

111TH CONGRESS
1ST SESSION

H. R. 2364

To amend section 211(o) of the Clean Air Act to change the definition of renewable biomass in the renewable fuel program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2009

Mr. DEFAZIO (for himself, Mr. RAHALL, Mr. MINNICK, Mr. SCHRADER, Mr. DICKS, and Mr. WU) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend section 211(o) of the Clean Air Act to change the definition of renewable biomass in the renewable fuel program, 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. DEFINITION OF RENEWABLE BIOMASS IN**
4 **CLEAN AIR ACT.**

5 Section 211(o)(1)(I) of the Clean Air Act (42 U.S.C.
6 7545(o)(1)(I)) is amended by redesignating clauses (v)
7 through (vii) as clauses (vi) through (viii), respectively and
8 by inserting after clause (iv) the following:

1 “(v) materials, pre-commercial
2 thinnings, or removed invasive species from
3 National Forest System land and public
4 lands (as defined in section 103 of the
5 Federal Land Policy and Management Act
6 of 1976 (43 U.S.C. 1702)) that are by-
7 products of preventative treatments (such
8 as trees, wood, brush, thinnings, chips, and
9 slash), that are removed to reduce haz-
10 ardous fuels, to reduce or contain disease
11 or insect infestation, or to restore eco-
12 system health, and would not otherwise be
13 used for higher-value products; and that
14 are—

15 “(I) not from any of the fol-
16 lowing:

17 “(aa) components of the na-
18 tional Wilderness Preservation
19 System;

20 “(bb) Wilderness Study
21 Areas;

22 “(cc) Inventoried Roadless
23 Areas or unroaded acres of at
24 least 5,000 acres;

1 “(dd) old growth or mature
2 forest stands;

3 “(ee) components of the Na-
4 tional Landscape Conservation
5 System;

6 “(ff) National Monuments;

7 “(gg) National Conservation
8 Areas;

9 “(hh) Designated Primitive
10 Areas; or

11 “(ii) Wild and Scenic Rivers
12 corridors;

13 “(II) harvested in environ-
14 mentally sustainable quantities, as de-
15 termined by the appropriate Federal
16 land manager; and

17 “(III) harvested in accordance
18 with Federal and State law, and ap-
19 plicable land management plans.”.

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