

STATE OF NEW YORK

22

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

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:

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

4 Net energy metering for residential solar, farm waste, non-residential
5 solar electric generating systems, micro-combined heat and power gener-
6 ating equipment, fuel cell electric generating equipment, [~~and~~] micro-
7 hydroelectric generating equipment and waste fueled electric generating
8 equipment at municipal landfills and publicly owned treatment works.

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

12 (i) "Landfill" means a disposal facility or part of a facility where
13 solid waste, as defined in 6 NYCRR 360-1.2(a)(1), is placed in or on
14 land, and which is not a land treatment facility, a surface impoundment,
15 or an injection well, which is owned or operated by a municipal govern-
16 ment or by a public private partnership established under section one
17 hundred twenty-w of the general municipal law.

18 (j) "Publicly owned treatment works" means a facility for the purpose
19 of treating, neutralizing or stabilizing sewage, including treatment or
20 disposal plants, the necessary intercepting, outfall and outlet sewers,
21 pumping stations integral to such plants or sewers, equipment and
22 furnishings thereof and their appurtenances which is owned or operated

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

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1 by a municipal government or by a public private partnership established
2 under section one hundred twenty of the general municipal law.

3 (k) "Waste fueled electric generating equipment" means equipment that
4 generates electric energy from biogas produced by the anaerobic
5 digestion of: waste, refuse, household or mixed municipal solid waste
6 in a landfill gas recovery facility, as defined in 6 NYCRR
7 360-1.2(b)(96), wastewater, sludge, as defined in 6 NYCRR
8 360-1.2(b)(155), and domestic sewage, as defined in 6 NYCRR
9 360-1.2(b)(53), that is:

10 (i) manufactured, installed, and operated in accordance with applica-
11 ble government and industry standards;

12 (ii) connected to the electric system and operated in conjunction with
13 an electric corporation's transmission and distribution facilities;

14 (iii) operated in compliance with any standards and requirements
15 established under this section;

16 (iv) fueled at a minimum of ninety percent on an annual basis by
17 biogas produced from the anaerobic digestion of household or mixed
18 municipal solid waste, sludge, wastewater, domestic sewage, agricultural
19 waste such as livestock manure materials, crop residues, and food proc-
20 essing waste;

21 (v) owned and operated by a municipal government or by a public
22 private partnership established under section one hundred twenty-w of
23 the general municipal law.

24 § 3. This act shall take effect immediately.