



Green-e Renewable Energy Certification Program *2nd Electronic Comment Ballot*

Date of 2nd Ballot: October 5, 2005
Comment Due Date: October 19, 2005
Response Recipient: Siobhan Doherty
Response Options: E-mail (preferred) to siobhan@resource-solutions.org

**Facsimile to (415) 561-2105
U.S. mail to address provided below**

Introduction

Please review the issues presented in the attached *2nd Comment Period Background Document* and the comments received on each issue in the attached *Summary of Stakeholder Comments*.

Please use this comment ballot to provide recommendations to Green-e on the following three issues:

1. Coal co-firing;
2. Municipal solid waste as an eligible resource; and
3. New renewables.

Only comments received on this ballot will be considered official comments.

All comments will be posted to the Green-e Web site.

Contact Information

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Item 1: Municipal Solid Waste

Standard as Proposed on August 10, 2005

Combustion of municipal solid waste is specifically excluded.

Staff Recommendation

1. Allow gasification of MSW for facilities that meet the following criteria. Third-party verification that a facility has met these criteria is required in order for the electricity or RECs from a facility to be used in a Green-e certified product. The California Energy Commission can provide this in California or TerraChoice can provide this service in other states. Facilities may also petition Green-e to allow an alternative third-party to perform this verification

Solid Waste Conversion Facilities: A facility that uses a non-combustion thermal process to convert MSW to a clean burning fuel that is then used to generate electricity is eligible if it meets all of the following criteria:

- a. The technology does not use air or oxygen in the conversion process, except ambient air to maintain temperature control.
- b. The technology produces no discharges of air contaminants or emissions, including greenhouse gases.
- c. The technology produces no discharges to surface or groundwaters.
- d. The technology produces no hazardous wastes.
- e. To the maximum extent feasible, the technology removes all recyclable materials and marketable green waste compostable materials from the solid waste stream prior to the conversion process and the owner or operator of the facility certifies that those materials will be recycled or composted.
- f. The facility at which the technology is used complies with all applicable laws, regulations, and ordinances.

Which do you support?

- Standard as proposed on August 10, 2005
- Staff recommended revision
- Other (Please explain below)

Comment:

Center for Resource Solutions Green-e Renewable Energy Certification Comments:
Item 1: Municipal Solid Waste

The Blue Ridge Environmental Defense League offers these comments in support of the **Standard as Proposed on August 10, 2005** and in opposition to the staff recommendation for municipal solid waste gasification.

The Center for Resource Solutions (CRS) staff recommendation to certify municipal solid waste as a Green-e certified renewable energy resource and gasification/incineration as a renewable energy technology must be rejected. Heating materials in the absence of oxygen (gasification) instead of burning them in the presence of oxygen (incineration) does nothing to reduce the fact that valuable resources, and the energy already invested in those resources, are destroyed in the process. The electricity produced can never replace the energy required to replace those resources.

CRS offers this Green-e definition for "renewable": "A resource is called renewable if it can be naturally replenished." Municipal solid waste does not meet this very basic requirement. It is not "naturally replenished", but results instead from the absence of any natural recycling process. The waste to energy gasification operation differs little from the landfill. Both promote wasting; both cause pollution.

Certification (by the facility owner) of the recovery of "recyclable and marketable green waste compostable materials" before gasification/incineration provides cover for the abuse of local recycling and waste diversion programs. The large investments required for waste to energy infrastructure demand large volumes of "waste" materials for fuel. Community based recycling programs will come under pressure and find themselves in competition with a subsidized waste to energy plant.

Green-e already certifies landfill gas as "renewable" energy. That unfortunate position has justified the disposal of organics into landfills resulting in the release of unnecessary greenhouse gas emissions. Certifying gasification/incineration for the generation of electricity moves Green-e even further from its goals to promote renewable energy and minimize greenhouse gas pollution.

We urge rejection of the staff recommendation and approve adoption of the **Standard as Proposed on August 10, 2005 "Combustion of municipal solid waste is specifically excluded."**

Item 2: Coal Co-Firing

Standard as Proposed on August 10, 2005

Allows biomass co-firing with natural gas if the biomass portion is separately metered and there are contracts in place to verify that the biomass was converted to electricity. The standard does not reference coal co-firing.

Staff Recommendation

1. Allow co-firing of biomass with non-renewables as long as the biomass meets all Green-e requirements and is supported by a generation tracking system (i.e. NEGIS, PJM-GATS, WREGIS). The tracking system would be able to accurately account for the coal and biomass inputs and outputs from a facility.

-OR-

2. Allow co-firing of gaseous biomass with non-renewables if the biomass portion is separately metered and there are contracts in place to verify that the biomass portion was converted to electricity.

Which do you support?

- Standard as proposed on August 10, 2005
- Staff recommended revision
- Other (Please explain below)

Also, please comment on the following:

1. Should Green-e require that a minimum or maximum percentage come from biomass resources?
2. Should Green-e limit co-firing to natural gas and coal, or should co-firing be open to any non-renewable fuel?

Comment:

Item 3: New Renewables

Standard as Proposed on August 10, 2005

Only new renewables are eligible to meet Green-e standards. The term "new" is defined to include any eligible renewable facility beginning operation or repowered after June 3, 1999 (the day that Executive Order 13123 was issued). Facilities used to supply a Green-e certified product prior to 2006 will be allowed to continue in the program until their renewable energy contracts with the renewable energy marketer or participating utility expire. For further information, see Appendix A.

An eligible new renewable generation facility must either be:

- (1) Placed in operation (generating electricity) on or after June 3, 1999;
- (2) Repowered on or after June 3, 1999 such that at 80% of the fair market value of the project derives from new generation equipment installed as part of the repowering;
- (3) A separable improvement to or enhancement of an existing operating facility that was first placed in operation prior to June 3, 1999, such that the proposed incremental generation is contractually available for sale and metered separate from the existing generation at the facility;
- (4) A 100% switch from a non-eligible fuel to an eligible fuel. The facility must continuously use the eligible fuel and cannot switch back and forth between eligible and non-eligible fuels. Facilities using de minimis amounts of non-eligible fuels are eligible; or
- (5) A separately metered landfill gas resource that was not being used to generate electricity prior to June 3, 1999.

Any enhancement of fuel source that increases generation at an existing facility, without the construction of a new or repowered, separately metered generating unit, is not eligible to participate, with the exception of new landfill gas resources identified in (5) above. An eligible "new renewable" must qualify as an "eligible renewable resource" as described herein.

Staff Recommendation

1. Replace the first paragraph of the standard as proposed on August 10, 2005, (above) with the following:

Only new renewables are eligible to meet Green-e standards. The term "new" is defined to include any eligible renewable facility beginning operation after January 1, 1997. Green-e would like to maintain consistency in the voluntary market between the EPA's Green Power Partnership and the Green-e program.

We feel that the benefit of moving to a 100% new renewable standard and maintaining consistency with the Green Power Partnership far outweigh any perceived drawbacks to changing the new date to January 1, 1997 in some regions.

In addition, replace any reference to June 3, 1999 throughout the proposal with January 1, 1997.

2. In addition, Green-e is considering requiring criteria to demonstrate that a facility was created to serve the voluntary market and was not created to serve the rate base. This criteria would be in addition to the 1997 new date. Green-e received several comments requesting that we revise the new policy to better reflect the intent behind the policy, which is to differentiate between facilities that were built to serve the voluntary market and those facilities that were built for other purposes (Renewable Portfolio Standards, other mandates, etc.). As you know, under current standards and the standard proposed on August 10, 2005, Green-e excludes certain facilities from eligibility for our "new" renewables definition, based on the year the facility was put online and other criteria, such as whether the facility is being used to meet a renewable energy mandate. We received many comments indicating that relying primarily on a date to determine what is "new" can be considered arbitrary, and that our criteria discerning what facilities were mandated may require further specification. We are soliciting your suggestions for appropriate verifiable criteria that could be used to support this policy and determine which facilities should qualify for Green-e as "new" and which should not.

Which do you support?

- Standard as proposed on August 10, 2005
- New date of January 1, 1997
- New date of January 1, 1997 plus criteria to demonstrate that the facility was built to serve the voluntary market (Please explain and provide recommendations for accurate verifiable criteria below)
- Other (Please explain below)

Comment: