

THE STATE OF NEW HAMPSHIRE

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August 5, 2019

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Mark Driscoll, Plant Manager
Pinetree Power Bethlehem Biomass Facility
1241 Whitefield Road
Bethlehem, NH 03574

Re: DE 19-124, Pinetree Power Bethlehem Biomass Facility
Request for Waiver of Puc 2505.04(h)(1)
Grant of Waiver

Dear Mr. Driscoll:

On July 19, 2019, Pinetree Power Bethlehem Biomass Facility (Pinetree Bethlehem) filed a letter with the Commission requesting a waiver of N.H. Code Admin. Rules Puc 2505.04(h)(1). Puc 2505.04(h)(1) requires biomass electric generation facilities to conduct a relative accuracy test audit (RATA) of their continuous emission monitors to verify compliance with NOx emissions standards "at least once every 4 calendar quarters, and prior to the quarter for which the facility first wishes to produce RECs [renewable energy certificates]."

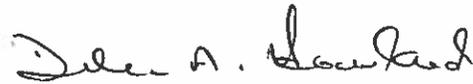
In its letter, Pinetree Bethlehem explained that the last time it conducted a RATA was in the second quarter of 2018. Unexpectedly, and for financial reasons, it had removed its biomass facility from service early in the second quarter of 2019, which is the quarter in which it otherwise would have performed its RATA. It stated that it anticipated resuming operations during the third quarter of 2019 and planned to complete a RATA within that quarter. Pinetree Bethlehem requested a waiver of Puc 2505.04(h)(1) so that its facility would be eligible to produce RECs for all generation during the third quarter of 2019.

Commission Staff (Staff) filed a memorandum on August 02, 2019, recommending that the Commission grant a one-time waiver of Puc 2505.04(h)(1), contingent upon Pinetree Bethlehem completing a RATA that is accepted by the New Hampshire Department of Environmental Services (NHDES) within 60 days following the date that facility operations resume. Staff opined that Puc 2505.04(h)(1) was not intended to render a facility ineligible to produce RECs when the delay in conducting a RATA is due to its operational status and not neglect, as long as the facility successfully completes a RATA and meets all other emissions criteria. Staff recommended a 60-day period for completion of a RATA based on a recommendation by NHDES.

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The Commission has reviewed Pinetree Bethlehem's request and, based on Staff's recommendation, determined that the standards for waiver contained in Puc 201.05 have been satisfied. Accordingly, Pinetree Bethlehem's request to waive the requirements of Puc 2505.04(h)(1) is granted on a one-time basis, subject to the following condition: Pinetree Bethlehem must complete a RATA that is accepted by NHDES within 60 days following the date that its facility resumes operations. Pinetree Bethlehem's facility will be eligible to produce RECs for all generation beginning on the date that its operations resume, provided it complies with the foregoing condition and it continues to meet all other criteria for REC eligibility.

Sincerely,



Debra A. Howland
Executive Director

cc: Service List (Electronically)
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