

# Missouri Renewable Energy Standard Facility Eligibility Certification Application Guide

This document may be used as a general guide to apply for a certification of facility eligibility for the Missouri Renewable Energy Standard (RES). It provides relevant statutes, rules, and information related to the application, as well as an application form. The form may be used to apply for a Certification of Renewable Energy Generation Facility through the Missouri Division of Energy.

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### **Section 1) Section 393.1030 RSMo.**

- Section 393.1030 2. RSMo
  - o The commission, in consultation with the department and within one year of November 4, 2008, shall select a program for tracking and verifying the trading of renewable energy credits.
    - *This program is the North American Renewables Registry (NAR), which is run by APX.*
- Section 393.1030 4. RSMo.
  - o Certification criteria for renewable energy generation shall be determined by factors that include fuel type, technology, and the environmental impacts of the generating facility. Renewable energy facilities shall not cause undue adverse air, water, or land use impacts, including impacts associated with the gathering of generation feedstocks. If any amount of fossil fuel is used with renewable energy resources, only the portion of electrical output attributable to renewable energy resources shall be used to fulfill the portfolio requirements.

### **Section 2) Missouri Eligibility vs. NAR Verification**

- The Division of Energy (DE) is not the entity responsible for quantifying, certifying, or verifying the actual renewable energy certificates/credits (RECs) produced by a facility or project. This is the function of the REC tracking system administrators, professional engineers, qualified reporting entities, the Missouri Public Service Commission (PSC), and other qualified professionals. The generator or its associated North American Renewables Registry (NAR) Account Holder must submit to NAR supporting documentation related to the derivation of the proportion of electric output per Fuel Type for each period for which the generator or Account Holder is issued Certificates. The NAR Administrator will require copies of such calculations, and supporting documentation may be subject to audit by the NAR Administrator, state regulators, qualified reporting entities, certification organizations or their agents. In addition, upon registration, all Multi-fuel Generators must submit to the NAR Administrator a report prepared by an independent professional engineer containing documentation for measuring and verifying the quantities of each Fuel Type, the net heat content of each fuel source, and the heat rate, if applicable.
- These reporting requirements are outside of the purview of DE's Certification. DE's Certification provides NAR a layer of assurance that a facility is a source of renewable energy, but that amount is not audited by DE. A Certification issued by DE may reference a nameplate capacity of a facility, but such a reference does not necessarily establish the actual proportion of the facility's capacity dedicated strictly to renewable energy generation that is eligible for issuance of RECs. DE's Certification may not be misconstrued as what is required of a facility or utility to be issued RECs for generation, or as an alternative to the reporting requirements and avenues necessary to achieve asset verification and issuance of RECs by NAR or the relevant REC tracking system. Regardless, an entity submitting an Application to DE should provide information regarding the derivation of the renewable proportion of electric output and the associated generation for the facility. The provision of such information may be required as part of

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DE's Certification process, but does not establish an amount of RECs to be issued for purposes of compliance with the Missouri Renewable Energy Standard (RES).

- It is required for all facilities or projects that produce RECs used for compliance with the Missouri RES, that the utility or facility receive a Certification of Renewable Energy Generation Facility from DE. This certification confirms that the facility is a source of renewable energy and may be flagged as Missouri-eligible in NAR, but is unrelated to deriving the actual amount of RECs generated at a facility from the portion of electrical output attributable to only the renewable energy resource. As described above, it is the responsibility of other entities involved in the transfer and sale of RECs to ensure the quality and quantity of RECs is accurate and documented appropriately.
- DE's Certification may not be used as justification for any determined quantity of RECs, or as a substitute to the necessary procedures and steps involved in the actual creation, evaluation, measurement, and verification of RECs. The purpose of DE's Certification is to ensure some amount of energy produced at a facility is classifiable as one of the eligible renewable energy resources defined under 10 CSR 140-8.010, and to ensure the generation has not caused and will not cause undue adverse air, water, or land use impacts, including impacts associated with the gathering of generation feedstocks.

### **Section 3) 10 CSR 140-8.010**

- 10 CSR 140-8.010 (2) Eligible Renewable Energy Resources
  1. Wind
  2. Solar thermal sources or solar photovoltaic cells and panels
  3. Dedicated crops grown for energy production—herbaceous and woody crops that are harvested specifically for energy production in a sustainable manner
  4. Cellulosic agricultural residues— organic matter remaining after the harvesting and processing of agricultural crops. They include—
    - A. Field residues, which are organic materials left on agricultural lands after the crops have been harvested, such as stalks, stubble, leaves, and seed pods; and
    - B. Process residues, which are organic materials left after the crops have been processed into a usable resource, such as husks, seeds, and roots
  5. Plant residues—the residues of plants that would be converted into energy, that otherwise would be waste material
  6. Clean and untreated wood—non-hazardous wood 1) that has not been chemically treated with chemical preservatives such as creosote, pentachlorophenol, or chromated copper arsenate; and 2) that does not contain resins, glues, laminates, paints, preservatives, or other treatments that would combust or off-gas, or mixed with any other material that would burn, melt, or create other residue aside from wood ash.
    - A. Eligible clean and untreated wood may include, but is not necessarily limited to, the following sources:
      - (I) Forest-related resources, such as pre-commercial thinnings waste, slash (tree tops, branches, bark, or other residue left on the ground after logging or other forestry operations), brush, shrubs, stumps, lumber ends, trimmings, yard waste, dead and downed forest products,

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- and small diameter forest thinnings (twelve inches (12") in diameter or less);
- (II) Non-chemically treated wood and paper manufacturing waste, such as bark, trim slabs, scrap, shavings, sawdust, sander dust, and pulverized scraps;
  - (III) Vegetation waste, such as landscape waste or right-of-way trimmings;
  - (IV) Wood chips, pellets, or briquettes derived from non-toxic and unadulterated wood wastes or woody energy crops;
  - (V) Municipal solid waste, construction and demolition waste, urban wood waste, and other similar sources only if wood wastes are segregated from other solid wastes or inorganic wastes; and
  - (VI) Other miscellaneous waste, such as waste pellets, pallets, crates, dunnage, scrap wood, tree debris left after a natural catastrophe, and recycled paper fibers that are no longer suitable for recycled paper production.
- B. Ineligible clean and untreated wood may include, but is not necessarily limited to, the following sources:
- (I) Post-consumer wastepaper;
  - (II) Wood from old growth forests (one hundred fifty (150) years old or older); and
  - (III) Unsegregated solid waste;
7. Methane from landfills, wastewater treatment, or agricultural operations. Agricultural operations are defined as 1) the growing or harvesting of aquatic plants or agricultural crops grown in soil; or 2) the raising of animals for the purpose of making a profit, providing a livelihood, or conducting agricultural research or instruction. Wastewater treatment is defined as physical, chemical, biological, and mechanical procedures applied to an industrial or municipal discharge or to any other sources of contaminated water to remove, reduce, or neutralize contaminants;
  8. Hydropower, not including pumped storage, that does not require a new diversion or impoundment of water and that each generator has a nameplate rating of ten megawatts (10 MW) or less. If an improvement to an existing hydropower facility does not require a new diversion or impoundment of water and incrementally increases the nameplate rating of each generator, up to ten megawatts (10 MW) per generator, the improvement qualifies as an eligible renewable energy resource;
  9. Fuel cells using hydrogen produced by one (1) of the above-named renewable energy resources. RECs based on generating electricity in fuel cells from hydrogen derived from an eligible energy resource are eligible for compliance purposes only to the extent that the energy used to generate the hydrogen did not create RECs;
  10. Products from thermal depolymerization or pyrolysis of waste material. Waste materials are specifically segregated materials from a waste stream for the purpose of producing energy or that are capable of producing energy. Pyrolysis is a thermochemical process through which organic matters are decomposed at elevated temperatures in an oxygen-deficient atmosphere into useful energy forms. Thermal depolymerization is the thermal decomposition (hydrous pyrolysis process) of organic compounds heated to high temperatures in the presence of water resulting in liquid oil; or

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11. Other sources of energy, not including nuclear, that may become available after November 4, 2008, and are certified as eligible renewable energy resources as provided in section (3) of this rule.

- *An application sent to DE for certification of a renewable energy facility should be structured/organized in a manner that corresponds with 10 CSR 140-8.010(4)(C)3.A. – E (see below and application form). The application must include statements complying with 10 CSR 140-8.010(4)(C)3.D.(I)-(VI) and an attestation required by 10 CSR 140-8.010(4)(C)3.E.*
- 10 CSR 140-8.010 (4) Certification of Renewable Energy Generation Facilities and Environmental Impact.
  - (C) Certification Review Process.
    1. Certification reviews will be conducted by the department for renewable energy generation facilities upon application.
    2. The certification review shall consider the eligibility of energy sources used by the facility to generate electricity. A determination will be made by the department as to whether the generation has caused or will cause undue adverse air, water, or land use impacts, including impacts associated with the gathering of generation feedstocks.
    3. The certification review process may be initiated by an electric utility or by a facility by submitting an application for certification to the department. The department shall consider all such applications for certification and shall conduct a certification review process in response to all properly completed petitions. An application for certification must include:
      - A. A detailed technical description of energy sources, including fuel type, technology, and expected operating specifications, used by the facility to generate electricity and their conformity with the eligible renewable energy resources listed in section (2) and additional renewable energy resources certified by the department pursuant to section (3);
      - B. If any amount of fossil fuel is used in the generation process, a description of agreements or systems in place that assure sufficient data will be available to determine the portion of electrical output attributable to only the renewable energy resource;
      - C. An assessment of the facility’s air, water, or land use impacts, including impacts associated with the gathering of generation feedstocks. An assessment shall include, but is not limited to, demonstrating compliance with permits and agricultural and forestry best management practices, such as the “Missouri Woody Biomass Harvesting—Best Management Practices Manual” guidelines published by the Missouri Department of Conservation, found online at: <http://mdc4.mdc.mo.gov/Documents/18043.pdf>, if applicable, and verification of compliance from a Missouri professional forester, if applicable. This assessment shall also include information concerning

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any applications for approvals or permits, or reviews or investigations by governmental entities with regard to environmental impacts;

- D. The application for certification shall also state the following:
- (I) That the electric utility or facility will obtain and/or maintain all applicable environmental permits required by the department;
  - (II) That the facility is and will remain in substantial compliance with all federal and state air, water, and land environmental laws, regulations, and rules, and that the applicant will report to the department any instance in which the applicant or any member of its board of directors or principals is determined by any administrative agency or any court in connection with any judicial proceeding to be in noncompliance with any federal or state air, water, and land environmental laws, regulations, and rules, such report to be submitted within ten (10) working days following such determination;
  - (III) That the electric utility applicant will timely file its Annual RES Compliance Report with the commission pursuant to section 393.1030.2(3), RSMo;
  - (IV) That the utility will submit additional information that the department may require for its review of the facility's energy sources and environmental impact with appropriate provision for confidentiality of sensitive information; i.e., protection of energy information pursuant to section 640.155, RSMo;
  - (V) That contracts for the acquisition of renewable energy resources shall provide for release of information to the department with appropriate provision for confidential treatment of any sensitive information, such as pursuant to section 640.155, RSMo; and
  - (VI) To grant or obtain for the department access to facility sites and records for the purpose of verifying statements made in the petition; and
- E. A statement signed by a designated official of the electric utility or renewable energy generation facility attesting that "I have personally examined the information submitted herein by [name of electric utility or renewable energy generation facility], I attest that this information is accurate and complete and that I am authorized to make this statement on behalf of [name of utility or facility]."
4. On completion of its review, the department shall certify the facility if all requirements herein have been met.
- *The Division of Energy will send a letter to the applicant issuing a Certification of Renewable Energy Generation Facility. This Certification allows the facility to be flagged as Missouri-eligible in NAR.*

### Section 4) Provision of Environmental Permitting Documents

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- The entity applying for certification by DE must provide all relevant environmental permitting documents and supporting studies and site assessments to demonstrate compliance with all federal and state air, water, and land environmental laws, regulations, and rules. These should be provided as attachments in addition to the application form. This is necessary for DE to make a determination as to whether the generation has caused or will cause undue adverse air, water, or land use impacts, including impacts associated with the gathering of generation feedstocks.
- Impacts associated with the gathering of generation feedstocks include, but are not limited to, all fossil fuel and energy used from the point of origin prior to harvesting or collecting the raw input feedstocks to the point of actual energy production, including station service, parasitic load, and any energy used on-site at the generation facility to process, handle, or manipulate in any way the raw input feedstocks prior to their use for energy generation, in addition to all other impacts which may or may not require environmental permitting or assessment. Biomass facilities, paper and pulp mills, and other facilities that involve some form of gathering of generation feedstocks, must provide technical documentation ensuring that impacts associated with the gathering and processing of generation feedstocks, and the associated energy use for doing so, are accurately accounted for and are/will be offset from the amount of energy that may ultimately be issued a REC by NAR or the renewable energy tracking system that applies to the facility. Additionally, to maintain a DE-issued Certification of Renewable Energy Generation Facility and to maintain status as Missouri-eligible in NAR, and in the event that RECs associated with a facility are acquired by Missouri utilities for Renewable Energy Standard compliance, DE may, at its discretion, require additional information and further review regarding the ongoing gathering of generation feedstocks.

### **Section 5) Statement of Additionality**

- In the below application form, there is included an optional affirmation of the Statement of Additionality. “Additionality” means the renewable energy generation the facility has claimed or will claim is truly new, or additional, and is actually reducing emissions by displacing fossil fuel energy sources on the shared grid. A project that is additional would not be an existing facility that has identified a potential way to procure RECs from operations that were not impacted or stimulated by a renewable energy requirement, or operations that predate the existence of any relevant renewable energy standard, portfolio requirement, or rule. The Statement of Additionality, simply put, means the Applicant is affirming the facility included in the application is truly having a material impact on emissions reductions and helping advance society towards carbon neutrality.

### **Section 6) Facility Eligibility Certification Application Form**

*(see next page)*

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GENERAL INFORMATION		
Applicant Name		
Applicant Phone #		
Applicant Email		
Applicant Address		
Company Name		
Facility Name		
Facility Address		
Facility Nameplate Capacity		
Date of Application		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Have you reviewed all of the information in sections 1) through 5) of the Missouri Renewable Energy Standard Facility Eligibility Certification Application Guide?
Renewable Energy Resource INFORMATION		
RE Resource or Technology Status	<input type="checkbox"/> Existing <input type="checkbox"/> New	
RE Resource or Technology Used	<input type="checkbox"/> Wind	
	<input type="checkbox"/> Solar PV cells & panels <input type="checkbox"/> Solar thermal	
	<input type="checkbox"/> Dedicated crops	
	<input type="checkbox"/> Cellulosic agricultural residues	
	<input type="checkbox"/>	Field residues Examples: stalks, stubble, leaves and seed pods.
	<input type="checkbox"/>	Process residues Examples: husks, seeds and roots.
	<input type="checkbox"/> Plant residues	
	<input type="checkbox"/> Clean and untreated wood	
	<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Forest-related resources</li> </ul> Examples: pre-commercial thinnings waste, slash (tree tops, branches, bark, or residue left after logging or other forestry operations), brush, shrubs, stumps, lumber ends, trimmings, yard waste, dead and downed forest products, and small diameter forest thinnings (<12").
	<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Non-chemically treated wood and paper manufacturing waste</li> </ul> Examples: bark, trim slabs, shavings, sawdust, sander dust and pulverized scraps.
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Vegetation waste</li> </ul> Examples: landscape waste and right-of-way trimmings.	
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Material derived from non-toxic and unadulterated wood wastes or woody energy crops</li> </ul> Examples: wood chips, pellets and briquettes.	
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Segregated wood wastes from:</li> </ul> 1) municipal solid waste; 2) construction and demolition waste; 3) urban wood waste; 4) other similar sources.	



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			<ul style="list-style-type: none"> <li>• Other miscellaneous waste</li> </ul> <input type="checkbox"/> Examples: waste pellets, pallets, crates, dunnage, scrap wood, tree debris, and recycled paper fibers (unsuitable form recycled paper production).						
			<input type="checkbox"/> Methane from landfills, wastewater treatment, or agricultural operations						
			<input type="checkbox"/> Hydropower with nameplate rating <10 MW						
			<input type="checkbox"/> Hydrogen fuel cells						
			<input type="checkbox"/> Thermal depolymerization or pyrolysis of waste material						
<b>ENVIRONMENTAL COMPLIANCE</b>									
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA	Does the facility cause or will it cause undue adverse air, water, or land use impacts including those associated with gathering generation feedstocks? (10 CSR 140-8.010(4)(C)2.) <b>Explanation:</b>						
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA	Are agriculture or forestry feedstock gathered using best management practices? (10 CSR 140 8.010(4)(C)3.C.) <b>Explanation:</b>						
<b>ENVIRONMENTAL PERMITS INFORMATION</b>									
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Type of Permits</td> <td><input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local</td> </tr> <tr> <td>Permits Currently Active?</td> <td><input type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> <tr> <td>Missouri State Permits can be DEQ Confirmed?</td> <td><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</td> </tr> </table>	Type of Permits	<input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local	Permits Currently Active?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Missouri State Permits can be DEQ Confirmed?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Type of Permits	<input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local								
Permits Currently Active?	<input type="checkbox"/> Yes <input type="checkbox"/> No								
Missouri State Permits can be DEQ Confirmed?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA								
Summary of Environmental Permits and Impacts									

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For Missouri projects, list required state environmental permits.	
Permit Number	Permit Type

**REGULATORY COMPLIANCE**

**Requirements of 10 CSR 140-8.010(4)(C)3.**

<p>Provide a detailed technical description of energy sources, including fuel type, technology, and expected operating specifications, used by the facility to generate electricity and their conformity with the eligible renewable energy resources listed in section (2) and additional renewable energy resources certified by the department pursuant to section (3).</p>	
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<p>If any amount of fossil fuel is used in the generation process, provide a description of agreements or systems in place that assure sufficient data will be available to determine the portion of electrical output attributable to only the renewable energy resource.</p>	
<p>Provide a detailed description of the facility's air, water, or land use impacts, including impacts associated with the gathering of generation feedstocks. An assessment shall include, but is not limited to, demonstrating compliance with permits and agricultural and forestry best management practices, if applicable, and verification of compliance from a Missouri professional forester, if applicable. This assessment shall also include information concerning any applications for approvals or permits, or reviews or investigations by governmental entities with regard to environmental impacts.</p>	

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<b>Statements (I) – (VI) required under 10 CSR 140-8.010(4)(C)3.D.</b>			
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA	(I) The utility or facility will obtain and/or maintain all applicable environmental permits required by the department.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA	(II) The utility or facility is and will remain in substantial compliance with all federal and state air, water, and land environmental laws, regulations, and rules, and that the applicant will report to the department any instance in which the applicant or any member of its board of directors or principals is determined by any administrative agency or any court in connection with any judicial proceeding to be in noncompliance with any federal or state air, water, and land environmental laws, regulations, and rules, such report to be submitted within ten (10) working days following such determination.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA	(III) The electric utility applicant will timely file its Annual RES Compliance Report with the commission pursuant to section 393.1030.2(3), RSMo.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA	(IV) The utility or facility will submit additional information that the department may require for its review of the facility’s energy sources and environmental impact with appropriate provision for confidentiality of sensitive information; i.e., protection of energy information pursuant to section 640.155, RSMo.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA	(V) The utility/facility contracts for the acquisition of renewable energy resources shall provide for release of information to the department with appropriate provision for confidential treatment of any sensitive information, such as pursuant to section 640.155, RSMo.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA	(VI) The utility or facility will grant or obtain for the department access to facility sites and records for the purpose of verifying statements made in this petition.
<b>Attestation required under 10 CSR 140-8.010(4)(C)3.E</b>			
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA	<p>As a designated official of the electric utility or renewable energy generation facility, I attest that I have personally examined the information submitted herein, I attest that this information is accurate and complete, and I attest that I am authorized to make this statement on behalf of my electric utility or renewable energy generation facility.</p> <p><b>Signature:</b> _____</p> <p><b>Print Name:</b> _____</p>
<b>Voluntary Statement of Additionality</b>			
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<p>The renewable energy generation the utility or facility has claimed or will claim is sending a market signal by displacing fossil fuel energy sources on the shared grid. The renewable energy generation the utility or facility has claimed or will claim does not involve an existing facility that has been identified as a potential option for procuring RECs from operations that were not impacted or stimulated by a renewable energy requirement, or operations that predate the existence of any relevant renewable energy standard, portfolio requirement, or rule.</p>	