5126-S2.E AMH ENVI HUGH 020

By Representative Fitzgibbon

E2SSB 5126 - H COMM AMD TO ENVI COMM AMD (H-1557.1/21)
By Committee on Environment & Energy

On page 12, line 39 of the striking amendment, after "under" strike "chapter 70A.15 RCW" and insert "RCW 70A.15.3000"

On page 23, line 6 of the striking amendment, after "(3)" insert "(a)"

On page 23, after line 12 of the striking amendment, insert the following:

"(b) Subsection (a) of this subsection does not apply to landfills that:

(i) Capture at least 75 percent of the landfill gas generated by the decomposition of waste using methods under 40 CFR Part 98, Subpart HH – Municipal Solid Waste landfills, and subsequent updates; and

(ii) Operate a program, individually or through partnership with another entity, that results in the production of renewable natural gas or electricity from landfill gas generated by the facility.

(c) It is the intent of the legislature to adopt a greenhouse gas reduction policy specific to landfills. If such a policy is not enacted by January 1, 2030, it is the intent of the legislature that the requirements of this subsection (3) take full effect."

On page 29, after line 27 of the striking amendment, insert the following:

"(g) No auction proceeds may be transferred to the carbon emissions reduction account created in section 26 of this act after December 31, 2027, if a clean fuel standard with a carbon intensity reduction of greater than 10 percent is not enacted by that date."

On page 36, after line 22 of the striking amendment, insert the following:

"(7) An owner or operator of more than one facility receiving no cost allowances under this section may transfer allowances among the eligible facilities.

(8) Rules adopted by the department under this section must include protocols for allocating allowances at no cost to an eligible facility built or expanded after the effective date of this section. The protocols must include consideration of the products being produced by the facility, as well as the local environmental and health impacts associated with the facility."

EFFECT: Prohibits auction proceeds from being transferred to the carbon emissions reduction account after December 31, 2027, if a clean fuel standard with a carbon intensity reduction of greater than 10 percent is not enacted by that date. Authorizes an owner or operator of more than one facility receiving no cost allowances for emissions-intensive, trade-exposed (EITE) facilities to transfer allowances among the eligible facilities. Requires that rules adopted by the Department of Ecology for the allocation of allowances at no cost to EITE facilities include protocols for allocating allowances to an eligible facility built or expanded after the effective date of section. Specifies that such protocols must include consideration of the products being produced by the facility, as well as the local environmental and health impacts associated with the facility. Excludes landfills with gas capture systems that capture at least 75 percent of landfill gas and produce renewable natural gas or electricity from landfill gas from becoming covered under the Cap and Invest Program beginning January 1, 2031. Adds Legislative intent language specifying that it is the intent of the Legislature to adopt a greenhouse gas emissions reduction policy specific to landfills, and that if such a policy is not enacted by January 1, 2030, the requirements of the Cap and Trade Program relative to landfills take full effect.

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