



General Assembly

February Session, 2024

Substitute Bill No. 5440



AN ACT CONCERNING LIFECYCLE GREENHOUSE GAS EMISSIONS OF BIOFUELS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 22a-200b of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2024*):

4 (a) The Commissioner of Energy and Environmental Protection shall,
5 with the advice and assistance of a nonprofit association organized to
6 provide scientific, technical, analytical and policy support to the air
7 quality and climate programs of northeastern states: (1) Not later than
8 December 1, 2009, publish an inventory of greenhouse gas emissions to
9 establish a baseline for such emissions for the state and publish a
10 summary of greenhouse gas emission reduction strategies on the
11 Department of Energy and Environmental Protection's Internet web
12 site, (2) not later than July 1, 2010, publish results of various modeling
13 scenarios concerning greenhouse gas emissions, including, but not
14 limited to, an evaluation of the potential economic and environmental
15 benefits and opportunities for economic growth based on such
16 scenarios, (3) not later than July 1, 2011, analyze greenhouse gas
17 emission reduction strategies and, after an opportunity for public
18 comment, make recommendations on which such strategies will achieve
19 the greenhouse gas emission levels specified in section 22a-200a, and (4)
20 not later than July 1, 2012, and every three years thereafter, develop,

21 with an opportunity for public comment, a schedule of recommended
22 regulatory actions by relevant agencies, policies and other actions
23 necessary to show reasonable further progress towards achieving the
24 greenhouse gas emission levels specified in section 22a-200a. On and
25 after October 1, 2024, any report or inventory that the commissioner
26 publishes pursuant to this section that analyzes or models greenhouse
27 gas emissions shall measure lifecycle greenhouse gas emissions using
28 the Argonne National Laboratory's greenhouse gases, regulated
29 emissions, and energy use in technologies model, or a successor model.

30 Sec. 2. Section 22a-200d of the general statutes is repealed and the
31 following is substituted in lieu thereof (*Effective October 1, 2024*):

32 In order to achieve the emission reduction requirements established
33 in section 22a-200a, the state shall implement the following:

34 (1) The Department of Energy and Environmental Protection shall
35 monitor the development of low-carbon fuel standards in other states or
36 jurisdictions, evaluate the potential of any such standard to achieve net
37 carbon reductions, and [assess whether the analytical framework used
38 to determine the carbon benefit measures] analyze the full lifecycle of
39 greenhouse gas emissions, including direct and indirect emissions of
40 greenhouse gas caused by changes in land use or other factors. [Such
41 assessment] The department shall [include, but not be limited to, the
42 modeling tools developed by the California Air Resources Board and
43 the United States Environmental Protection Agency. The analytical
44 framework used to measure actual lifecycle greenhouse gas emissions
45 for fuel shall include all stages of fuel and feedstock production,
46 delivery and use of the finished fuel to the ultimate consumer, and shall
47 adjust the mass values for all greenhouse gas emissions relative to such
48 emissions' relative global warming potential] perform such analysis
49 using the Argonne National Laboratory's greenhouse gases, regulated
50 emissions, and energy use in technologies model, or a successor model.

51 (2) The Department of Transportation shall, within available
52 appropriations, continue to investigate the potential for improvements

53 to the state's transportation system that will reduce greenhouse gas
54 emissions and coordinate with the northeastern states on regional
55 strategies to incorporate greenhouse gas emission reductions into
56 regional transportation planning, including, but not limited to, high
57 speed rail, light-rail passenger service and freight rail service within the
58 northeast region.

59 (3) The Department of Energy and Environmental Protection may
60 work with interested states and Canadian provinces to develop and
61 implement market-based compliance mechanisms to achieve the
62 greenhouse gas levels and limits established by section 22a-200a,
63 including, but not limited to, cap and trade programs.

64 Sec. 3. Subsection (e) of section 16a-3d of the general statutes is
65 repealed and the following is substituted in lieu thereof (*Effective October*
66 *1, 2024*):

67 (e) For the Comprehensive Energy Strategy next approved after
68 October 1, [2021] 2024, and every Comprehensive Energy Strategy
69 prepared thereafter, the Commissioner of Energy and Environmental
70 Protection shall consider: (1) [the] The reductions in greenhouse gas
71 emissions resulting from the use of low-carbon fuel blends [used] in
72 home heating oil, as measured on a [life-cycle] lifecycle basis [,] using
73 the Argonne National Laboratory's greenhouse gases, regulated
74 emissions, and energy use in technologies model, or a successor model;
75 (2) possible contributions to the state's greenhouse gas emissions
76 mandated levels, pursuant to section 22a-200a, in connection with the
77 reduction of greenhouse gas emissions on a [life-cycle] lifecycle basis; [,]
78 (3) the ability of a thermal portfolio standard to further reductions in
79 greenhouse gas emissions, as measured on a [life-cycle] lifecycle basis [,
80 and (4)] using the Argonne National Laboratory's greenhouse gases,
81 regulated emissions, and energy use in technologies model, or a
82 successor model; and (4) five-year, ten-year and twenty-year projections
83 that compare the relative value of [the] (A) reductions in greenhouse gas
84 emissions [on a life-cycle basis] achieved by biodiesel and other low-
85 carbon fuel blends currently used [currently] in the state, [compared

