

111TH CONGRESS
1ST SESSION

H. R. 1190

To promote the use of certain materials harvested from public lands in the production of renewable fuel, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2009

Ms. HERSETH SANDLIN (for herself, Mr. WALDEN, Mr. ROSS, Mr. STUPAK, Mrs. EMERSON, Mr. DEFazio, and Mrs. LUMMIS) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To promote the use of certain materials harvested from public lands in the production of renewable fuel, 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 “Renewable Biomass
5 Facilitation Act of 2009”.

6 **SEC. 2. RENEWABLE BIOMASS.**

7 Section 201 of the Energy Independence and Security
8 Act of 2007 (Public Law 110–140; 121 Stat. 1519) is
9 amended in the amendment made to section 211(o)(1) of

1 the Clean Air Act (42 U.S.C. 7545) by amending subpara-
2 graph (I) of such section 211(o)(1) to read as follows:

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

5 “(A) materials, precommercial thinnings,
6 or removed exotic species that—

7 “(i) are byproducts of preventive
8 treatments (such as trees, wood, brush,
9 thinnings, chips, and slash) that are re-
10 moved—

11 “(I) to reduce hazardous fuels;

12 “(II) to reduce or contain disease
13 or insect infestation; or

14 “(III) to restore ecosystem
15 health;

16 “(ii) would not otherwise be used for
17 higher-value products; and

18 “(iii) are harvested from National
19 Forest System land or public lands (as de-
20 fined in section 103 of the Federal Land
21 Policy and Management Act of 1976) in
22 accordance with—

23 “(I) Federal and State law;

24 “(II) applicable land manage-
25 ment plans; and

1 “(III) the requirements for old-
2 growth maintenance, restoration, and
3 management direction of paragraphs
4 (2), (3), and (4) of subsection (e) of
5 section 102 of the Healthy Forests
6 Restoration Act of 2003 and the re-
7 quirements for large-tree retention of
8 subsection (f) of that section; or

9 “(B) any organic matter that is available
10 on a renewable or recurring basis from non-
11 Federal land or land belonging to an Indian or
12 Indian tribe that is held in trust by the United
13 States or subject to a restriction against alien-
14 ation imposed by the United States, including—

15 “(i) renewable plant material, includ-
16 ing—

17 “(I) feed grains;

18 “(II) other agricultural commod-
19 ities;

20 “(III) other plants and trees; and

21 “(IV) algae; and

22 “(ii) waste material, including—

23 “(I) crop residue;

1 “(II) other vegetative waste ma-
2 terial (including wood waste and wood
3 residues);

4 “(III) animal waste and byprod-
5 ucts (including fats, oils, greases, and
6 manure);

7 “(IV) construction waste; and

8 “(V) food waste and yard
9 waste.”.

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