

109TH CONGRESS
2D SESSION

S. 2613

To amend the Solid Waste Disposal Act to establish a program to provide reimbursement for the installation of alternative energy refueling systems.

IN THE SENATE OF THE UNITED STATES

APRIL 7, 2006

Mr. THUNE (for himself and Mr. OBAMA) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Solid Waste Disposal Act to establish a program to provide reimbursement for the installation of alternative energy refueling systems.

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 “Alternative Energy Re-
5 fueling System Act”.

6 **SEC. 2. ALTERNATIVE ENERGY REFUELING SYSTEMS.**

7 Section 9003(h) of the Solid Waste Disposal Act (42
8 U.S.C. 6991b(h)) is amended by adding at the end the
9 following:

1 “(13) ALTERNATIVE ENERGY REFUELING SYS-
2 TEMS.—

3 “(A) DEFINITIONS.—In this paragraph:

4 “(i) ALTERNATIVE ENERGY REFUEL-
5 ING SYSTEM.—The term ‘alternative en-
6 ergy refueling system’ means a system
7 composed of 1 or more underground stor-
8 age tanks, pumps, and pump fittings or
9 other related infrastructure that is used to
10 refuel motor vehicles with—

11 “(I) compressed natural gas;

12 “(II) E-85 ethanol;

13 “(III) a fuel described in section
14 30C(c)(1) of the Internal Revenue
15 Code of 1986; or

16 “(IV) any other alternative fuel,
17 as determined by the Administrator.

18 “(ii) ELIGIBLE ENTITY.—The term
19 ‘eligible entity’ means a refueling vendor or
20 other person that is an owner or operator
21 of a service station or other facility at
22 which an alternative energy refueling sys-
23 tem is located or proposed to be located.

24 “(B) REIMBURSEMENT PROGRAM.—

1 “(i) ESTABLISHMENT.—The Adminis-
2 trator shall establish a program to provide
3 to eligible entities reimbursement from the
4 Trust Fund of a portion of the costs of
5 purchasing and installing 1 or more alter-
6 native energy refueling systems, including
7 any alternative energy refueling system in-
8 tended to replace a petroleum refueling
9 tank or system.

10 “(ii) APPLICATION.—An eligible entity
11 that seeks to receive reimbursement de-
12 scribed in clause (i) shall submit to the
13 Administrator an application by such time,
14 in such form, and containing such informa-
15 tion as the Administrator shall prescribe.

16 “(iii) TIMING OF REIMBURSEMENT.—
17 Not later than 30 days after the date on
18 which the Administrator, in consultation
19 with the appropriate State agency, verifies
20 that an alternative energy refueling system
21 for which reimbursement is requested by
22 an eligible entity under this paragraph has
23 been installed and is operational, the Ad-
24 ministrator shall provide the reimburse-
25 ment to the eligible entity.

1 “(iv) LIMITATIONS.—

2 “(I) PROHIBITION ON RECEIPT
3 OF DUAL BENEFITS.—An eligible enti-
4 ty that receives a tax credit under sec-
5 tion 30C of the Internal Revenue
6 Code of 1986 for placing in service a
7 qualified alternative fuel vehicle re-
8 fueling property (as defined in that
9 section) may not receive any reim-
10 bursement under this paragraph for
11 an alternative energy refueling system
12 on the property if the cost of the al-
13 ternative energy refueling system was
14 taken into consideration in calculating
15 the tax credit.

16 “(II) NUMBER OF SYSTEMS.—An
17 eligible entity may not receive reim-
18 bursement under this paragraph for
19 more than 2 alternative energy refuel-
20 ing systems for each facility owned or
21 operated by the eligible entity.

22 “(III) AMOUNT.—The amount of
23 reimbursement provided for an alter-
24 native energy refueling system under

1 this paragraph shall not exceed the
2 lesser of—

3 “(aa) the amount that is 30
4 percent of the cost of the alter-
5 native energy refueling system; or

6 “(bb) \$30,000.

7 “(C) NO EFFECT ON OTHER TRUST FUND
8 PROJECTS, ACTIVITIES, OR RESPONSIBIL-
9 ITIES.—

10 “(i) OTHER TRUST FUND PROJECTS
11 AND ACTIVITIES.—In carrying out this
12 paragraph, the Administrator shall not use
13 funds from the Trust Fund that are obli-
14 gated for, or otherwise required to carry
15 out, other projects and activities under this
16 subsection.

17 “(ii) RESPONSIBILITIES.—Nothing in
18 this paragraph affects any obligation of an
19 owner or operator to comply with other
20 provisions of this subtitle.”.

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