

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Authorize the Development of Thorium Energy

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 35-A MRSA §3210, sub-§2, ¶B-3, as enacted by PL 2009, c. 542, §3, is amended to read:

B-3. "Renewable capacity resource" means a source of electrical generation:

(1) Whose total power production capacity does not exceed 100 megawatts and relies on one or more of the following:

(a) Fuel cells;

(b) Tidal power;

(c) Solar arrays and installations;

(d) Geothermal installations;

(e) Hydroelectric generators that meet all state and federal fish passage requirements applicable to the generator; or

(f) Biomass generators that are fueled by wood or wood waste, landfill gas or anaerobic digestion of agricultural products, by-products or wastes; or

(2) That relies on wind power installations; or

(3) That is a liquid fluoride thorium reactor, as defined in section 4201.

Sec. 2. 35-A MRSA §3210, sub-§2, ¶C, as amended by PL 2009, c. 542, §5, is further amended to read:

C. "Renewable resource" means a source of electrical generation:

(1) That qualifies as a small power production facility under the Federal Energy Regulatory Commission rules, 18 Code of Federal Regulations, Part 292, Subpart B, as in effect on January 1, 1997; ~~or~~

(2) Whose total power production capacity does not exceed 100 megawatts and that relies on one or more of the following:

(a) Fuel cells;

(b) Tidal power;

(c) Solar arrays and installations;

(d) Wind power installations;

(e) Geothermal installations;

(f) Hydroelectric generators;

(g) Biomass generators that are fueled by wood or wood waste, landfill gas or anaerobic digestion of agricultural products, by-products or wastes; or

(h) Generators fueled by municipal solid waste in conjunction with recycling; or

(3) A liquid fluoride thorium reactor, as defined in section 4201.

Sec. 3. 35-A MRSA c. 42 is enacted to read:

CHAPTER 42

THORIUM ENERGY

§ 4201. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Liquid fluoride thorium reactor. "Liquid fluoride thorium reactor" means a thermal breeder reactor that uses thorium and fluoride-based liquid salt as fuel.

2. Thorium refinery. "Thorium refinery" means a facility that removes thorium from other elements.

§ 4202. Permitting

1. Thorium refinery permit. A person may operate a thorium refinery in this State if the person obtains a permit from the commission under this subsection and complies with all other applicable state and local siting or regulatory requirements. The commission shall issue a permit to operate a thorium refinery in this State if the commission finds that the thorium produced by the refinery will be used or consumed within the State.

2. Liquid fluoride thorium reactor. A person may operate a liquid fluoride thorium reactor in this State if the person obtains a permit from the commission under this subsection and complies with all other applicable state and local siting or regulatory requirements. The commission shall issue a permit to operate a liquid fluoride thorium reactor in this State if the commission finds that the thorium used by the facility will be produced within the State.

SUMMARY

This bill authorizes the Public Utilities Commission to issue permits for the operation of a thorium refinery or a liquid fluoride thorium reactor in this State and provides that energy produced by a liquid thorium reactor qualifies as a renewable resource and as a renewable capacity resource under the renewable portfolio requirements.