

VIRGINIA ACTS OF ASSEMBLY - 2025 RECONVENED SESSION

CHAPTER 710

An Act to amend and reenact § 10.1-1197.5 of the Code of Virginia, relating to small renewable energy projects; permit by rule.

[H 2426]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 10.1-1197.5 of the Code of Virginia is amended and reenacted as follows:

§ 10.1-1197.5. Definitions.

As used in this article:

"Energy storage facility" means energy storage equipment or technology that is capable of absorbing energy, storing such energy for a period of time, and redelivering energy after it has been stored.

"Interconnection facilities" means generation tie lines, collector lines, substations, switching stations, and any other component required to connect an electrical generation facility with the electrical grid.

"Small renewable energy project" means (i) an electrical generation facility with a rated capacity not exceeding 150 megawatts that generates electricity only from sunlight or wind *and its dedicated associated interconnection facilities*; (ii) an electrical generation facility with a rated capacity not exceeding 100 megawatts that generates electricity only from falling water, wave motion, tides, or geothermal power *and its dedicated associated interconnection facilities*; (iii) an electrical generation facility with a rated capacity not exceeding 20 megawatts that generates electricity only from biomass, energy from waste, or municipal solid waste *and its dedicated associated interconnection facilities*; (iv) an energy storage facility that uses electrochemical cells to convert chemical energy with a rated capacity not exceeding 150 megawatts *and its dedicated associated interconnection facilities*; or (v) a hybrid project composed of an electrical generation facility that meets the parameters established in clause (i), (ii), or (iii) and an energy storage facility that meets the parameters established in clause (iv).

2. That the Department of Environmental Quality and the State Corporation Commission shall enter into a memorandum of understanding to implement the provisions of this act.

3. That the provisions of this act shall become effective on July 1, 2026.