
SUBSTITUTE SENATE BILL 5910

State of Washington

67th Legislature

2022 Regular Session

By Senate Environment, Energy & Technology (originally sponsored by Senators Carlyle, Billig, Conway, Hawkins, Hunt, Mullet, Saldaña, and Stanford)

READ FIRST TIME 02/03/22.

1 AN ACT Relating to accelerating the availability and use of
2 renewable hydrogen in Washington state; amending RCW 80.50.020,
3 54.04.190, and 35.92.050; adding new sections to chapter 43.330 RCW;
4 creating new sections; providing an expiration date; and declaring an
5 emergency.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** INTENT AND FINDINGS. (1) The legislature
8 finds that while hydrogen fuel has been used in a variety of
9 applications in the state, the source of hydrogen has been derived
10 from fossil fuel feedstocks, such as natural gas. Hydrogen is an
11 essential building block and energy carrier molecule that is
12 necessary in the production of conventional and renewable fuels and a
13 valuable decarbonization tool when used in sectors such as marine,
14 aviation, steel, and cement, as well as surface transportation
15 including light to heavy-duty vehicles, including transit, trucking,
16 and drayage equipment. Hydrogen can be a carbon-free fuel with an
17 energy per unit mass that is three to four times greater than jet
18 fuel, whose energy can be extracted either through thermochemical
19 (combustion) or electrochemical (fuel cell) processes. In both cases,
20 the only by-product is water, instead of the greenhouse gases and

1 other conventional and toxic pollutants that are emitted from using
2 fossil fuels.

3 (2) The legislature further finds that the use of renewable
4 hydrogen and hydrogen produced from carbon-free feedstocks through
5 electrolysis is an essential tool to a clean energy ecosystem and
6 emissions reduction for challenging infrastructure needs. Clean
7 hydrogen fuel can be produced or "charged" closer to the generation
8 of the electricity when the electrical supply grid has surplus
9 energy, at times of low electricity use, such as evenings, then made
10 available at times of higher need and convenient locations, such as
11 fueling stations, avoiding the need to build or upgrade larger
12 electrical infrastructure, including distribution systems, to meet
13 higher peak demand for electricity.

14 (3) Therefore, the legislature intends by this act to establish
15 policies and a framework for the state to become a national and
16 global leader in the production and use of these hydrogen fuels. This
17 act will create an office of renewable fuels to: Promote partnerships
18 among industrial, transportation, agriculture, and commercial
19 interests as well as fuel producers, the technology research sector,
20 and public sector agencies; identify barriers to and opportunities
21 for market development; provide greater clarity and certainty in
22 regulatory and siting standards; provide incentives and financial
23 assistance in the deployment of hydrogen fuel infrastructure; support
24 a clean and just energy transition; help create good quality, clean
25 energy jobs; and improve air quality in degraded areas, particularly
26 in communities that have borne disproportionate levels of air
27 pollution from the combustion of fossil fuels.

28

Part 1

29

OFFICE OF RENEWABLE FUELS

30 NEW SECTION. **Sec. 101.** A new section is added to chapter 43.330
31 RCW to read as follows:

32 The definitions in this section apply throughout sections 102,
33 103, and 104 of this act unless the context clearly requires
34 otherwise.

35 (1) "Department" means the department of commerce.

36 (2) "Electrolytic hydrogen" means hydrogen produced through
37 electrolysis and does not include hydrogen manufactured using steam

1 reforming or any other conversion technology that produces hydrogen
2 from a fossil fuel feedstock.

3 (3) "Office" means the statewide office of renewable fuels
4 established in section 102 of this act.

5 (4) "Overburdened communities" has the same meaning as defined in
6 RCW 70A.02.010.

7 (5) "Renewable fuel" means fuel produced using renewable
8 resources and includes renewable hydrogen.

9 (6) "Renewable hydrogen" has the same meaning as defined in RCW
10 54.04.190.

11 (7) "Renewable resource" has the same meaning as defined in RCW
12 19.405.020.

13 NEW SECTION. **Sec. 102.** A new section is added to chapter 43.330
14 RCW to read as follows:

15 (1) The statewide office of renewable fuels is established within
16 the department. The office shall report to the director of the
17 department. The office may employ staff as necessary to carry out the
18 office's duties as prescribed by this act, subject to the
19 availability of amounts appropriated for this specific purpose.

20 (2) The purpose of the office is to leverage, support, and
21 integrate with other state agencies to:

22 (a) Accelerate comprehensive market development with assistance
23 along the entire life cycle of renewable fuel projects;

24 (b) Support research into and development and deployment of
25 renewable fuel and electrolytic hydrogen production as well as
26 distribution and end uses;

27 (c) Drive job creation, improve economic vitality, and support
28 the transition to clean energy;

29 (d) Enhance resiliency by using renewable fuels and electrolytic
30 hydrogen to support climate change mitigation and adaptation; and

31 (e) Partner with overburdened communities to ensure communities
32 equitably benefit from renewable and clean fuels efforts.

33 NEW SECTION. **Sec. 103.** A new section is added to chapter 43.330
34 RCW to read as follows:

35 (1) The office shall:

36 (a) Coordinate with local government, state agencies, federal
37 agencies, private entities, the state's public four-year institutions
38 of higher education, and others to facilitate and promote multi-

1 institution collaborations to drive research, development, and
2 deployment efforts in the production, distribution, and use of
3 renewable fuels including, but not limited to, electrolytic hydrogen;

4 (b) Review existing renewable fuels and electrolytic hydrogen
5 initiatives, policies, and public and private investments;

6 (c) Consider funding opportunities that provide for the
7 coordination of public and private funds for the purposes of
8 developing and deploying renewable fuels and electrolytic hydrogen;

9 (d) Assess opportunities for and barriers to deployment of
10 renewable fuels and electrolytic hydrogen in hard to decarbonize
11 sectors of the state economy;

12 (e) Request recommendations from the Washington state association
13 of fire marshals regarding fire and other safety standards adopted by
14 the United States department of energy and recognized national and
15 international fire and safety code development authorities regarding
16 renewable fuels and electrolytic hydrogen;

17 (f) By December 1, 2023, develop a plan and recommendations for
18 consideration by the legislature and governor on renewable fuels and
19 electrolytic hydrogen policy and public funding including, but not
20 limited to, project permitting, state procurement, and pilot
21 projects; and

22 (g) Encourage new and support existing public-private
23 partnerships to increase coordinated planning and deployment of
24 renewable fuels and electrolytic hydrogen.

25 (2) The office may take all appropriate steps to seek and apply
26 for federal funds for which the office is eligible, and other grants,
27 and accept donations, and must deposit these funds in the renewable
28 fuels accelerator account created in section 104 of this act.

29 (3) In carrying out its duties, the office must collaborate with
30 the department, the department of ecology, the department of
31 transportation, the utilities and transportation commission, electric
32 utilities in Washington state, the Washington State University
33 extension energy program, and all other relevant state agencies.

34 (4) The office may cooperate with other state agencies in
35 compiling data regarding the use of renewable fuels and electrolytic
36 hydrogen in state operations, including motor vehicle fleets, the
37 state ferry system, and nonroad equipment.

38 NEW SECTION. **Sec. 104.** A new section is added to chapter 43.330
39 RCW to read as follows:

1 The renewable fuels accelerator account is created in the state
2 treasury. Revenues to the account consist of appropriations made by
3 the legislature, federal funds, gifts or grants from the private
4 sector or foundations, and other sources deposited in the account.
5 Moneys in the account may be spent only after appropriation.
6 Expenditures from the account may be used only for purposes
7 designated in sections 102 and 103 of this act. Only the director or
8 the director's designee may authorize expenditures from the account.

9 **Part 2**

10 **FEDERAL FUNDING**

11 NEW SECTION. **Sec. 201.** (1)(a) The legislature finds that the
12 federal infrastructure investment and jobs act, P.L. 117-58, provides
13 \$8,000,000,000 over five years to support the development of regional
14 clean hydrogen hubs. The federal infrastructure investment and jobs
15 act requires the United States secretary of energy to establish a
16 program to fund at least four regional hubs to aid in achieving a
17 hydrogen fuel production carbon intensity standard provided in that
18 legislation; to demonstrate the production, processing, delivery,
19 storage, and end use of hydrogen; and that can be developed into a
20 national network to facilitate a clean hydrogen economy. The federal
21 infrastructure investment and jobs act requires the secretary of
22 energy to select regional hubs that demonstrate a diversity of
23 feedstocks, a diversity of end uses, and a diversity of geographic
24 regions of the country. The federal infrastructure investment and
25 jobs act requires the secretary of energy to solicit proposals for
26 regional hubs by May 15, 2022, and to make selections of the hubs
27 within one year after the deadline for submission of proposals.

28 (b) The legislature further finds that Washington state is
29 strongly positioned to develop a regional clean energy hub meeting
30 the criteria of the federal infrastructure investment and jobs act
31 because the state:

32 (i) Has adopted a state energy strategy that recognizes hydrogen
33 as an integral part of the state's decarbonization pathway;

34 (ii) Has an abundance of low cost, low carbon, reliable
35 electricity as the primary energy resource for production of clean
36 hydrogen;

1 (iii) Already has under construction the nation's first renewable
2 hydrogen electrolyzer and has several hydrogen fueling facilities as
3 well as production facilities in planning and design phases;

4 (iv) Has numerous industrial, maritime, and freight shipping
5 concerns that are moving toward cleaner fuels and would help provide
6 demand for hydrogen, as well as state and local governments currently
7 considering hydrogen uses; and

8 (v) Has a demonstrated track record of building partnerships
9 across the public and private sector to advance clean energy
10 technologies.

11 (c) The legislature further finds that the state may help to
12 promote and strengthen applications for regional hydrogen hub federal
13 funding through state funding assistance to bring together multiple
14 interests for the purpose of timely submitting applications to the
15 United States secretary of energy for development of a regional
16 hydrogen hub in Washington state.

17 (2) Subject to amounts appropriated for this specific purpose,
18 the director of the department of commerce must seek to enter
19 agreements with one or more nonprofit entities or public agencies for
20 the purpose of preparing an application to secure federal funding to
21 develop a regional clean hydrogen hub in Washington state. If the
22 director determines that a single agreement with an entity to prepare
23 an application is more competitive for federal funding than
24 supporting multiple applications, the director may not make more than
25 one award of funding. The director shall seek to enter a funding
26 agreement with an entity whose proposal demonstrates:

27 (a) A broad assembly of participants in developing and
28 implementing the infrastructure of a regional hydrogen hub;

29 (b) That a strong and timely application will be submitted to the
30 United States department of energy; and

31 (c) Commitments from manufacturing industries, transportation,
32 utilities, and other sectors to incorporate hydrogen fuels into their
33 transition to cleaner energy.

34 (3) In addition to the assistance in applying for federal funding
35 provided through subsection (2) of this section, the legislature
36 intends that the state fully support a regional clean energy hub in
37 the state, including further direct financial assistance in
38 developing the hub and the acquisition of hydrogen fuels for state
39 agency and local government uses.

1 **Part 3**

2 **UTILITIES AND TRANSPORTATION COMMISSION REPORT**

3 NEW SECTION. **Sec. 301.** (1) By December 1, 2024, the utilities
4 and transportation commission must submit to the appropriate
5 committees of the senate and house of representatives a report
6 addressing the following regarding advancing the production and use
7 of hydrogen as an energy storage resource or fuel in the state:

8 (a) Whether the rates and services of hydrogen fuels distributed
9 through natural gas distribution infrastructure is within the
10 regulation of the utilities and transportation commission, or whether
11 such jurisdiction should be assigned by the legislature as such
12 regulation is provided for other public service companies, such as
13 natural gas companies;

14 (b) Whether electric utilities regulated by the commission should
15 analyze the costs and benefits of adopting special tariffs for the
16 electrolytic production of hydrogen fuels;

17 (c) Recommended standards, including safety standards, for
18 blending of nonfossil feedstock hydrogen into natural gas
19 distribution infrastructure; and

20 (d) The role that nonfossil feedstock hydrogen may serve as the
21 state reduces greenhouse gas emissions from fossil natural gas,
22 including findings and recommendations included in the commission's
23 decarbonization inquiry required under section 143, chapter 334, Laws
24 of 2021.

25 (2) This section expires June 30, 2025.

26 **Part 4**

27 **ELECTROLYTIC HYDROGEN**

28 **Sec. 401.** RCW 80.50.020 and 2021 c 317 s 17 are each amended to
29 read as follows:

30 The definitions in this section apply throughout this chapter
31 unless the context clearly requires otherwise.

32 (1) "Alternative energy resource" includes energy facilities of
33 the following types: (a) Wind; (b) solar energy; (c) geothermal
34 energy; (d) ~~((landfill))~~ renewable natural gas; (e) wave or tidal
35 action; ~~((e))~~ (f) biomass energy based on solid organic fuels from
36 wood, forest, or field residues, or dedicated energy crops that do
37 not include wood pieces that have been treated with chemical

1 preservatives such as creosote, pentachlorophenol, or copper-chrome-
2 arsenic; (g) renewable or electrolytic hydrogen; or (h) a storage
3 facility.

4 (2) "Applicant" means any person who makes application for a site
5 certification pursuant to the provisions of this chapter.

6 (3) "Application" means any request for approval of a particular
7 site or sites filed in accordance with the procedures established
8 pursuant to this chapter, unless the context otherwise requires.

9 (4) "Associated facilities" means storage, transmission,
10 handling, or other related and supporting facilities connecting an
11 energy plant with the existing energy supply, processing, or
12 distribution system, including, but not limited to, communications,
13 controls, mobilizing or maintenance equipment, instrumentation, and
14 other types of ancillary transmission equipment, off-line storage or
15 venting required for efficient operation or safety of the
16 transmission system and overhead, and surface or subsurface lines of
17 physical access for the inspection, maintenance, and safe operations
18 of the transmission facility and new transmission lines constructed
19 to operate at nominal voltages of at least 115,000 volts to connect a
20 thermal power plant or alternative energy facilities to the northwest
21 power grid. However, common carrier railroads or motor vehicles shall
22 not be included.

23 (5) "Biofuel" means a liquid or gaseous fuel derived from organic
24 matter intended for use as a transportation fuel including, but not
25 limited to, biodiesel, renewable diesel, ethanol, renewable natural
26 gas, and renewable propane.

27 (6) "Certification" means a binding agreement between an
28 applicant and the state which shall embody compliance to the siting
29 guidelines, in effect as of the date of certification, which have
30 been adopted pursuant to RCW 80.50.040 as now or hereafter amended as
31 conditions to be met prior to or concurrent with the construction or
32 operation of any energy facility.

33 (7) "Construction" means on-site improvements, excluding
34 exploratory work, which cost in excess of two hundred fifty thousand
35 dollars.

36 (8) "Council" means the energy facility site evaluation council
37 created by RCW 80.50.030.

38 (9) "Counsel for the environment" means an assistant attorney
39 general or a special assistant attorney general who shall represent
40 the public in accordance with RCW 80.50.080.

1 (10) "Electrical transmission facilities" means electrical power
2 lines and related equipment.

3 (11) "Energy facility" means an energy plant or transmission
4 facilities: PROVIDED, That the following are excluded from the
5 provisions of this chapter:

6 (a) Facilities for the extraction, conversion, transmission or
7 storage of water, other than water specifically consumed or
8 discharged by energy production or conversion for energy purposes;
9 and

10 (b) Facilities operated by and for the armed services for
11 military purposes or by other federal authority for the national
12 defense.

13 (12) "Energy plant" means the following facilities together with
14 their associated facilities:

15 (a) Any nuclear power facility where the primary purpose is to
16 produce and sell electricity;

17 (b) Any nonnuclear stationary thermal power plant with generating
18 capacity of (~~three hundred fifty thousand~~) 350,000 kilowatts or
19 more, measured using maximum continuous electric generating capacity,
20 less minimum auxiliary load, at average ambient temperature and
21 pressure, and floating thermal power plants of (~~one hundred~~
22 ~~thousand~~) 100,000 kilowatts or more suspended on the surface of
23 water by means of a barge, vessel, or other floating platform;

24 (c) Facilities which will have the capacity to receive liquefied
25 natural gas in the equivalent of more than (~~one hundred million~~)
26 100,000,000 standard cubic feet of natural gas per day, which has
27 been transported over marine waters;

28 (d) Facilities which will have the capacity to receive more than
29 an average of (~~fifty thousand~~) 50,000 barrels per day of crude or
30 refined petroleum or liquefied petroleum gas which has been or will
31 be transported over marine waters, except that the provisions of this
32 chapter shall not apply to storage facilities unless occasioned by
33 such new facility construction;

34 (e) Any underground reservoir for receipt and storage of natural
35 gas as defined in RCW 80.40.010 capable of delivering an average of
36 more than (~~one hundred million~~) 100,000,000 standard cubic feet of
37 natural gas per day;

38 (f) Facilities capable of processing more than (~~twenty-five~~
39 ~~thousand~~) 25,000 barrels per day of petroleum or biofuel into

1 refined products except where such biofuel production is undertaken
2 at existing industrial facilities; and

3 (g) Facilities capable of producing more than (~~one thousand five~~
4 ~~hundred~~) 1,500 barrels per day of refined biofuel but less than
5 (~~twenty-five thousand~~) 25,000 barrels of refined biofuel.

6 (13) "Independent consultants" means those persons who have no
7 financial interest in the applicant's proposals and who are retained
8 by the council to evaluate the applicant's proposals, supporting
9 studies, or to conduct additional studies.

10 (14) "Land use plan" means a comprehensive plan or land use
11 element thereof adopted by a unit of local government pursuant to
12 chapter 35.63, 35A.63, 36.70, or 36.70A RCW, or as otherwise
13 designated by chapter 325, Laws of 2007.

14 (15) "Person" means an individual, partnership, joint venture,
15 private or public corporation, association, firm, public service
16 company, political subdivision, municipal corporation, government
17 agency, public utility district, or any other entity, public or
18 private, however organized.

19 (16) "Preapplicant" means a person considering applying for a
20 site certificate agreement for any transmission facility.

21 (17) "Preapplication process" means the process which is
22 initiated by written correspondence from the preapplicant to the
23 council, and includes the process adopted by the council for
24 consulting with the preapplicant and with cities, towns, and counties
25 prior to accepting applications for all transmission facilities.

26 (18) "Secretary" means the secretary of the United States
27 department of energy.

28 (19) "Site" means any proposed or approved location of an energy
29 facility, alternative energy resource, or electrical transmission
30 facility.

31 (20) "Thermal power plant" means, for the purpose of
32 certification, any electrical generating facility using any fuel for
33 distribution of electricity by electric utilities.

34 (21) "Transmission facility" means any of the following together
35 with their associated facilities:

36 (a) Crude or refined petroleum or liquid petroleum product
37 transmission pipeline of the following dimensions: A pipeline larger
38 than six inches minimum inside diameter between valves for the
39 transmission of these products with a total length of at least
40 (~~fifteen~~) 15 miles;

1 (b) Natural gas, synthetic fuel gas, or liquefied petroleum gas
2 transmission pipeline of the following dimensions: A pipeline larger
3 than (~~fourteen~~) 14 inches minimum inside diameter between valves,
4 for the transmission of these products, with a total length of at
5 least (~~fifteen~~) 15 miles for the purpose of delivering gas to a
6 distribution facility, except an interstate natural gas pipeline
7 regulated by the United States federal power commission.

8 (22) "Zoning ordinance" means an ordinance of a unit of local
9 government regulating the use of land and adopted pursuant to chapter
10 35.63, 35A.63, 36.70, or 36.70A RCW or Article XI of the state
11 Constitution, or as otherwise designated by chapter 325, Laws of
12 2007.

13 (23) (a) "Electrolytic hydrogen" means hydrogen produced through
14 electrolysis.

15 (b) "Electrolytic hydrogen" does not include hydrogen
16 manufactured using steam reforming or any other conversion technology
17 that produces hydrogen from a fossil fuel feedstock.

18 (24) "Renewable hydrogen" means hydrogen produced using renewable
19 resources both as the source for the hydrogen and the source for the
20 energy input into the production process.

21 (25) "Renewable natural gas" means a gas consisting largely of
22 methane and other hydrocarbons derived from the decomposition of
23 organic material in landfills, wastewater treatment facilities, and
24 anaerobic digesters.

25 (26) "Storage facility" means a facility to: (a) Accept
26 electricity as an energy source and uses a chemical, thermal,
27 mechanical, or other process to store energy for subsequent delivery
28 or consumption in the form of electricity; or (b) store renewable
29 hydrogen or green electrolytic hydrogen for subsequent delivery or
30 consumption.

31 **Sec. 402.** RCW 54.04.190 and 2019 c 24 s 1 are each amended to
32 read as follows:

33 (1) In addition to any other authority provided by law, public
34 utility districts are authorized to produce and distribute biodiesel,
35 ethanol, and ethanol blend fuels, including entering into crop
36 purchase contracts for a dedicated energy crop for the purpose of
37 generating electricity or producing biodiesel produced from
38 Washington feedstocks, cellulosic ethanol, and cellulosic ethanol

1 blend fuels for use in internal operations of the electric utility
2 and for sale or distribution.

3 (2) In addition to any other authority provided by law:

4 (a) Public utility districts are authorized to produce renewable
5 natural gas, electrolytic hydrogen, and renewable hydrogen and
6 utilize the renewable natural gas, electrolytic hydrogen, or
7 renewable hydrogen they produce for internal operations.

8 (b) Public utility districts may sell renewable natural gas,
9 electrolytic hydrogen, or renewable hydrogen that is delivered into a
10 gas transmission pipeline located in the state of Washington or
11 delivered in pressurized containers:

12 (i) At wholesale;

13 (ii) To an end-use customer; or

14 (iii) If delivered in a pressurized container, or if the end-use
15 customer takes delivery of the renewable natural gas, electrolytic
16 hydrogen, or renewable hydrogen through a pipeline, and the end-use
17 customer is an eligible purchaser of natural gas from sellers other
18 than the gas company from which that end-use customer takes
19 transportation service and:

20 (A) When the sale is made to an end-use customer in the state of
21 Washington, the sale is made pursuant to a transportation tariff
22 approved by the Washington utilities and transportation commission;
23 or

24 (B) When the sale to an end-use customer is made outside of the
25 state of Washington, the sale is made pursuant to a transportation
26 tariff approved by the state agency which regulates retail sales of
27 natural gas.

28 (c) Public utility districts may sell renewable natural gas,
29 electrolytic hydrogen, or renewable hydrogen at wholesale or to an
30 end-use customer through a pipeline directly from renewable natural
31 gas, electrolytic hydrogen, or renewable hydrogen production
32 facilities to facilities that compress, liquefy, or dispense
33 compressed natural gas, liquefied natural gas, electrolytic hydrogen,
34 or renewable hydrogen fuel for end use as a transportation fuel.

35 (d) Public utility districts may sell electrolytic hydrogen or
36 renewable hydrogen at wholesale or to an end-use customer in
37 pressurized containers directly from electrolytic hydrogen or
38 renewable hydrogen production facilities to facilities that utilize
39 electrolytic hydrogen or renewable hydrogen as a nonutility related
40 input for a manufacturing process.

1 (3) Except as provided in subsection (2)(b)(iii) of this section,
2 nothing in this section authorizes a public utility district to sell
3 renewable natural gas, electrolytic hydrogen, or renewable hydrogen
4 delivered by pipeline to an end-use customer of a gas company.

5 (4)(a) Except as provided in this subsection (4), nothing in this
6 section authorizes a public utility district to own or operate
7 natural gas distribution pipeline systems used to serve retail
8 customers.

9 (b) For the purposes of subsection (2)(b) of this section, public
10 utility districts are authorized to own and operate interconnection
11 pipelines that connect renewable natural gas, electrolytic hydrogen,
12 or renewable hydrogen production facilities to gas transmission
13 pipelines.

14 (c) For the purposes of subsection (2)(c) of this section, public
15 utility districts may own and/or operate pipelines to supply, and/or
16 compressed natural gas, liquefied natural gas, electrolytic hydrogen,
17 or renewable hydrogen facilities to provide, renewable natural gas,
18 electrolytic hydrogen, or renewable hydrogen for end use as a
19 transportation fuel if all such pipelines and facilities are located
20 in the county in which the public utility district is authorized to
21 provide utility service.

22 (5) Exercise of the authorities granted under this section to
23 public utility districts does not subject them to the jurisdiction of
24 the utilities and transportation commission, except that public
25 utility districts are subject only to administration and enforcement
26 by the commission of state and federal requirements related to
27 pipeline safety and fees payable to the commission that are
28 applicable to such administration and enforcement.

29 (6) The definitions in this subsection apply throughout this
30 section unless the context clearly requires otherwise.

31 (a) "Electrolytic hydrogen" means hydrogen produced through
32 electrolysis, and does not include hydrogen manufactured using steam
33 reforming or any other conversion technology that produces hydrogen
34 from a fossil fuel feedstock.

35 (b) "Renewable natural gas" means a gas consisting largely of
36 methane and other hydrocarbons derived from the decomposition of
37 organic material in landfills, wastewater treatment facilities, and
38 anaerobic digesters.

1 NEW SECTION. **Sec. 502.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.

--- **END** ---