

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 10

Special Session No. 1 of
2007-2008

INTRODUCED BY GORDNER, PIPPY, SCARNATI, FONTANA, DINNIMAN,
LAVALLE, WAUGH, WONDERLING, VANCE, BROWNE, GREENLEAF, STACK,
C. WILLIAMS, WASHINGTON, BOSCOLA AND PUNT, OCTOBER 22, 2007

REFERRED TO ENERGY POLICIES, OCTOBER 22, 2007

AN ACT

1 Amending the act of November 29, 2004 (P.L.1376, No.178),
2 entitled "An act relating to alternative fuels; establishing
3 the Alternative Fuels Incentive Fund; authorizing grants and
4 rebates to promote the use of alternative fuels; imposing
5 duties on the Department of Environmental Protection;
6 providing for an annual report; allocating funds collected
7 from the utilities gross receipts tax; making an
8 appropriation; abrogating regulations; and making a repeal,"
9 further providing for definitions; and providing for
10 biodiesel production incentives.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Section 2 of the act of November 29, 2004
14 (P.L.1376, No.178), known as the Alternative Fuels Incentive
15 Act, is amended by adding definitions to read:

16 Section 2. Definitions.

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

20 "Accredited laboratory." A laboratory accredited by the
21 American Society for Testing and Materials International.

1 * * *

2 "Qualified biodiesel producer." A producer of biodiesel who
3 has its principal place of business and facility for the
4 production of biodiesel fuel in this Commonwealth and is at
5 least 51% owned or operated by persons with a permanent
6 residence in this Commonwealth and who has complied with the
7 requirements of section 3.1(b).

8 * * *

9 Section 2. The act is amended by adding a section to read:
10 Section 3.1. Biodiesel production incentives.

11 (a) Incentives.--In addition to the incentives provided for
12 in section 3, the department shall pay a qualified biodiesel
13 producer an incentive for the production of biodiesel in the
14 amount of \$1 for each gallon of biodiesel sold by the producer
15 for commercial purposes. Qualified biodiesel producers may
16 receive the incentive for no more than ten million gallons per
17 calendar year. Individual producers shall not receive more than
18 \$4,000,000 in incentives annually. The incentives shall be paid
19 until December 31, 2010.

20 (b) Application.--A qualified biodiesel producer shall file
21 for the biodiesel production incentive on a monthly basis on a
22 form furnished by the department. The form shall require the
23 qualified biodiesel producer to submit proof of production of
24 the biodiesel and the number of gallons sold during the previous
25 calendar month. A producer shall also submit a certificate of
26 analysis from an accredited laboratory for every 500,000 gallons
27 of biodiesel produced showing that the biodiesel meets the
28 American Society for Testing and Materials D-6751 standard.

29 Section 3. This act shall take effect January 1, 2008, or
30 immediately, whichever is later.