

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3374

To amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to establish a grant program to revitalize brownfield sites for the purpose of locating renewable electricity generation facilities on those sites.

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IN THE SENATE OF THE UNITED STATES

MAY 13, 2010

Mr. LAUTENBERG introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to establish a grant program to revitalize brownfield sites for the purpose of locating renewable electricity generation facilities on those sites.

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 “Cleanfields Investment  
5       Act”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to establish a program to  
3 fund grants—

4 (1) to inventory, characterize, assess, and con-  
5 duct planning relating to brownfield sites for the  
6 purpose of locating renewable electricity generation  
7 facilities on those brownfield sites; or

8 (2) for use in remediating brownfield sites for  
9 the purpose of locating renewable electricity genera-  
10 tion facilities on those brownfield sites.

11 **SEC. 3. DEFINITION.**

12 Section 101 of the Comprehensive Environmental Re-  
13 sponse, Compensation, and Liability Act of 1980 (42  
14 U.S.C. 9601) is amended by adding at the end the fol-  
15 lowing:

16 “(42) RENEWABLE ELECTRICITY GENERATION  
17 FACILITY.—The term ‘renewable electricity genera-  
18 tion facility’ means a facility that generates renew-  
19 able electricity from wind energy, solar energy, or  
20 geothermal energy.”.

21 **SEC. 4. RENEWABLE ELECTRICITY BROWNFIELD SITE**  
22 **FUNDING.**

23 Section 104(k) of the Comprehensive Environmental  
24 Response, Compensation, and Liability Act of 1980 (42  
25 U.S.C. 9604(k)) is amended—

1           (1) by redesignating paragraph (12) as para-  
2 graph (13);

3           (2) by inserting after paragraph (11) the fol-  
4 lowing:

5           “(12) RENEWABLE ELECTRICITY BROWNFIELD  
6 SITE FUNDING.—

7           “(A) IN GENERAL.—The Administrator  
8 shall establish a program to provide grants to—

9                   “(i) eligible entities, to be used for  
10 capitalization of revolving loan funds to  
11 provide assistance in accordance with sub-  
12 paragraph (B); and

13                   “(ii) eligible entities or nonprofit orga-  
14 nizations, as determined by the Adminis-  
15 trator in accordance with subparagraph  
16 (C), to be used directly—

17                           “(I) to inventory, characterize,  
18 assess, and conduct planning relating  
19 to 1 or more brownfield sites for the  
20 purpose of locating a renewable elec-  
21 tricity generation facility on those  
22 brownfield sites; or

23                           “(II) for remediation of 1 or  
24 more brownfield sites for the purpose  
25 of locating a renewable electricity gen-

1                   eration facility on those brownfield  
2                   sites.

3                   “(B) USE OF LOAN AND GRANT FUNDS  
4                   PROVIDED BY ELIGIBLE ENTITIES.—An eligible  
5                   entity that receives a grant under subparagraph  
6                   (A)(i) shall use the grant to provide assistance  
7                   for a purpose described in subparagraph (A)(ii)  
8                   in the form of 1 or more—

9                   “(i) loans to an eligible entity, site  
10                  owner, site developer, or other person; or

11                  “(ii) grants to an eligible entity or  
12                  other nonprofit organization, where war-  
13                  ranted, as determined in accordance with  
14                  subparagraph (C) by the eligible entity  
15                  that is providing the assistance.

16                  “(C) CONSIDERATIONS.—

17                  “(i) IN GENERAL.—Not later than 90  
18                  days after the date of enactment of the  
19                  Cleanfields Investment Act, the Adminis-  
20                  trator shall issue guidance describing the  
21                  considerations to be used in determining  
22                  whether a grant under subparagraph (A) is  
23                  warranted for a purpose described in sub-  
24                  paragraph (A)(ii).

1           “(ii) USE OF GUIDANCE.—The guid-  
2           ance issued under clause (i) shall be used  
3           by the Administrator or an eligible entity,  
4           as the case may be, to determine whether  
5           a grant under subparagraph (A) is war-  
6           ranted.

7           “(D) RANKING CRITERIA.—

8           “(i) IN GENERAL.—The Administrator  
9           shall issue ranking criteria to be used in  
10          determining whether a grant under sub-  
11          paragraph (A) is warranted for a purpose  
12          described in subparagraph (A)(ii).

13          “(ii) USE OF RANKING CRITERIA.—  
14          The ranking criteria issued under clause  
15          (i) shall be used by the Administrator or  
16          an eligible entity, as the case may be, to  
17          determine whether a grant under subpara-  
18          graph (A) is warranted.

19          “(E) IMPLEMENTATION.—Paragraphs (4),  
20          (5)(A), (5)(B), and (6) through (11) shall apply  
21          to the implementation of this paragraph.”; and  
22          (3) in paragraph (13) (as so redesignated), by  
23          adding at the end the following:

24                           “(C) AUTHORIZATION OF APPROPRIATIONS  
25                           FOR RENEWABLE ELECTRICITY GENERATION

1 FACILITY BROWNFIELDS FUNDING.—There is  
2 authorized to be appropriated to the Adminis-  
3 trator, to fund grants to inventory, charac-  
4 terize, assess, and conduct planning relating to  
5 brownfield sites for the purpose of locating re-  
6 newable electricity generation facilities on those  
7 brownfield sites, or for remediation of  
8 brownfield sites for the purpose of locating re-  
9 newable electricity generation facilities on those  
10 brownfield sites, \$50,000,000 for each of fiscal  
11 years 2011 through 2016.”.

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