



# nererj

## **Massachusetts issues final proposed regulations for Woody Biomass**

May 24, 2012 - Green Buildings

In late April, the Patrick Administration issued its proposed final regulations for amendments to the Renewable Energy Portfolio Standard (REPS) for Woody Biomass, to be codified at 225 Code of Massachusetts Regulations 14.00. Although initially issued as draft regulations in May of 2011, the Massachusetts Department of Energy Resources (DOER) released the proposed final regulations for a final 30-day comment period, after which they are promised to be finalized. The regulations address the future of biomass energy development in relation to forest products. The regulations address: carbon accounting, biomass fuel certificates and a biomass certificate registry, eligible forest biomass and residue retention (including residues and thinnings), overall efficiency criterion, annual compliance of generation units and provisions for under-compliance (including a fee to be sent to the Massachusetts Clean Energy Center), and treatment of previously qualified biomass units. The regulations propose to: extend the deadlines for compliance to 2016, allow for "half REC" credit in order to increase the overall efficiency and to encourage the development of biomass units that demonstrate conversion of biomass to energy, revise the definition of forest salvage, and expand the criteria for materials removed from a forest harvest operation depending upon soil quality. The ultimate goals of the regulations are to reduce greenhouse gas emissions while encouraging the development of advances in conversion of biomass to energy.

Susan Bernstein is an attorney at law, Needham, Mass.

New England Real Estate Journal - 17 Accord Park Drive #207, Norwell MA 02061 - (781) 878-4540