

2SSB 5343 - H COMM AMD

By Committee on General Government Appropriations & Oversight

ADOPTED AS AMENDED 03/02/2012

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 70.94 RCW
4 to read as follows:

5 (1) A generator operating at an electric generating project with an
6 installed generator capacity of at least seven hundred fifty kilowatts
7 but not exceeding one thousand kilowatts, that began operating after
8 2008, and that is located on agricultural lands of long-term commercial
9 significance pursuant to chapter 36.70A RCW, is not bound by permit
10 provisions related to the emissions limit for sulfur established by the
11 department or a local air authority until December 31, 2018, if it is
12 fueled by biogas that:

13 (a) Is produced by an anaerobic digester that qualifies for the
14 solid waste permitting exemption specified in RCW 70.95.330; and

15 (b) Contains less than 0.1 percent sulfur by volume, after a start-
16 up period not exceeding one hundred eighty days.

17 (2) A generator that meets the requirements in subsection (1) of
18 this section may not be located in a federally designated nonattainment
19 or maintenance area.

20 (3) Upon request, the department or a local air authority must
21 provide technical assistance to a generator meeting the requirements in
22 subsection (1) of this section to assist the generator in reducing its
23 emissions in order to meet the requirements in this chapter.

24 (4) The definitions in this subsection apply throughout this
25 section unless the context clearly requires otherwise.

26 (a) "Anaerobic digester" means a vessel that processes organic
27 material into biogas and digestate using microorganisms in a
28 decomposition process within a closed, oxygen-free container.

29 (b) "Generator" means an internal combustion engine that converts

1 biogas into electricity, and includes any back-up combustion device to
2 burn biogas when an engine is idled for maintenance.

3 NEW SECTION. **Sec. 2.** (1) By December 1, 2012, the department of
4 ecology must submit a report to the appropriate standing committees of
5 the legislature containing information regarding the degree to which
6 current state air quality regulations consider different feed sources
7 for anaerobic digesters and strategies to address the different feed
8 sources used in anaerobic digesters. The department of ecology must
9 consult with interested parties in drafting the report.

10 (2) The definitions in section 1(4) of this act apply throughout
11 this section.

12 NEW SECTION. **Sec. 3.** If specific funding for the purposes of this
13 act, referencing this act by bill or chapter number, is not provided by
14 June 30, 2012, in the omnibus appropriations act, this act is null and
15 void."

16 Correct the title.

EFFECT: Strikes all of the provisions in the underlying bill.
Exempts a generator operating at an electric generating project with an
installed generator capacity of at least seven hundred fifty kilowatts,
but not exceeding one thousand kilowatts, that began operating after
2008, is located on agricultural lands of long-term commercial
significance under the growth management act, and that meets certain
conditions for its biogas, from the permit provisions related to the
emissions limit for sulfur established by the department of ecology or
a local air authority until December 31, 2018. A generator that meets
these requirements may not be located in a federally designated
nonattainment or maintenance area.

Specifies that upon request, the department of ecology or a local
air authority must provide technical assistance to a generator meeting
the requirements above in reducing its emissions.

Requires the department of ecology to submit a report by December
1, 2012, to the appropriate standing committees of the legislature
containing information regarding the degree to which current state air
quality regulations consider different feed sources for anaerobic
digesters, and strategies to address the different feed sources used in
anaerobic digesters.

Makes the bill null and void unless specific funding is included
for the bill in the omnibus appropriations act.

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