S T A T E O F N E W Y O R K

7576

2015-2016 Regular Sessions

I N A S S E M B L Y

May 19, 2015

Introduced by M. of A. MAGEE -- read once and referred to the Committee on Energy

AN ACT to amend the public service law, in relation to net metering standards for municipal landfills and waste water treatment facilities

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The section heading of section 66-j of the public service law, as amended by chapter 546 of the laws of 2011, is amended to read as follows:

Net energy metering for residential solar, farm waste, non-residential solar electric generating systems, micro-combined heat and power generating equipment, fuel cell electric generating equipment, [and] micro-hydroelectric generating equipment AND WASTE FUELED ELECTRIC GENERATING EQUIPMENT AT MUNICIPAL LANDFILLS AND PUBLICLY OWNED TREATMENT WORKS.

S 2. Subdivision 1 of section 66-j of the public service law is amended by adding three new paragraphs (i), (j) and (k) to read as follows:

(I) "LANDFILL" MEANS A DISPOSAL FACILITY OR PART OF A FACILITY WHERE SOLID WASTE, AS DEFINED IN 6 NYCRR 360-1.2(A)(1), IS PLACED IN OR ON LAND, AND WHICH IS NOT A LAND TREATMENT FACILITY, A SURFACE IMPOUNDMENT, OR AN INJECTION WELL, WHICH IS OWNED OR OPERATED BY A MUNICIPAL GOVERNMENT OR BY A PUBLIC PRIVATE PARTNERSHIP ESTABLISHED UNDER SECTION ONE HUNDRED TWENTY-W OF THE GENERAL MUNICIPAL LAW.

(J) "PUBLICLY OWNED TREATMENT WORKS" MEANS A FACILITY FOR THE PURPOSE OF TREATING, NEUTRALIZING OR STABILIZING SEWAGE, INCLUDING TREATMENT OR DISPOSAL PLANTS, THE NECESSARY INTERCEPTING, OUTFALL AND OUTLET SEWERS, PUMPING STATIONS INTEGRAL TO SUCH PLANTS OR SEWERS, EQUIPMENT AND FURNISHINGS THEREOF AND THEIR APPURTENANCES WHICH IS OWNED OR OPERATED BY A MUNICIPAL GOVERNMENT OR BY A PUBLIC PRIVATE PARTNERSHIP ESTABLISHED UNDER SECTION ONE HUNDRED TWENTY OF THE GENERAL MUNICIPAL LAW.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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(K) "WASTE FUELED ELECTRIC GENERATING EQUIPMENT" MEANS EQUIPMENT THAT GENERATES ELECTRIC ENERGY FROM BIOGAS PRODUCED BY THE ANAEROBIC DIGESTION OF: WASTE, REFUSE, HOUSEHOLD OR MIXED MUNICIPAL SOLID WASTE IN A LANDFILL GAS RECOVERY FACILITY, AS DEFINED IN 6 NYCRR 360-1.2(B)(96), WASTEWATER, SLUDGE, AS DEFINED IN 6 NYCRR 360-1.2(B)(155), AND DOMESTIC SEWAGE, AS DEFINED IN 6 NYCRR 360-1.2(B)(53), THAT IS:

(I) MANUFACTURED, INSTALLED, AND OPERATED IN ACCORDANCE WITH APPLICABLE GOVERNMENT AND INDUSTRY STANDARDS;

(II) CONNECTED TO THE ELECTRIC SYSTEM AND OPERATED IN CONJUNCTION WITH AN ELECTRIC CORPORATION'S TRANSMISSION AND DISTRIBUTION FACILITIES;

(III) OPERATED IN COMPLIANCE WITH ANY STANDARDS AND REQUIREMENTS ESTABLISHED UNDER THIS SECTION;

(IV) FUELED AT A MINIMUM OF NINETY PERCENT ON AN ANNUAL BASIS BY BIOGAS PRODUCED FROM THE ANAEROBIC DIGESTION OF HOUSEHOLD OR MIXED MUNICIPAL SOLID WASTE, SLUDGE, WASTEWATER, DOMESTIC SEWAGE, AGRICULTURAL WASTE SUCH AS LIVESTOCK MANURE MATERIALS, CROP RESIDUES, AND FOOD PROCESSING WASTE;

(V) OWNED AND OPERATED BY A MUNICIPAL GOVERNMENT OR BY A PUBLIC PRIVATE PARTNERSHIP ESTABLISHED UNDER SECTION ONE HUNDRED TWENTY-W OF THE GENERAL MUNICIPAL LAW.

S 3. This act shall take effect immediately.