

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 293
PROPOSED COMMITTEE SUBSTITUTE S293-PCS35264-TD-49

Short Title: Catawba Ecocomplex Renewable Energy.

(Local)

Sponsors:

Referred to:

March 10, 2011

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE ESTABLISHMENT OF ECOCOMPLEX RENEWABLE
ENERGY DEMONSTRATION PARKS IN CATAWBA COUNTY.

The General Assembly of North Carolina enacts:

SECTION 1. Legislative findings. – The General Assembly makes the following findings regarding the need for ecocomplex renewable energy demonstration parks:

- (1) Economic development in the State will be served by providing an opportunity to convert orphaned or operating landfill facilities into ecocomplex renewable energy demonstration parks, thereby providing employment opportunities for the residents of North Carolina.
- (2) The health and safety of the citizens of North Carolina will be served through the assessment and remediation of environmental conditions at State-permitted or orphan landfill facilities.
- (3) The public interest of the State will be served by diversifying the resources used to reliably meet the energy needs of consumers in the State, providing greater energy security through the use of indigenous energy resources available within the State and encouraging private investment in renewable energy and energy efficiency.
- (4) The public interest of the State will be served by encouraging owners of landfill facility property and owners of orphaned landfill property to convert solid waste into energy resources.
- (5) The State and the public will directly benefit from the innovative approach utilized in applying the symbiotic relationships of Industrial Ecology to Solid Waste Management to further resolving pressing societal and environmental issues facing the State and its citizens.
- (6) The public interest of the State will be served by the innovative nature of an ecocomplex renewable energy demonstration park as a model for future projects and for its ability to provide information on the risks and complexity associated with the development of renewable energy projects.

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 an ecocomplex renewable energy demonstration park:

- (1) The park consists of at least 700 acres of contiguous property.



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- 1 (2) The park property may be subdivided into or comprised of multiple tracts
2 under multiple ownership that are homogeneous to the renewable energy
3 industrial ecological symbiosis that defines the park where interdependent
4 business relationships that are beneficial to all participants persist between
5 the tracts.
- 6 (3) The owners of the park plan to attract at least 250 new jobs to the site.
- 7 (4) The owners of the park have an active solid waste facility permit with the
8 Department of Environment and Natural Resources pursuant to Chapter
9 130A of the General Statutes.
- 10 (5) The creation of the park is for the purpose of featuring clean energy
11 facilities, laboratories, and companies, thereby spurring economic growth by
12 attracting renewable energy and alternative fuel industries.
- 13 (6) The development plan for the park must include at least three renewable
14 energy or alternative fuel facilities.
- 15 (7) The development plan for the park must include a wood gasification
16 renewable energy facility that utilizes unadulterated wood fuel derived from
17 within the park or through the synergetic relationships fostered by the park.
- 18 (8) The wood gasification renewable energy facility will not be a major source,
19 as that term is defined in 40 C.F.R. § 70.2 (July 1, 2009 edition), for air
20 quality purposes. The biomass renewable energy facility will remain in
21 compliance with all applicable State and federal emissions requirements
22 throughout its operating life.

23 **SECTION 3.** Certification. – The owner of a parcel or tract of land or a group of
24 owners of contiguous properties that seeks to establish an ecocomplex renewable energy
25 demonstration park shall submit to the Secretary of State an application for designation. The
26 Secretary shall examine the application and may request any additional information from the
27 owner of the parcel(s) or tract(s) of land or the Department of Environment and Natural
28 Resources needed to verify that the project meets all of the criteria for designation. The
29 Secretary may rely on certifications provided by the owner or the Department of Environment
30 and Natural Resources that the criteria are met. If the Secretary determines that the project
31 meets all of the criteria, the Secretary shall make and issue a certificate to the owner(s)
32 designating the parcel(s) or tract(s) of land as an ecocomplex renewable energy demonstration
33 park and shall file and record the application and certificate in an appropriate book of record.
34 The parcel(s) or tract(s) of land shall be designated as an ecocomplex renewable energy
35 demonstration park on the date the certificate is filed and recorded.

36 **SECTION 4.** Renewable energy generation. – The definitions in G.S. 62-133.8
37 apply to this act. If the Utilities Commission determines that a biogas, syngas, or other
38 biomass-derived renewable energy facility located in the ecocomplex renewable energy
39 demonstration park is a new renewable energy facility, the Commission shall assign triple
40 credit to any electric power or renewable energy certificates generated from renewable energy
41 resources at the biomass renewable energy facility that are purchased by an electric power
42 supplier for the purposes of compliance with G.S. 62-133.8. The triple credit shall apply only to
43 the first 20 megawatts of biogas, syngas, or other biomass-derived renewable energy facility
44 generation capacity located in all ecocomplex renewable energy demonstration parks in the
45 State.

46 **SECTION 5.** This act applies in Catawba County only.

47 **SECTION 6.** This act is effective when it becomes law.