

115TH CONGRESS
1ST SESSION

H. R. 776

To require that until a comprehensive study is completed, the volume of cellulosic biofuel mandated under the renewable fuel program be limited to what is commercially available, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 2017

Mr. SENSENBRENNER introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, 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 require that until a comprehensive study is completed, the volume of cellulosic biofuel mandated under the renewable fuel program be limited to what is commercially available, 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. MANDATE FOR CELLULOSIC BIOFUEL LIMITED**
4 **TO COMMERCIAL AVAILABILITY UNTIL COM-**
5 **PLETION OF COMPREHENSIVE STUDY.**

6 (a) LIMITATION.—Until the Administrator of the En-
7 vironmental Protection Agency submits to Congress a re-

1 port on the study described in subsection (b), and notwith-
2 standing section 211(o) of the Clean Air Act (42 U.S.C.
3 7545(o)), the Administrator of the Environmental Protec-
4 tion Agency may not require, for any calendar year, that
5 transportation fuel sold or introduced into commerce in
6 the United States contain more than a total volume of cel-
7 lulosic biofuel than the total volume of cellulosic biofuel
8 that was commercially available for the most recent cal-
9 endar year for which such total volume is known.

10 (b) PARAMETERS OF THE STUDY.—The Adminis-
11 trator of the Environmental Protection Agency shall enter
12 into an arrangement with the National Academies for a
13 comprehensive study on—

14 (1) the production capacity for cellulosic biofuel
15 at the time of the study in gallons per year;

16 (2) the resources needed to ensure that trans-
17 portation fuel sold or introduced into commerce in
18 the United States contains at least 16 billion gallons
19 of cellulosic biofuel in calendar year 2022, in accord-
20 ance with section 211(o) of the Clean Air Act, in-
21 cluding—

22 (A) the number of cellulosic ethanol facili-
23 ties to be constructed;

24 (B) the acres of land to be used; and

25 (C) the total capital investment needed;

1 (3) the energy produced by the combustion of
2 16 billion gallons of cellulosic biofuel in comparison
3 to the energy required to produce such amount of
4 cellulosic biofuel;

5 (4) the environmental impacts of producing cel-
6 lulosic biofuel, including the net effect on global life-
7 cycle greenhouse gas emissions;

8 (5) the processes being developed to produce
9 cellulosic biofuel, including the technology needed to
10 make cellulosic biofuel commercially viable; and

11 (6) the economics of a cellulosic ethanol facility,
12 including—

13 (A) the cost of feedstock acquisition;

14 (B) the typical facility size;

15 (C) the relative economics of a corn eth-
16 anol facility compared to a cellulosic biofuel fa-
17 cility; and

18 (D) the price per gallon of transportation
19 fuel that contains cellulosic biofuel required for
20 such fuel to be profitable.

21 (c) EXCLUSIONS FOR PURPOSES OF STUDY.—For
22 purposes of the study described in subsection (b), the term
23 “cellulosic biofuel” does not include any compressed nat-
24 ural gas, liquefied natural gas, or electricity used to power
25 electric vehicles that is produced from biogas from—

- 1 (1) a landfill;
- 2 (2) a municipal wastewater treatment facility
- 3 digester;
- 4 (3) a separated municipal solid waste digester;
- 5 or
- 6 (4) an agricultural digester.

7 **SEC. 2. PROHIBITIONS ON NEW APPROPRIATIONS.**

8 No additional funds are authorized to be appro-
9 priated to carry out this Act, and this Act shall be carried
10 out using amounts otherwise made available for science
11 and technology, including research and development activi-
12 ties, at the Environmental Protection Agency.

○