

SENATE No. 2197

The Commonwealth of Massachusetts

PRESENTED BY:

Eric P. Lesser

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to prevent biomass energy to protect the air we breathe.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>	
<i>Adam Gomez</i>	<i>Hampden</i>	
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>	
<i>Orlando Ramos</i>	<i>9th Hampden</i>	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	
<i>Jacob R. Oliveira</i>	<i>7th Hampden</i>	<i>2/25/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/25/2021</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>3/9/2021</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>3/16/2021</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>3/17/2021</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>3/30/2021</i>

SENATE No. 2197

By Mr. Lesser, a petition (accompanied by bill, Senate, No. 2197) of Eric P. Lesser, Adam Gomez, Jay D. Livingstone, Orlando Ramos and other members of the General Court for legislation to prevent biomass energy to protect the air we breathe. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act to prevent biomass energy to protect the air we breathe.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 11F of Chapter 25A of the general laws, as so appearing in the
2 2018 official edition, is hereby amended:

3 In line 40, by striking out the word “biomass”;

4 In line 41 by striking out the word “wood”;

5 In lines 47 to 49 by striking out the phrase “The department may also consider any
6 previously operational biomass facility retrofitted with advanced conversion technologies as a
7 renewable energy generating source.”;

8 In line 81, by striking out the word “biomass”;

9 In line 82, by striking out the word “wood”;

10 In line 114, by striking out the word “biomass”;

11 In line 115, by striking out the word “wood”; and

12 In line 145, by inserting after the word “gas” the following phrase “, woody biomass,”

13 SECTION 2. Section 11F½ of Chapter 25A of the general laws, as so appearing in the
14 2018 official edition, is hereby amended:

15 In line 16, by striking out the word “biomass”;

16 In line 23-25 by striking out the phrase “provided, however, that facilities using biomass
17 fuel shall be low emission, use efficient energy conversion technologies and fuel that is produced
18 by means of sustainable forestry practices;”;

19 In line 33 by inserting after the words, “wood and”, in line 13, the following phrase “; (F)
20 biomass;

21 In line 33 by replacing the phrase “(F)” with (H)”.

22 In lines 36-37 by striking out the phrase “eligible biomass”;

23 In line 41 by striking out the phrase “eligible biomass”;

24 In line 47 by striking out the phrase “eligible biomass”;

25 In line 50 by inserting after the word, “feasible;”, the following word “and”;

26 In line 50 by striking out the phrase “eligible biomass”;

27 In line 52 by deleting “;” after the word “technologies” and replacing with “.”; and

28 In lines 52-58 by striking out the phrase “ and (v) in consultation with the department of
29 conservation and recreation, for forest-derived biomass, requirements that fuel shall be provided

30 by means of conservation and recreation, for forest-derived biomass, requirements that fuel shall
31 be provided by means of sustainable forestry practices; provided, however, that the department
32 shall adopt any existing or new biomass fuel sustainability standards if deemed appropriate by
33 the department after a public comment process.”

34 SECTION 3. This act shall take effect upon enactment and apply to any facility that
35 begins commercial operation after December 31, 2020, or any existing facility that increases its
36 generating capacity, or any facility which modifies its fuel feedstock to include wood-derived
37 biomass, after December 31, 2020.