

## CHAPTER 76

AN ACT

SB 38

Relating to treatment of renewable energy certificates issued for the generation of thermal energy; amending ORS 469A.132.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 469A.132 is amended to read: 469A.132. **(1)** If a facility that generates electricity using biomass also generates thermal energy for a secondary purpose, the State Department of Energy, *as part of the system established under ORS 469A.130,* shall provide that renewable energy certificates must be issued for the generation of the thermal energy. **Notwithstanding the definition of “qualifying electricity” in ORS 469A.005 or any other provision of law stating or implying that a renewable portfolio standard may be complied with only through the generation of electricity, renewable energy certificates for thermal energy:**

**(a) Shall be provided for pursuant to this subsection as part of the system established under ORS 469A.130;**

**(b) Shall be subject to the same requirements for issuance, transfer and use as all other renewable energy certificates created pursuant to the system established under ORS 469A.130; and**

**(c) May be used to comply with a renewable portfolio standard if:**

**(A) The facility that generates the thermal energy for which the renewable energy certificate is issued meets the requirements of ORS 469A.020 and 469A.135 for the electricity generated using biomass at the facility; and**

**(B) Consistent with the provisions of ORS 469A.025 (3), the thermal energy is not generated through the combustion of wood that has been treated with chemical preservatives such as creosote, pentachlorophenol or chromated copper arsenate.**

**(2) For purposes of issuing renewable energy certificates under this section, 3,412,000 British thermal units are equivalent to one megawatt-hour.**

Approved by the Governor May 6, 2019

Filed in the office of Secretary of State May 8, 2019

Effective date January 1, 2020