

# Public Comment Period for Biomass Regulations Revisions

Public comment period open from May 19 until June 18

[Final Massachusetts Renewable Portfolio Standard \(RPS\) Class I regulations](#)

BOSTON – Friday, April 27, 2012 – The Massachusetts Department of Energy Resources (DOER) today released the proposed final Massachusetts Renewable Portfolio Standard (RPS) Class I regulations, which implement changes to biomass energy eligibility.

This proposed final regulation follows more than two years of evaluation, public input, and careful consideration of how best to utilize woody biomass resources for energy in a manner consistent with the Commonwealth's commitments to reduce greenhouse gas emissions and protect forests.

A draft regulation was filed in May 2011 and was the subject of two public hearings, a written public comment period, and comments from the Legislature's Joint Committee on Telecommunications, Utilities, and Energy. Based on stakeholder and committee comments, DOER has incorporated changes to prepare this proposed final regulation.

With the submission of these revisions to the draft regulations, DOER will open a 30-day public comment period from May 19 to June 18, 2012. All written comments on this proposed final regulation should be submitted electronically in PDF format by 5 p.m. on June 18, 2012 to DOER at [doer.biomass@state.ma.us](mailto:doer.biomass@state.ma.us). Any questions may be directed to [doer.biomass@state.ma.us](mailto:doer.biomass@state.ma.us).

As part of this regulation package, DOER has amended its two proposed biomass specific Guidelines - the Overall Efficiency and Greenhouse Gas Analysis Guideline and the Eligible Fuel and Certificate Guideline. These Guidelines are also open for public comment during this time frame.

Once the comment period is complete, DOER will prepare the final regulation for filing with the Massachusetts Secretary of State Office for promulgation. DOER expects to have a final regulation in place this summer.

"The proposed revisions are consistent with the Patrick-Murray Administration's commitment to the Commonwealth's clean energy goals, while protecting our economy and the health of our forests," said DOER Commissioner Mark Sylvia. "Due to the impact these proposals will have, we want to make sure we hear from all stakeholders before finalizing this regulation."

The RPS program requires all retail electricity suppliers in the Commonwealth to obtain a minimum percentage of their supply from eligible renewable energy generation sources. After passage of the Global Warming Solutions Act (GWSA), which requires the Commonwealth to reduce its greenhouse gas emissions across the economy 80 percent by 2050, DOER hired Manomet Center for Conservation Sciences to study the long term greenhouse gas implications of utilizing biomass for electrical energy generation. DOER began this regulatory process with the goal of incorporating greenhouse gas emissions requirements consistent with the GWSA as part of eligibility for the RPS. To that end, the revisions released today aid in that effort. A summary of the changes are listed below.

- Defines eligible forest-derived woody biomass fuels, including classifications as either residues or thinned trees, while ensuring sustainable forest resources, and protecting habitats and ecological functions. The determination of volume of eligible woody biomass is based on soil productivity.

- Requires all woody biomass units to achieve a 50 percent reduction in greenhouse gas emissions over 20 years as compared to a combined cycle natural gas unit.
- Establish an electronic certificate registry to track and verify carbon accounting differentiating between the carbon impacts of forest-derived residues and thinnings.
- Mandating a minimum operating efficiency of 50 percent to receive one half of a renewable energy credit (REC) with the ability to receive a full REC at an efficiency of 60 percent.
- Creates a special category of biomass units deemed to be advancing the technology that will be eligible for half-RECs at an efficiency of 40 percent.
- Requires a Forest Impact Assessment every five years to review program implementation and any impacts on forests and markets as well as an Advisory Panel to review tracking and enforcement mechanisms.