

111TH CONGRESS
2^D SESSION

H. R. 4572

To amend the Clean Air Act relating to greenhouse gases, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2010

Mr. SKELTON (for himself, Mr. PETERSON, and Mrs. EMERSON) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Clean Air Act relating to greenhouse gases, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. GREENHOUSE GAS REGULATION UNDER CLEAN**
4 **AIR ACT.**

5 Section 302(g) of the Clean Air Act (42 U.S.C.
6 7602(g)) is amended by adding the following at the end
7 thereof: “The term ‘air pollutant’ shall not include any
8 of the following solely on the basis of its effect on global
9 climate change:

10 “(1) Carbon dioxide.

- 1 “(2) Methane.
2 “(3) Nitrous oxide.
3 “(4) Hydrofluorocarbons.
4 “(5) Perfluorocarbons.
5 “(6) Sulfur hexafluoride.”.

6 **SEC. 2. RENEWABLE FUEL STANDARD.**

7 (a) EXCLUSION OF ACTIVITIES RELATING TO INTER-
8 NATIONAL INDIRECT LAND USE CHANGE.—The Adminis-
9 trator of the Environmental Protection Agency shall not
10 carry out any activities relating to the inclusion of inter-
11 national indirect land use change in the implementation
12 of the renewable fuel program established under section
13 211(o) of the Clean Air Act (42 U.S.C. 7545(o)).

14 (b) EXCLUSION OF INDIRECT EMISSIONS FROM
15 INTERNATIONAL LAND USE CHANGES IN CALCULATION
16 OF LIFECYCLE GREENHOUSE GAS EMISSIONS.—Para-
17 graph (1)(H) of section 211(o) of the Clean Air Act (42
18 U.S.C. 7545(o)(1)(H)) is amended—

19 (1) by striking “(including direct emissions and
20 significant indirect emissions such as significant
21 emissions from land use changes)” and inserting
22 “(excluding indirect emissions from international
23 land use changes)”; and

1 (2) by striking “the Administrator” and insert-
2 ing “the Administrator and the Secretary of Agri-
3 culture”.

4 (c) RENEWABLE BIOMASS.—Paragraph (1)(I) of sec-
5 tion 211(o) of the Clean Air Act (42 U.S.C. 7545(o)(1)(I))
6 is amended to read as follows:

7 “(I) RENEWABLE BIOMASS.—The term ‘re-
8 newable biomass’ means—

9 “(i) materials, pre-commercial
10 thinnings, or invasive species from Na-
11 tional Forest System land and public lands
12 (as defined in section 103 of the Federal
13 Land Policy and Management Act of 1976
14 (43 U.S.C. 1702)) that—

15 “(I) are byproducts of preventive
16 treatments that are removed—

17 “(aa) to reduce hazardous
18 fuels;

19 “(bb) to reduce or contain
20 disease or insect infestation; or

21 “(cc) to restore ecosystem
22 health;

23 “(II) would not otherwise be used
24 for higher-value products; and

1 “(III) are harvested in accord-
2 ance with—

3 “(aa) applicable law and
4 land management plans; and

5 “(bb) the requirements
6 for—

7 “(AA) old-growth main-
8 tenance, restoration, and
9 management direction of
10 paragraphs (2), (3), and (4)
11 of subsection (e) of section
12 102 of the Healthy Forests
13 Restoration Act of 2003 (16
14 U.S.C. 6512); and

15 “(BB) large-tree reten-
16 tion of subsection (f) of that
17 section; or

18 “(ii) any organic matter that is avail-
19 able on a renewable or recurring basis
20 from non-Federal land or land belonging to
21 an Indian or Indian tribe that is held in
22 trust by the United States or subject to a
23 restriction against alienation imposed by
24 the United States, including—

1 “(I) renewable plant material, in-
2 cluding—
3 “(aa) feed grains;
4 “(bb) other agricultural
5 commodities;
6 “(cc) other plants and trees;
7 and
8 “(dd) algae; and
9 “(II) waste material, including—
10 “(aa) crop residue;
11 “(bb) other vegetative waste
12 material (including wood waste
13 and wood residues);
14 “(cc) animal waste and by
15 products (including fats, oils,
16 greases, and manure); and
17 “(dd) food waste and yard
18 waste.”.

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