## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2009

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## **SENATE BILL 886**

## Agriculture/Environment/Natural Resources Committee Substitute Adopted 5/7/09 PROPOSED HOUSE COMMITTEE SUBSTITUTE S886-PCS75405-SY-20

Short Title: C	leanfields Act of 2010.	(Public)
Sponsors:		
Referred to:		
March 26, 2009		
A BILL TO BE ENTITLED		
AN ACT TO AUTHORIZE THE ESTABLISHMENT OF CLEANFIELDS RENEWABLE		
ENERGY DEMONSTRATION PARKS IN THE STATE.		
The General Assembly of North Carolina enacts:		
<b>SECTION 1.</b> Legislative findings. – The General Assembly makes the following		
0 0	ng the need for cleanfields renewable energy dem	
(1)	Economic development in the State will	
	opportunity to convert former manufacturing senergy demonstration parks, thereby providing	
	for the residents of North Carolina.	ing employment opportunities
(2)	The health and safety of the citizens of N	orth Carolina will be served
, ,	through the assessment and remediation of	
	former manufacturing facilities.	
(3)	The public interest of the State will be served	•
	used to reliably meet the energy needs of congreater energy security through the use of	
	available within the State, and encouraging pr	
	energy and energy efficiency.	Trute investment in Tenewable
(4)	The public interest of the State will be se	erved by encouraging former
, ,	operators of manufacturing facilities to tra	
	making it possible for new operators to restart	=
(5)	The State and the public will directly benefit	
	utilized in a cleanfields renewable energy de	<u>-</u>
(6)	pressing societal and environmental issues factoring. The public interest of the State will be served	_
(0)	cleanfields renewable energy demonstration	
	projects and for its ability to provide informati	=
	associated with the development of renewable	± •
SECTION 2. Criteria for designation A parcel or tract of land, or any		
combination of contiguous parcels or tracts of land, that meet all of the following criteria may		
be designated as a cleanfields renewable energy demonstration park:		
(1)	The park consists of at least 250 acres of conti	
(2)	All of the real property comprising the park is	configuous to a body of water.



- The property within the park is or may be subject to remediation under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. § 9601, et seq.), except for a site listed on the National Priorities List pursuant to 42 U.S.C. § 9605.

  The park contains a manufacturing facility that is idle, underutilized, or
  - (4) The park contains a manufacturing facility that is idle, underutilized, or curtailed and that at one time employed at least 250 people.
  - (5) The owners of the park plan to attract at least 250 new jobs to the site.
  - (6) The owners of the park have entered into a brownfields agreement with the Department of Environment and Natural Resources pursuant to G.S. 130A-310.32 and have provided satisfactory financial assurance for the brownfields agreement.
  - (7) The creation of the park is for the purpose of featuring clean-energy facilities, laboratories, and companies, thereby spurring economic growth by attracting renewable energy and alternative fuel industries.
  - (8) The development plan for the park must include at least three renewable energy or alternative fuel facilities.

**SECTION 3.** Certification. – The owner of a parcel or tract of land that seeks to establish a cleanfields renewable energy demonstration park shall submit to the Secretary of State an application for designation. The Secretary shall examine the application and may request any additional information from the owner of the parcel or tract of land or the Department of Environment and Natural Resources needed to verify that the project meets all of the criteria for designation. If the Secretary determines that the project meets all of the criteria, the Secretary shall make and issue a certificate designating the parcel or tract of land as a cleanfields renewable energy demonstration park to the owner and shall file and record the application and certificate in an appropriate book of record. The parcel or tract of land shall be designated as a cleanfields renewable energy demonstration park on the date the certificate is filed and recorded.

**SECTION 4.** Renewable energy generation. – The definitions in G.S. 62-133.8 apply to this act. If the Utilities Commission determines that a biomass renewable energy facility located in the cleanfields renewable energy demonstration park is a new renewable energy facility, the Commission shall assign triple credit to any electric power or renewable energy certificates generated at the facility that are purchased by an electric power supplier for the purposes of compliance with G.S. 62-133.8(b) and (c). The triple credit shall apply only to the first 20 megawatts of the biomass renewable energy facility's generation capacity.

**SECTION 5.** Effective date. – This act is effective when it becomes law.

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