

2022 Regular Session

HOUSE BILL NO. 708

BY REPRESENTATIVE MCFARLAND

ENERGY: Defines biomass as it relates to the Louisiana Renewable Energy Development Act

1 AN ACT

2 To enact R.S. 51:3061(3) and (4) and 3062(6) and (7), relative to the Louisiana Renewable
3 Energy Development Act; to provide for legislative findings; to define the term
4 "biomass"; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 51:3061(3) and (4) and 3062(6) and (7), are hereby enacted to read
7 as follows:

8 §3061. Legislative findings

9 The legislature hereby finds and declares that:

10 * * *

11 (3) Energy produced from forest products' manufacturing bioenergy
12 feedstocks shall be considered renewable and carbon neutral.

13 (4) Energy produced from agricultural harvesting, including bagasse
14 produced from sugarcane processing shall be considered renewable and carbon
15 neutral.

16 §3062. Definitions

17 As used in this Chapter, the following words ~~and phrases shall have the~~
18 ~~meaning ascribed to them in this Section, unless the context clearly indicates~~
19 ~~otherwise:~~ have the following meanings:

20 * * *

1 (6) "Biomass" means forest products' manufacturing bioenergy feedstocks,
2 which may include but not be limited to the following:

3 (a) Forest products' manufacturing residuals, including but not limited to
4 spent pulping liquors, pulping by-products, woody manufacturing residuals, paper
5 recycling residuals, wastewater and process water treatment plant residuals, and
6 anaerobic digester biogas.

7 (b) Harvest residues, including trees or portions of harvested trees that are
8 too small or of too poor quality to be utilized for wood products or paper products.

9 (c) Downed wood from extreme weather events and natural disasters,
10 nonhazardous landscape or right-of-way trimmings and municipal trimmings, and
11 plant material removed for purposes of invasive or noxious plant species control;
12 biowaste, including landfill gas.

13 (d) Forest biomass derived from residues created as a by-product of timber
14 harvesting, including but not limited to low-value wood, treetops, and tree limbs.

15 (e) Forest management activities conducted for stand improvement or to
16 increase yield, ecological restoration, or to maintain or enhance forest health
17 including but not limited to hazardous fuels reduction.

18 (f) Biomass materials recognized by the United States Environmental
19 Protection Agency as fuels under 40 CFR Part 241.4.

20 (g) Other used wood products, such as crates or pallets.

21 (7) Sugarcane bagasse biomass" or "bagasse biomass" means the solid,
22 heterogeneous, fibrous agricultural waste that remains after extracting the liquid
23 from sugarcane stalks, which may include but is not limited to the following:

24 (a) Biomass derived from factory bagasse which is obtained from the
25 industrial extraction process and contains only trace amounts of the sugarcane liquid.

26 (b) Biomass derived from pressed cane stalks or farm bagasse which is
27 obtained from on-farm or small factory extraction and contains higher amounts of
28 sugarcane liquid.

- 1 (c) Dewatered pulp derived from bagasse and recognized by the United
 2 States Environmental Protection Agency as fuels under 40 CFR Part 241.4.
-

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 708 Engrossed

2022 Regular Session

McFarland

Abstract: Provides for legislative findings and defines "biomass" within the Louisiana Renewable Energy Development Act.

Proposed law provides that the legislature finds and declares energy produced from forest products' manufacturing bioenergy feedstocks and energy produced from sugarcane bagasse are considered renewable and carbon neutral.

Proposed law defines "biomass" as any forest products' manufacturing bioenergy feedstocks, which may include but not be limited to the following:

- (a) Forest products' manufacturing residuals, including but not limited to spent pulping liquors, pulping by-products, woody manufacturing residuals, paper recycling residuals, wastewater and process water treatment plant residuals, and anaerobic digester biogas.
- (b) Harvest residues, including trees or portions of harvested trees that are too small or of too poor quality to be utilized for wood products or paper products;
- (c) Downed wood from extreme weather events and natural disasters, nonhazardous landscape or right-of-way trimmings and municipal trimmings, and plant material removed for purposes of invasive or noxious plant species control; biowaste, including landfill gas.
- (d) Forest biomass derived from residues created as a by-product of timber harvesting, including but not limited to low-value wood, treetops, and tree limbs.
- (e) Forest management activities conducted for stand improvement or to increase yield, ecological restoration, or to maintain or enhance forest health including but not limited to hazardous fuels reduction.
- (f) Biomass materials recognized by the U.S. Environmental Protection Agency as fuels under 40 CFR Part 241.4.
- (g) Other used wood products, such as crates or pallets.

Proposed law defines "sugarcane bagasse biomass" or "bagasse biomass" as the solid waste that remains after the extraction of sugarcane liquid from the stalks and includes but is not limited to the following:

- (a) Biomass from factory bagasse obtained from industrial sugarcane processing and which contains only trace amounts of sugarcane liquid.
- (b) Biomass from farm bagasse obtained from on-farm or small factory processing and which contains a higher amount of sugarcane liquid.

- (c) Dewatered pulp derived from bagasse and recognized by the U.S. Environmental Protection Agency as fuels under 40 CFR Part 241.4.

(Adds R.S. 51:3061(3) and (4) and 3062(6) and (7))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Make technical changes.
2. Add to the legislative findings that energy from agricultural harvesting, including bagasse from sugarcane processing, is required to be considered renewable and carbon neutral.
3. Define "sugarcane bagasse biomass" as the solid waste from sugarcane processing, including factory bagasse from industrial processing, farm bagasse from on-farm or small factory processing, and dewatered pulp from bagasse and recognized in federal present law.