

118TH CONGRESS
2D SESSION

S. 4153

To require the Environmental Protection Agency to assess the lifecycle greenhouse gas emissions associated with forest biomass combustion for electricity when developing relevant rules and regulations and to carry out a study on the impacts of the forest biomass industry, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 17, 2024

Mr. BOOKER (for himself, Mr. MARKEY, Ms. WARREN, and Mr. VAN HOLLEN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To require the Environmental Protection Agency to assess the lifecycle greenhouse gas emissions associated with forest biomass combustion for electricity when developing relevant rules and regulations and to carry out a study on the impacts of the forest biomass industry, 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. SHORT TITLE.**

4 This Act may be cited as the “Forest Biomass Emis-
5 sions Act of 2024”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) ADMINISTRATOR.—The term “Adminis-
4 trator” means the Administrator of the Environ-
5 mental Protection Agency.

6 (2) FOREST BIOMASS.—

7 (A) IN GENERAL.—The term “forest bio-
8 mass” means—

- 9 (i) trees grown for energy production;
- 10 (ii) wood waste and wood residues
- 11 generated from sawmill operations;
- 12 (iii) low-grade wood generated from
- 13 timber harvest;
- 14 (iv) forest thinnings;
- 15 (v) timber harvest slash and residues;
- 16 and
- 17 (vi) forest-derived waste generated
- 18 from pulp and paper industrial operations.

19 (B) EXCLUSIONS.—The term “forest bio-
20 mass” does not include—

- 21 (i) paper that is commonly recycled;
- 22 or
- 23 (ii) unsegregated solid waste.

24 (3) IMPACTED COMMUNITY.—The term “im-
25 pacted community” means a population living in
26 close proximity to a source of pollution.

1 (4) LIFECYCLE GREENHOUSE GAS EMIS-
 2 SIONS.—The term “lifecycle greenhouse gas emis-
 3 sions” has the meaning given the term in section
 4 211(o)(1) of the Clean Air Act (42 U.S.C.
 5 7545(o)(1)).

6 (5) SCIENCE ADVISORY BOARD.—The term
 7 “Science Advisory Board” means the Science Advi-
 8 sory Board established under section 8(a) of the En-
 9 vironmental Research, Development, and Dem-
 10 onstration Authorization Act of 1978 (42 U.S.C.
 11 4365(a)).

12 **SEC. 3. LIFECYCLE GREENHOUSE GAS EMISSIONS ASSESS-**
 13 **MENT.**

14 (a) IN GENERAL.—When promulgating any relevant
 15 rules and regulations, the Administrator shall assess and
 16 take into account the lifecycle greenhouse gas emissions
 17 associated with the production of electricity from forest
 18 biomass.

19 (b) REQUIREMENT.—In conducting the assessment
 20 under subsection (a), the Administrator shall account for
 21 the full impact on lifecycle greenhouse gas emissions from
 22 the combustion of forest biomass used to generate elec-
 23 tricity.

1 **SEC. 4. EVALUATING OTHER IMPACTS OF THE FOREST BIO-**
2 **MASS INDUSTRY.**

3 (a) STUDY.—

4 (1) IN GENERAL.—Not later than 1 year after
5 the date of enactment of this Act, the Administrator
6 shall, in consultation with the Secretary of Energy
7 and the Secretary of Agriculture, carry out a study
8 to identify and assess the impacts of forest biomass
9 electricity production on impacted communities lo-
10 cated close to facilities that produce wood pellets
11 from forest biomass, forest biomass power facilities,
12 and active forest biomass harvesting areas.

13 (2) INCLUSION.—In carrying out the study
14 under paragraph (1), the Administrator shall—

15 (A) evaluate—

16 (i) the sources of, exposures to, and
17 impacts of noise, dust, and air pollutants
18 regulated under the Clean Air Act (42
19 U.S.C. 7401 et seq.), including criteria air
20 pollutants and hazardous air pollutants,
21 that originate directly from forest biomass
22 pellet mills and processing operations on
23 the premises of facilities described in para-
24 graph (1); and

1 (ii) other upstream impacts from out-
2 side of the premises of those facilities, such
3 as harvesting and trucking; and

4 (B) collect data, including data on cumu-
5 lative impacts, on impacted communities within
6 the geographic areas impacted by upstream and
7 downstream emissions from facilities described
8 in paragraph (1), including—

9 (i) air quality measurements from
10 those industrial sites and within those im-
11 pacted communities;

12 (ii) the race and socioeconomic status
13 of individuals within those impacted com-
14 munities; and

15 (iii) with respect to forest biomass
16 pellet mills, data on compliance with appli-
17 cable statutes and any penalties applied for
18 violations of those statutes.

19 (b) REPORT.—Not later than 60 days after the date
20 on which the study carried out under subsection (a)(1)
21 is completed, the Administrator shall—

22 (1) submit to the Committee on Environment
23 and Public Works of the Senate and the Committee
24 on Energy and Commerce of the House of Rep-

1 representatives a report describing the results of the
2 study; and

3 (2) submit the report under paragraph (1) to
4 the Science Advisory Board to further inform the
5 study of forest biomass associated with electricity
6 generation.

○