

116TH CONGRESS
2D SESSION

H. R. 6671

To amend title 23, United States Code, to aid States in the deployment of fueling infrastructure to increase the use of higher blends of biofuels, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 1, 2020

Ms. FINKENAUER (for herself, Ms. CRAIG, Mr. MARSHALL, and Mr. BACON) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, to aid States in the deployment of fueling infrastructure to increase the use of higher blends of biofuels, 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 “Clean Fuels Deploy-
5 ment Act of 2020”.

6 **SEC. 2. GRANTS FOR DEPLOYMENT OF FUELING INFRA-**
7 **STRUCTURE TO INCREASE THE USE OF HIGH-**
8 **ER BLENDS OF BIOFUELS.**

9 (a) FINDINGS.—Congress finds the following:

1 (1) According to the Energy Information Ad-
2 ministration, United States fuel consumption
3 reached a new record high in 2018, breaking the
4 previous record from 2007.

5 (2) Biofuels are an immediately available path
6 toward decarbonizing the transportation sector while
7 lowering fuel prices, driving economic growth, and
8 creating jobs.

9 (3) Ninety-eight percent of the gasoline sold in
10 the United States already uses a 10 percent ethanol
11 blend, E10.

12 (4) E15 has been approved since 2011 for any
13 car or light truck model year 2001 or later, and as
14 of January 2020, it is sold at 2,081 locations in 30
15 States primarily at independently owned gas sta-
16 tions.

17 (5) On May 30, 2019, the Environmental Pro-
18 tection Agency issued a final rule titled “Modifica-
19 tions to Fuel Regulations to Provide Flexibility for
20 E15 and to Elements of the Renewable Identifica-
21 tion Number Compliance System” to permit year-
22 round sale of E15.

23 (6) E15 is dispensed using blender pumps or
24 dedicated E15 pumps.

1 (7) In addition to flex-fuel infrastructure to dis-
2 pense E85, all major United States pump manufac-
3 turers offer pumps certified for blends up to 25 per-
4 cent ethanol.

5 (8) Pilot programs have demonstrated that pub-
6 lic-private partnerships increase the installation rate
7 of fueling infrastructure for higher blends of eth-
8 anol, with the USDA Biofuel Infrastructure Part-
9 nership delivering \$100,000,000 to 21 States to as-
10 sist 1,486 stations install 4,880 pumps and 515
11 tanks.

12 (9) The United States has used more than 2.6
13 billion gallons of biomass-based diesel each year
14 since 2016 for on-road transport, heating applica-
15 tions, and jet fuel.

16 (10) Nearly all United States diesel engine
17 original equipment manufacturers approve the use of
18 biodiesel blends up to B20 and renewable diesel up
19 to 100 percent.

20 (11) Multiple States have enacted or are poised
21 to adopt requirements and incentives for blending
22 biodiesel and renewable diesel into distillate fuels for
23 transportation and heating.

24 (12) The greatest barriers to biodiesel distribu-
25 tion are at the terminal and pipeline terminal level,

1 as well as rail to reach distribution centers.
2 Incentivizing terminals would make fuel widely avail-
3 able and would be helpful for a larger penetration of
4 biodiesel.

5 (13) Investment will accelerate the increased
6 use of higher blends of biofuels and quickly cut
7 greenhouse gas emissions while lowering gas prices
8 and driving economic growth.

9 **SEC. 3. CLEAN FUELS GRANT PROGRAM.**

10 (a) IN GENERAL.—Chapter 2 of title 23, United
11 States Code, is amended by adding at the end the fol-
12 lowing:

13 **“§ 219. Clean fuels grant program**

14 “(a) ESTABLISHMENT.—Not later than 1 year after
15 the date of enactment of this Act, the Secretary of Trans-
16 portation shall establish a grant program to award grants
17 to eligible entities to carry out the activities described in
18 subsection (d).

19 “(b) ELIGIBLE ENTITIES.—An entity eligible to re-
20 ceive a grant under this subsection is—

21 “(1) a State, locality, or territory;

22 “(2) a Tribal government;

23 “(3) an authority, agency, partnership, or in-
24 strumentality of an entity described in paragraph
25 (1) or (2); or

1 “(4) a group of entities described in paragraphs
2 (1) through (3).

3 “(c) ELIGIBILITY CRITERIA.—In selecting entities to
4 receive a grant under this section, the Secretary shall con-
5 sider the extent to which the application of the entity pro-
6 poses to—

7 “(1) convert existing pump infrastructure to de-
8 liver ethanol blends with greater than 10 percent
9 ethanol;

10 “(2) diversify the geographic area selling eth-
11 anol blends with greater than 10 percent ethanol;

12 “(3) support existing or emerging biodiesel,
13 bioheat and sustainable aviation fuel markets that
14 have existing incentives;

15 “(4) increase the use of existing fuel delivery
16 infrastructure;

17 “(5) enable or accelerate the deployment of
18 fueling infrastructure that would be unlikely to be
19 completed without Federal assistance; and

20 “(6) build and retrofit traditional and pipeline
21 terminals to blend biodiesel and pipelines to carry
22 ethanol and biodiesel.

23 “(d) ELIGIBLE USE.—An entity receiving a grant
24 under this section may use the grant funds—

1 “(1) to distribute to private or public entities
2 for costs related to incentivizing deployment of fuel-
3 ing infrastructure;

4 “(2) for the conversion of existing pump infra-
5 structure to deliver ethanol blends greater than 10
6 percent and biodiesel blends greater than 20 per-
7 cent;

8 “(3) for installation of fuel pumps and related
9 infrastructure dedicated to the distribution of higher
10 ethanol blends (including E15 and E85) and higher
11 biodiesel blends up to B100 at fueling locations, in-
12 cluding local fueling stations, convenience stores,
13 hypermarket fueling stations, and fleet facilities; and

14 “(4) to build and retrofit traditional and pipe-
15 line terminals (including rail lines) to blend biodiesel
16 and pipelines to carry ethanol and biodiesel.

17 “(e) CERTIFICATION REQUIREMENT.—Any infra-
18 structure used or installed with funds provided under this
19 section shall be certified by the Underwriters Laboratory
20 to distribute blends with an ethanol content of 25 percent
21 or greater.

22 “(f) FUNDING.—

23 “(1) FEDERAL PROJECT SHARE.—The Federal
24 share of the total cost of carrying out a project
25 under this section shall not exceed 80 percent.

1 “(2) MAXIMUM PERCENTAGE FOR CERTAIN AC-
2 TIVITIES.—An entity receiving a grant under this
3 section shall ensure that Federal funds do not ex-
4 ceed—

5 “(A) 75 percent of the per pump cost
6 for—

7 “(i) pumps that can dispense a range
8 of ethanol blends up to and including E85
9 (new pumps or retrofit of existing pumps);
10 and

11 “(ii) dedicated E15 or E85 pumps
12 (new pumps or retrofit of existing pumps);

13 “(B) 50 percent of the terminal cost for
14 terminals with B100 capabilities; and

15 “(C) 25 percent of the per tank cost for
16 new storage tanks and related equipment asso-
17 ciated with new facilities or additional capacity
18 other than replacement.

19 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated \$100,000,000 for each
21 of the fiscal years 2021 through 2026 to carry out this
22 Act.”.

1 (b) CLERICAL AMENDMENT.—The analysis for chap-
2 ter 2 of title 23, United States Code, is amended by add-
3 ing at the end the following:

“219. Clean fuels grant program.”.

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