

113TH CONGRESS
1ST SESSION

H. R. 2256

To amend the Energy Independence and Security Act of 2007 to improve the coordination of refinery outages, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2013

Mr. WALZ (for himself, Mr. NOLAN, Ms. MCCOLLUM, Mr. ELLISON, and Mr. PETERSON) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Energy Independence and Security Act of 2007 to improve the coordination of refinery outages, 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 “Gas Price and Refinery
5 Capacity Relief Act of 2013”.

6 **SEC. 2. COORDINATION OF REFINERY OUTAGES.**

7 Section 804 of the Energy Independence and Security
8 Act of 2007 (42 U.S.C. 17283) is amended to read as
9 follows:

1 **“SEC. 804. COORDINATION OF REFINERY OUTAGES.**

2 “(a) DEFINITIONS.—In this section:

3 “(1) ADMINISTRATOR.—The term ‘Adminis-
4 trator’ means the Administrator of the Energy In-
5 formation Administration.

6 “(2) PLANNED REFINERY OUTAGE.—The term
7 ‘planned refinery outage’ means a removal, sched-
8 uled before the date on which the removal occurs, of
9 a refinery, or any unit of a refinery, from service for
10 maintenance, repair, or modification.

11 “(3) REFINED PETROLEUM PRODUCT.—The
12 term ‘refined petroleum product’ means any gaso-
13 line, diesel fuel, fuel oil, lubricating oil, liquid petro-
14 leum gas, or other petroleum distillate that is pro-
15 duced through the refining or processing of crude oil
16 or an oil derived from tar sands, shale, or coal.

17 “(4) REFINERY.—The term ‘refinery’ means a
18 facility used in the production of a refined petroleum
19 product through distillation, cracking, or any other
20 process.

21 “(5) UNPLANNED REFINERY OUTAGE.—The
22 ‘unplanned refinery outage’ means the removal of a
23 refinery, or any unit of a refinery, from service that
24 is not scheduled in advance.

1 “(b) REPORTING REQUIREMENT.—The owner or op-
2 erator of a refinery shall submit to the Administrator in-
3 formation describing—

4 “(1) the schedule of the refinery for any
5 planned refinery outage, including—

6 “(A) the dates for the planned refinery
7 outage at least 1 year in advance of the date of
8 the expected outage or the date the outage is
9 scheduled; and

10 “(B) the estimated inventories and produc-
11 tion of refined petroleum products during the
12 period described in subparagraph (A); and

13 “(2) any unplanned refinery outages as soon as
14 practicable

15 “(c) REVIEW AND ANALYSIS OF AVAILABLE INFOR-
16 MATION.—The Administrator shall, on an ongoing basis—

17 “(1) review information on planned refinery
18 outages and unplanned refinery outages—

19 “(A) reported by refineries under sub-
20 section (b); and

21 “(B) that is available from commercial re-
22 porting services;

23 “(2) analyze that information to determine
24 whether the scheduling of a planned refinery outage
25 or an unplanned refinery outage may nationally or

1 regionally substantially affect the price or supply of
2 any refined petroleum product by—

3 “(A) decreasing the production of the re-
4 fined petroleum product; and

5 “(B) causing or contributing to a retail or
6 wholesale supply shortage or disruption; and

7 “(3) alert the Secretary of any refinery outage
8 that the Administrator determines may nationally or
9 regionally substantially affect the price or supply of
10 a refined petroleum product.

11 “(d) ACTION BY SECRETARY.—On a determination
12 by the Secretary that a refinery outage may affect the
13 price or supply of a refined petroleum product, the Sec-
14 retary shall make available to refinery operators informa-
15 tion on planned refinery outages or unplanned refinery
16 outages to prevent significant market disruptions.

17 “(e) LIMITATION.—Nothing in this section—

18 “(1) alters any existing legal obligation or re-
19 sponsibility of a refinery operator;

20 “(2) creates any legal right of action; or

21 “(3) authorizes the Secretary—

22 “(A) to prohibit a refinery operator from
23 conducting a planned refinery outage; or

24 “(B) to require a refinery operator to con-
25 tinue to operate a refinery.

1 “(f) STUDY ON NATIONAL STRATEGIC REFINED PE-
2 TROLEUM PRODUCTS RESERVE.—

3 “(1) IN GENERAL.—Not later than 180 days
4 after the date of enactment of this subsection, the
5 Secretary shall study and submit to Congress a re-
6 port on the costs and benefits of creating a national
7 strategic refined petroleum products reserve for re-
8 fined petroleum products.

9 “(2) INFORMATION.—The report required
10 under paragraph (1) shall include information on—

11 “(A) the days of existing storage capabili-
12 ties within the different petroleum administra-
13 tion defense districts based on normal usage of
14 refined petroleum products;

15 “(B) the feasibility of increasing storage
16 capacity for refined petroleum products on a re-
17 gional basis; and

18 “(C) the impact additional storage capacity
19 would have on the retail price of refined petro-
20 leum products for consumers in the event of a
21 supply shortage or market disruption from a
22 natural disaster or refinery outage.”.

○