

SENATE BILL REPORT

SHB 2296

As Reported by Senate Committee On:
Energy, Natural Resources & Marine Waters, February 23, 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: Passed House: 2/13/12, 55-43.

Committee Activity: Energy, Natural Resources & Marine Waters: 2/22/12, 2/23/12 [DPA].

SENATE COMMITTEE ON ENERGY, NATURAL RESOURCES & MARINE WATERS

Majority Report: Do pass as amended.

Signed by Senators Ranker, Chair; Regala, Vice Chair; Delvin, Ranking Minority Member; Morton, Ranking Minority Member; Fraser, Hargrove, Murray, Stevens and Swecker.

Staff: William Bridges (786-7416)

Background: The process for siting and constructing small wind energy systems is generally governed by local ordinances. It may require building permits, conditional use permits, and related administrative hearings.

Energy Facility Site Evaluation Council (EFSEC). EFSEC is the permitting and certificating authority for the siting of major energy facilities in Washington. An EFSEC site certification authorizes an applicant to construct and operate an energy facility in lieu of any other permit or document required by any other state agency or subdivision.

EFSEC Members. EFSEC is composed of representatives from five state agencies – the Departments of Commerce, Ecology, Fish and Wildlife, and Natural Resources; and the Washington Utilities and Transportation Commission – and a chair appointed by the Governor. Four other departments may each choose to participate in EFSEC for a particular project: Agriculture, Health, Transportation, and Military. Finally, local governments must also appoint members to the council for the review of proposed facilities located in their jurisdictions.

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.

EFSEC Jurisdiction. FSEC's siting jurisdiction includes large energy facilities, such as thermal electric power plants with a generating capacity of 350 megawatts or greater and petroleum or biofuel refineries capable of processing more than 25,000 barrels per day of refined product. Energy facilities of any size that exclusively use alternative energy resources, such as wind power, can also opt-in to the EFSEC review and certification process.

Biofuel. Under the EFSEC process, biofuel includes, but is not limited to, biodiesel, ethanol, and ethanol blend fuels and renewable liquid natural gas or liquid compressed natural gas made from biogas.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Recommended Amendments): Biofuel refineries capable of processing more than 2,500 barrels a day may choose the EFSEC certification process.

Technical changes are made to the definition of biofuel. In addition, aviation biofuel is added to the definition of biofuel.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony as Heard in Committee : PRO: The idea for this bill originated out of a House work session on aviation biofuels. Twenty-five hundred gallons of biofuel would fill one railroad car. There should be regulatory consistency across the state for siting biofuel refineries.

Persons Testifying: PRO: Representative Morris, prime sponsor.