

111TH CONGRESS
1ST SESSION

H. R. 1167

To direct the Secretary of Transportation to conduct a program to demonstrate the use of asphalt produced with an asphalt binder made from biomass in highway construction projects.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2009

Mr. CARNAHAN (for himself and Mr. SCHOCK) introduced the following bill;
which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Secretary of Transportation to conduct a program to demonstrate the use of asphalt produced with an asphalt binder made from biomass in highway construction projects.

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 “Green Streets Act of
5 2009”.

1 **SEC. 2. USE OF ASPHALT PRODUCED WITH ASPHALT BIND-**
2 **ER MADE FROM BIOMASS IN HIGHWAY CON-**
3 **STRUCTION PROJECTS.**

4 (a) DEMONSTRATION PROGRAM.—The Secretary of
5 Transportation shall conduct a program to demonstrate
6 the use of asphalt produced with an asphalt binder made
7 from biomass (in this section referred to as “qualified as-
8 phalt”) in highway construction projects.

9 (b) GRANTS.—In conducting the program, the Sec-
10 retary shall make grants to not more than 4 States.

11 (c) APPLICATIONS.—To be eligible to receive a grant
12 under the program, a State shall submit to the Secretary
13 an application that is in such form and contains such in-
14 formation as the Secretary may require.

15 (d) SELECTION CRITERIA.—In selecting from among
16 States applying for grants under this section, the Sec-
17 retary shall ensure that qualified asphalt is tested under
18 the program in a variety of traffic and weather conditions.

19 (e) USE OF GRANTS.—

20 (1) IN GENERAL.—Subject to paragraph (2), a
21 State shall use the grant funds received by the State
22 under this section to acquire qualified asphalt for
23 use in highway construction projects eligible for as-
24 sistance under title 23, United States Code, and to
25 conduct activities, in accordance with guidelines to
26 be issued by the Secretary, to assess the feasibility

1 and desirability of the future use of qualified asphalt
2 in such projects.

3 (2) PUBLIC-PRIVATE PARTNERSHIPS.—A State
4 shall use not less than 40 percent of the grant funds
5 received by the State under this section in a fiscal
6 year to provide financial assistance to one or more
7 private entities for activities related to the produc-
8 tion of qualified asphalt, including the design, con-
9 struction, and operation of thermochemical waste
10 conversion units, subject to the terms of a partner-
11 ship agreement to be entered into by the State and
12 the private entity.

13 (f) REPORT.—Not later than 3 years after the date
14 of enactment of this Act, the Secretary shall transmit to
15 Congress a report on the results of the program, including
16 information concerning—

17 (1) potential cost savings associated with the
18 construction of highways using qualified asphalt;

19 (2) the durability of highways constructed using
20 qualified asphalt; and

21 (3) the environmental impact of constructing
22 highways using qualified asphalt.

23 (g) BIOMASS DEFINED.—In this section, the term
24 “biomass” means organic material derived from plants
25 and animals, including manure, wood, and plant material.

1 (h) FUNDING.—There is authorized to be appro-
2 priated from the Highway Trust Fund (other than the
3 Mass Transit Account) to carry out this section
4 \$10,000,000 for each of fiscal years 2010 through 2015.

5 (i) CONTRACT AUTHORITY.—Funds authorized by
6 this section shall be available for obligation in the same
7 manner as if the funds were apportioned under chapter
8 1 of title 23, United States Code; except that such funds
9 shall not be transferable, such funds shall remain available
10 until expended, and the Federal share of the cost of a
11 project under this section shall be determined in accord-
12 ance with section 120 of such title.

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