

price supports, loans, and loan guarantees, for the cost of planning, designing, constructing, operating, and maintaining demonstration facilities, and, in the case of existing facilities, modifications of such facilities solely for demonstration purposes, for the conversion of municipal wastes into energy or the recovery of materials.

**(c) Priority for funding**

Priority for funding of activities under subsection (a) and financial assistance under subsection (b) shall be provided for any activity or project for the demonstration of technologies for the production of liquid fuels or biomass energy which substitute for petroleum or natural gas.

**(d) Obligation and expenditure of funds**

The Secretary of Energy may not obligate or expend any funds authorized under this chapter in carrying out subsection (b) of this section until the plan required under section 8831(a) of this title has been prepared and submitted to the Congress.

**(e) Deposit of moneys received**

All amounts received by the Secretary of Energy as fees, interest, repayment of principal, and any other moneys received by the Secretary from operations under this section shall be deposited in the general fund of the Treasury of the United States as miscellaneous receipts.

(Pub. L. 96-294, title II, § 237, June 30, 1980, 94 Stat. 703.)

**Editorial Notes**

REFERENCES IN TEXT

The Federal Nonnuclear Energy Research and Development Act of 1974, referred to in subsec. (a)(1), is Pub. L. 93-577, Dec. 31, 1974, 88 Stat. 1878, which is classified generally to chapter 74 (§ 5901 et seq.) of this title. Section 19 of the Act was classified to section 5919 of this title prior to repeal by Pub. L. 109-58, title X, § 1009(b)(12), Aug. 8, 2005, 119 Stat. 936. For complete classification of this Act to the Code, see Short Title note set out under section 5901 of this title and Tables.

This chapter, referred to in subsec. (d), was in the original "this title", meaning title II of Pub. L. 96-294, June 30, 1980, 94 Stat. 683, known as the Biomass Energy and Alcohol Fuels Act of 1980, which is classified principally to this chapter. For complete classification of title II to the Code, see Short Title note set out under section 8801 of this title and Tables.

**§ 8838. Jurisdiction of Department of Energy and Environmental Protection Agency**

The provisions of section 5920(c)<sup>1</sup> of this title, relating to the responsibilities of the Environmental Protection Agency and the Department of Energy, shall apply with respect to actions under this subchapter to the same extent and in the same manner as such provisions apply to actions under section 5920<sup>1</sup> of this title.

(Pub. L. 96-294, title II, § 238, June 30, 1980, 94 Stat. 704.)

**Editorial Notes**

REFERENCES IN TEXT

Section 5920 of this title, referred to in text, was repealed by Pub. L. 109-58, title X, § 1009(b)(12), Aug. 8, 2005, 119 Stat. 936.

**§ 8839. Office of Energy from Municipal Waste**

**(a) Establishment in Department of Energy; appointment of Director**

There is hereby established within the Department of Energy an Office of Energy from Municipal Waste (hereinafter in this section referred to as the "Office") to be headed by a Director, who shall be appointed by the Secretary of Energy.

**(b) Functions**

It shall be the function of the Office to perform—

(1) the research, development, demonstration, and commercialization activities authorized under this subchapter (including those authorized under section 8837 of this title), and

(2) such other duties relating to the production of energy from municipal waste as the Secretary of Energy may assign to the Office.

**(c) Consultations respecting implementation of functions**

In carrying out functions transferred<sup>1</sup> or assigned to the Office, the Secretary of Energy shall consult with the Administrator of the Environmental Protection Agency, the Secretary of Commerce, and the heads of such other Federal agencies, as appropriate.

**(d) Transfer of related functions and personnel from Department of Energy**

The Secretary shall provide for the transfer to the Office of the functions relating to, and personnel of the Department who are responsible for the administration of, programs in existence on June 30, 1980, which relate to the research, development, demonstration, and commercialization of technologies for the recovery of energy from municipal waste.

(Pub. L. 96-294, title II, § 239, June 30, 1980, 94 Stat. 704.)

**§ 8840. Termination of authorities**

No financial assistance may be committed to or made under this subchapter after September 30, 1984. This section shall not be construed to affect the authority of the Secretary of Energy to spend funds after such date pursuant to any award of financial assistance made on or before that date.

(Pub. L. 96-294, title II, § 240, June 30, 1980, 94 Stat. 705.)

**SUBCHAPTER III—RURAL, AGRICULTURAL, AND FORESTRY BIOMASS ENERGY**

**§ 8851. Model demonstration biomass energy facilities; establishment, public inspection, etc.; authorization of appropriations**

(a) The Secretary of Agriculture shall establish not more than ten model demonstration

<sup>1</sup> See References in Text note below.

<sup>1</sup> So in original. Probably should be "transferred".