

HOUSE BILL REPORT

SHB 2296

As Passed House:
February 13, 2012

Title: An act relating to the siting of biofuel processing facilities.

Brief Description: Concerning the siting of biofuel processing facilities.

Sponsors: House Committee on Technology, Energy & Communications (originally sponsored by Representatives Morris, McCoy, Ryu and Hudgins).

Brief History:

Committee Activity:

Technology, Energy & Communications: 1/20/12, 1/25/12 [DPS].

Floor Activity:

Passed House: 2/13/12, 55-43.

Brief Summary of Substitute Bill

- Allows energy facilities capable of processing more than 2,500 barrels of biofuel per day to apply to the Energy Facility Site Evaluation Council for site certification.

HOUSE COMMITTEE ON TECHNOLOGY, ENERGY & COMMUNICATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives McCoy, Chair; Eddy, Vice Chair; Crouse, Ranking Minority Member; Anderson, Billig, Carlyle, Hasegawa, Hudgins, Kelley, Liias, Morris and Wylie.

Minority Report: Do not pass. Signed by 6 members: Representatives Short, Assistant Ranking Minority Member; Dahlquist, Haler, Harris, McCune and Nealey.

Staff: Scott Richards (786-7156).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Under current Washington law, the Energy Facility Site Evaluation Council (EFSEC) provides a "one-stop" siting process for major energy facilities in Washington. The EFSEC coordinates all evaluation and licensing steps for siting certain energy facilities in Washington. The EFSEC specifies the conditions of construction and operation. If approved, a site certification agreement is issued in lieu of any other individual state or local agency permits.

The EFSEC is comprised of a chair appointed by the Governor and representatives from five state agencies. Agencies represented on the EFSEC include: (1) the Department of Commerce; (2) the Department of Ecology; (3) the Department of Fish and Wildlife; (4) the Department of Natural Resources; and (5) the Utilities and Transportation Commission. When an application to site a facility is submitted to the EFSEC, representatives from particular cities, counties, or port districts potentially affected by the project are added to the EFSEC for proceedings related to the project.

The energy facilities subject to review by the EFSEC include:

- thermal electrical generation power plants with electrical generating capacity of 350 megawatts (MW) or more;
- floating thermal power plants of 100 MW or more;
- alternative energy electrical generation facilities of any size for which an applicant chooses to receive certification under the EFSEC;
- crude or refined petroleum, or liquid petroleum product pipelines larger than six inches in diameter and greater than 15 miles in length;
- natural gas, synthetic fuel, gas, or liquefied petroleum gas pipelines larger than 14 inches in diameter and greater than 15 miles in length (intrastate only);
- electrical transmission facilities in a national interest electric transmission corridor;
- electrical transmission facilities over a certain voltage for which an applicant chooses to receive certification under the EFSEC;
- new refineries capable of processing more than 25,000 barrels per day of petroleum into refined product; and
- any underground natural gas storage reservoir capable of delivering more than 100 million cubic feet per day.

Alternative energy resource facilities of any size are eligible to receive site certification through the EFSEC. Alternative energy resources eligible for site certification under the EFSEC include: (1) wind; (2) solar energy; (3) geothermal energy; (4) landfill gas; (5) wave or tidal action; or (6) biomass energy based on solid organic fuels from wood, forest, or field residues, or dedicated energy crops that do not include wood pieces that have been treated with chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenic.

Summary of Substitute Bill:

The definition of alternative energy resource facilities is modified so that an energy facility capable of processing more than 2,500 barrels of biofuel per day may choose to apply to the EFSEC for site certification.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This bill will knock down a barrier for developers of smaller scale biofuel processing facilities. There are industry standards that the EFSEC would likely be more aware of than local governments.

(Opposed) None.

Persons Testifying: Representative Morris, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.