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SENATE BILL NO. 333

Offered January 14, 2026

Prefiled January 13, 2026

A BILL to amend the Code of Virginia by adding a section numbered 56-585.1:17, relating to electric generation from remediated mine gas; renewable portfolio standard.

Patrons—Hackworth and Mulchi

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 56-585.1:17 as follows:

§ 56-585.1:17. Electric generation from remediated mine gas.

A. As used in this section:

"Phase I Utility" and "Phase II Utility" have the same meanings as provided in subdivision A 1 of § 56-585.1.

"Remediated mine gas" means methane gas captured and produced from an underground gob area associated with a mined-out metallurgical coal seam located in the Commonwealth that would otherwise escape into the atmosphere.

B. Each Phase I Utility and Phase II Utility may petition the Commission for approval to deploy electric generation projects located in the Commonwealth that utilize, in whole or in part, remediated mine gas at existing or new facilities. Such a petition may provide for the deployment of a generator or multiple generators fueled by remediated mine gas and shall describe the extent to which such deployment demonstrates a carbon intensity score of zero on a life cycle basis as determined by the U.S. Department of Energy's GREET model. To the extent such deployment demonstrates zero-carbon intensity lifecycle greenhouse gas emissions, all MWh produced with a zero-carbon intensity score at that facility shall be deemed eligible to generate a renewable energy credit. Each petition shall indicate that the utility has evaluated funding opportunities from governmental sources and may include the indirect use of remediated mine gas.

C. The Commission shall permit the use of an environmental attribute tracking platform offered by a nonprofit organization to track remediated mine gas used in a project. Such guidelines shall also require a certification from the producer of the remediated mine gas that the feedstock used for a non-combustion electric generator is not otherwise counted to satisfy the requirements of another jurisdiction's renewable or alternative energy portfolio standard or claimed for credit in a carbon offset market.

D. A Phase I Utility or Phase II Utility may recover all reasonable and prudent costs incurred for a remediated mine gas project approved in accordance with this section through such utility's rates for generation and distribution services pursuant to subdivision A 1 of § 56-585.1. Nothing in this section shall limit the Commission's discretion to determine whether the project costs are reasonable and prudent. Any proposal by a Phase I Utility or Phase II Utility that satisfies the requirements of this section may be considered by the Commission as evidence that the proposed project is in the public interest.

2. That notwithstanding any other provision of law, electricity generated by a Phase I Utility or Phase II Utility, as those terms are defined in subdivision A 1 of § 56-585.1 of the Code of Virginia, using remediated mine gas under a project approved by the State Corporation Commission pursuant to § 56-585.1:17 of the Code of Virginia, as created by this act, shall be considered an eligible resource for purposes of the renewable energy portfolio standard program established in § 56-585.5 of the Code of Virginia, provided that such generation achieves a carbon intensity score on a life cycle as determined by the U.S. Department of Energy's GREET model. Each megawatt-hour of electricity generated by such resource may be used to comply with the renewable energy portfolio standard program requirements under § 56-585.5 of the Code of Virginia.

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