CLEAN AND RENEWABLE ENERGY AND ENERGY WASTE REDUCTION ACT (EXCERPT)
Act 295 of 2008

460.1011 Definitions; R.

Sec. 11. As used in this act:
(a) "Renewable energy" means electricity or steam generated using a renewable energy system.
(b) "Renewable energy contract" means a contract to acquire renewable energy and the associated renewable energy credits from 1 or more renewable energy systems.
(c) "Renewable energy credit" means a credit granted under a certification and tracking program established under section 41, which represents generated renewable energy.
(d) "Renewable energy credit portfolio" means the sum of the renewable energy credits achieved by a provider for a particular year.
(e) "Renewable energy credit standard" means a minimum renewable energy credit portfolio required under section 28 or former section 27.
(f) "Renewable energy plan" or "plan" means a plan approved under section 22 or former section 21 or 23 or found to comply with this act under former section 25, with any amendments adopted under this act.
(g) "Renewable energy resource" means a resource that naturally replenishes over a human, not a geological, time frame and that is ultimately derived from solar power, water power, or wind power. Renewable energy resource does not include petroleum, nuclear, natural gas, or coal. A renewable energy resource comes from the sun or from thermal inertia of the earth and minimizes the output of toxic material in the conversion of the energy and includes, but is not limited to, all of the following:
   (i) Biomass.
   (ii) Solar and solar thermal energy.
   (iii) Wind energy.
   (iv) Kinetic energy of moving water, including all of the following:
      (A) Waves, tides, or currents.
      (B) Water released through a dam.
   (v) Geothermal energy.
   (vi) Thermal energy produced from a geothermal heat pump.
   (vii) Any of the following cleaner energy resources:
      (A) Municipal solid waste, including the biogenic and anthropogenic factions.
      (B) Landfill gas produced by municipal solid waste.
      (C) Fuel that has been manufactured in whole or significant part from waste, including, but not limited to, municipal solid waste. Fuel that meets the requirements of this subparagraph includes, but is not limited to, material that is listed under 40 CFR 241.3(b) or 241.4(a) or for which a nonwaste determination is made by the United States Environmental Protection Agency pursuant to 40 CFR 241.3(c). Pet coke, hazardous waste, coal waste, or scrap tires are not fuel that meets the requirements of this subparagraph.
      (h) "Renewable energy standard" means the minimum renewable energy capacity portfolio, if applicable, and the renewable energy credit portfolio required to be achieved under section 28 or former section 27.
      (i) "Renewable energy system" means a facility, electricity generation system, or set of electricity generation systems that use 1 or more renewable energy resources to generate electricity or steam. Renewable energy system does not include any of the following:
         (i) A hydroelectric pumped storage facility.
         (ii) A hydroelectric facility that uses a dam constructed after October 6, 2008 unless the dam is a repair or replacement of a dam in existence on October 6, 2008 or an upgrade of a dam in existence on October 6, 2008 that increases its energy efficiency.
         (iii) An incinerator unless the incinerator is a municipal solid waste incinerator as defined in section 11504 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11504.
   (j) "Revenue recovery mechanism" means the mechanism for recovery of incremental costs of compliance provided for under section 22.


Compiler's note: Enacting section 1 of Act 295 of 2008 provides: "Enacting section 1. As provided in section 5 of 1846 RS 1, MCL 8.5, this act is severable."