annual targets:
- at least 3 percent of its load by January 1, 2012, and each year thereafter through December 31, 2015;

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- at least 9 percent of its load by January 1, 2016, and each year thereafter through December 31, 2019; and
- at least 15 percent of its load by January 1, 2020, and each year thereafter.

Eligibility of Renewable Resources.

Under Initiative 937, renewable resource is defined to mean: (1) water; (2) wind; (3) solar energy; (4) geothermal energy; (5) landfill gas; (6) wave, ocean, or tidal power; (7) gas from sewage treatment facilities; (8) biodiesel fuel that meets statutory motor fuel quality standards and is not derived from crops raised on land cleared from old growth or first-growth forests where the clearing occurred after December 7, 2006; and (9) biomass energy.

Biomass energy may be based on animal waste or solid organic fuels from wood, forest, or field residues, or dedicated energy crops that do not include: (1) wood pieces that have been treated with chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenic; (2) black liquor by-product from paper production; (3) wood from old growth forests; or (4) municipal solid waste.

For renewable resources to be considered an eligible renewable resource, the electricity produced from an eligible renewable resource must be generated in a facility that started operating after March 31, 1999. The facility must either be located in the Pacific Northwest or the electricity from the facility must be delivered into the state on a real-time basis.

Incremental electricity produced from efficiency improvements at hydropower facilities owned by qualifying utilities is also an eligible renewable resource, if the improvements were completed after March 31, 1999 and do not result in new water diversions or impoundments.

Waste-to-Energy Facilities.

Under the solid waste management laws, a county or city may generate electricity from solid waste subject to air quality permitting. The city of Spokane operates the only waste-to-energy facility in the state and has been generating electricity from this facility since 1991. The Spokane waste-to-energy facility is comprised of two 400 ton per day mass-burn combustion units and equipment capable of processing 248,200 tons per year of mixed municipal solid waste. The Spokane waste-to-energy facility includes a 26-megawatt turbine generator.

Summary of Bill:

Electricity from a waste-to-energy facility that commenced operation after October 1, 1991 is considered an eligible renewable resource under the Energy Independence Act (Initiative 937).

Appropriation: None.

Fiscal Note: Requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.