

AN ACT

1 Amending the act of November 30, 2004 (P.L.1672, No.213),
2 entitled, "An act providing for the sale of electric energy
3 generated from renewable and environmentally beneficial
4 sources, for the acquisition of electric energy generated
5 from renewable and environmentally beneficial sources by
6 electric distribution and supply companies and for the powers
7 and duties of the Pennsylvania Public Utility Commission,"
8 further providing for definitions.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. The definitions of "municipal solid waste," "Tier
12 I alternative energy source" and "Tier II alternative energy
13 source" in section 2 of the act of November 30, 2004 (P.L.1672,
14 No.213), known as the Alternative Energy Portfolio Standards
15 Act, amended July 17, 2007 (P.L.114, No.35), are amended to
16 read:

17 Section 2. Definitions.

18 The following words and phrases when used in this act shall
19 have the meanings given to them in this section unless the
20 context clearly indicates otherwise:

21 * * *

1 "Municipal solid waste." This will include energy from
2 existing waste to energy facilities, provided that the facility
3 is connected to the distribution system in this Commonwealth,
4 which the Department of Environmental Protection has determined
5 are in compliance with current environmental standards,
6 including, but not limited to, all applicable requirements of
7 the Clean Air Act (69 Stat. 322, 42 U.S.C. § 7401 et seq.) and
8 associated permit restrictions and all applicable requirements
9 of the act of July 7, 1980 (P.L.380, No.97), known as the Solid
10 Waste Management Act. The term shall not include a new or
11 expanded waste to energy facility located in a city of the third
12 class that as of January 1, 2009, had a design capacity of
13 between 2,600 and 2,900 tons per day as of January 1, 2009.

14 * * *

15 "Tier I alternative energy source." Energy derived from:

- 16 (1) Solar photovoltaic and solar thermal energy.
- 17 (2) Wind power.
- 18 (3) Low-impact hydropower.
- 19 (4) Geothermal energy.
- 20 (5) Biologically derived methane gas.
- 21 (6) Fuel cells.
- 22 (7) Biomass energy.
- 23 (8) Coal mine methane.
- 24 (9) Municipal solid waste.

25 "Tier II alternative energy source." Energy derived from:

- 26 (1) Waste coal.
- 27 (2) Distributed generation systems.
- 28 (3) Demand-side management.
- 29 (4) Large-scale hydropower.
- 30 [(5) Municipal solid waste.]

1 (6) Generation of electricity utilizing by-products of
2 the pulping process and wood manufacturing process, including
3 bark, wood chips, sawdust and lignin in spent pulping
4 liquors.

5 (7) Integrated combined coal gasification technology.

6 * * *

7 Section 2. This act shall take effect in 60 days.