

110TH CONGRESS
2D SESSION

H. R. 6692

To amend the Energy Policy Act of 2005 to provide loan guarantees for projects to construct renewable fuel pipelines, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2008

Mr. BOSWELL (for himself and Mr. TERRY) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Energy Policy Act of 2005 to provide loan guarantees for projects to construct renewable fuel pipelines, 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 Fuel Pipe-
5 lines Act of 2008”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Creating the appropriate infrastructure to
2 move renewable fuels is a necessary energy and
3 transportation objective for the United States.

4 (2) Currently more than 70 percent of the gaso-
5 line supply of the United States is delivered to local
6 terminals through pipelines.

7 (3) Pipelines are the most cost-effective, effi-
8 cient, and safe transportation mode in use today to
9 deliver large volumes of liquid fuels.

10 (4) Renewable fuels are currently transported
11 by truck, barge, and rail, and the volume require-
12 ments of the Energy Independence and Security Act
13 of 2007 may overwhelm the renewable fuels infra-
14 structure.

15 (5) The transportation of renewable fuels
16 through a pipeline will facilitate the meeting of the
17 volume requirements of the Energy Independence
18 and Security Act of 2007.

19 (6) The production and use of renewable fuels
20 is supported by Federal policy and a corresponding
21 Federal policy is necessary to support the construc-
22 tion of an appropriate infrastructure to transport
23 such fuels.

1 **SEC. 3. LOAN GUARANTEES FOR PROJECTS TO CONSTRUCT**
2 **RENEWABLE FUEL PIPELINES.**

3 (a) DEFINITIONS.—Section 1701 of the Energy Pol-
4 icy Act of 2005 (42 U.S.C. 16511) is amended by adding
5 at the end the following:

6 “(6) RENEWABLE FUEL.—The term ‘renewable
7 fuel’ has the meaning given the term in section
8 211(o)(1) of the Clean Air Act (42 U.S.C.
9 7545(o)(1)), as in effect on January 1, 2009, except
10 that the term shall include all ethanol and biodiesel.

11 “(7) RENEWABLE FUEL PIPELINE.—The term
12 ‘renewable fuel pipeline’ means a common carrier
13 pipeline for transporting renewable fuel.”.

14 (b) SPECIFIC APPROPRIATION OR CONTRIBUTION.—
15 Section 1702(b) of the Energy Policy Act of 2005 (42
16 U.S.C. 16512(b)) is amended by striking “No” and insert-
17 ing “Except with respect to a project described in section
18 1703(f), no”.

19 (c) AMOUNT.—Section 1702(c) of the Energy Policy
20 Act of 2005 (42 U.S.C. 16512(c)) is amended—

21 (1) by striking “(c) AMOUNT.—Unless” and in-
22 serting the following:

23 “(c) AMOUNT.—

24 “(1) IN GENERAL.—Unless”; and

25 (2) by adding at the end the following:

1 “(2) RENEWABLE FUEL PIPELINES.—With re-
2 spect to a project described in section 1703(f)—

3 “(A) a guarantee by the Secretary shall
4 not exceed an amount equal to 90 percent of
5 the project cost of the renewable fuel pipeline
6 that is the subject of the guarantee, as esti-
7 mated at the time at which the guarantee is
8 issued; and

9 “(B) the Secretary may make more than
10 one guarantee for such project, to the extent
11 that the sum of all guarantees for such project
12 does not exceed an amount equal to 90 percent
13 of the project cost of the renewable fuel pipeline
14 that is the subject of such guarantees, as esti-
15 mated any time after the original guarantee is
16 issued.”.

17 (d) ELIGIBLE PROJECTS.—Section 1703 of the En-
18 ergy Policy Act of 2005 (42 U.S.C. 16513) is amended
19 by adding at the end the following:

20 “(f) RENEWABLE FUEL PIPELINES.—

21 “(1) IN GENERAL.—The Secretary may make
22 guarantees under this title for projects to construct
23 renewable fuel pipelines without regard to any limi-
24 tation imposed by this section other than one im-
25 posed in this subsection.

1 “(2) GUARANTEE DETERMINATIONS.—In deter-
2 mining whether to make a guarantee for a project
3 described in paragraph (1), the Secretary shall con-
4 sider the following:

5 “(A) The volume of renewable fuel to be
6 moved by the renewable fuel pipeline.

7 “(B) The size of the markets to be served
8 by the renewable fuel pipeline.

9 “(C) The existence of sufficient storage to
10 facilitate access to the markets to be served by
11 the renewable fuel pipeline.

12 “(D) The proximity of the renewable fuel
13 pipeline to renewable fuel production facilities.

14 “(E) The investment in terminal infra-
15 structure of the entity carrying out the pro-
16 posed project to construct a renewable fuel
17 pipeline.

18 “(F) The history and experience working
19 with renewable fuel of the entity carrying out
20 the proposed project to construct a renewable
21 fuel pipeline.

22 “(G) The ability of the entity carrying out
23 the proposed project to construct a renewable
24 fuel pipeline to ensure and maintain the quality
25 of the renewable fuel through the terminal sys-

1 tem of the entity and through the dedicated
2 pipeline system.

3 “(H) The ability of the entity carrying out
4 the proposed project to construct a renewable
5 fuel pipeline to complete such proposed project
6 in a timely manner.

7 “(I) The ability of the entity carrying out
8 the proposed project to construct a renewable
9 fuel pipeline to secure property rights-of-way.

10 “(J) Other criteria the Secretary deter-
11 mines appropriate for consideration.”.

12 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
13 1704 of the Energy Policy Act of 2005 (42 U.S.C. 16514)
14 is amended by adding at the end the following:

15 “(c) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that there should be appropriated such sums as may
17 be necessary to provide \$4,000,000,000 in guarantees
18 under this title for projects described in section 1703(f).”.

19 **SEC. 4. FINAL RULE.**

20 Not later than 90 days after the date of the enact-
21 ment of this Act, the Secretary of Energy shall publish
22 in the Federal Register a final rule for carrying out a
23 guarantee program for the construction of renewable fuel
24 pipelines under title XVII of the Energy Policy Act of
25 2005 in accordance with the amendments made by this

1 Act or shall modify rules and regulations currently appli-
2 cable to the guarantee program under such title in accord-
3 ance with the amendments made by this Act.

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