

10-1503.

(A) THERE IS A RENEWABLE FUELS INCENTIVE BOARD.

(B) THE BOARD CONSISTS OF ~~THREE~~ FOUR MEMBERS AS FOLLOWS:

(1) THE SECRETARY OF AGRICULTURE OR THE SECRETARY'S DESIGNEE;

(2) THE SECRETARY OF BUSINESS AND ECONOMIC DEVELOPMENT OR THE SECRETARY'S DESIGNEE; ~~AND~~

(3) THE SECRETARY OF THE ENVIRONMENT OR THE SECRETARY'S DESIGNEE; AND

(4) THE DIRECTOR OF THE MARYLAND ENERGY ADMINISTRATION OR THE DIRECTOR'S DESIGNEE.

(C) (1) THE SECRETARY OF AGRICULTURE OR THE SECRETARY'S DESIGNEE SHALL SERVE AS THE CHAIR OF THE BOARD.

(2) THE DEPARTMENT OF AGRICULTURE, THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT, AND THE MARYLAND DEPARTMENT OF THE ENVIRONMENT JOINTLY SHALL PROVIDE STAFF SUPPORT FOR THE BOARD.

(D) THE BOARD SHALL REVIEW CREDIT CERTIFICATION APPLICATIONS AND PAY CREDITS UNDER THIS SUBTITLE.

10-1504.

(A) TO BE ELIGIBLE FOR CREDITS UNDER THIS SUBTITLE, AN ETHANOL OR BIODIESEL PRODUCER SHALL APPLY TO THE BOARD FOR CERTIFICATION ON AN APPLICATION PROVIDED BY THE BOARD.

(B) AN APPLICANT SHALL SHOW IN THE APPLICATION TO THE SATISFACTION OF THE BOARD:

(1) THAT THE APPLICANT WILL CONSTRUCT OR OPERATE A FACILITY CAPABLE OF PRODUCING ETHANOL OR BIODIESEL;

(2) THAT THE APPLICANT WILL INVEST OR HAS INVESTED SUBSTANTIAL RESOURCES IN THE STATE IN CONNECTION WITH THE FACILITY;

(3) THAT THE FACILITY WILL CONSTITUTE A PERMANENT FIXTURE IN THE STATE;

(4) FOR AN ETHANOL PRODUCTION FACILITY, INFORMATION DEMONSTRATING:

(I) THE PRODUCTION CAPACITY OF THE FACILITY; AND

(II) THE QUANTITY AND AVAILABILITY OF SMALL GRAINS AND OTHER SUITABLE AGRICULTURAL PRODUCTS IN THE VICINITY OF THE PRODUCTION FACILITY THAT MAY BE USED BY THE FACILITY;