

S 606

Reliable Fuels Act

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Environmental Protection

Introduced: Mar 11, 2005

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 116.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 116. (May 26, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/606>

Sponsor

Name: Sen. Thune, John [R-SD]

Party: Republican • State: SD • Chamber: Senate

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Bond, Christopher S. [R-MO]	R · MO		Mar 11, 2005
Sen. Inhofe, James M. [R-OK]	R · OK		Mar 11, 2005
Sen. Voinovich, George V. [R-OH]	R · OH		Mar 11, 2005

Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Reported By	May 26, 2005

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

Bill	Relationship	Last Action
109 HR 3081	Related bill	Jul 12, 2005: Executive Comment Requested from USDA.
109 S 1232	Related bill	Jun 14, 2005: Read twice and referred to the Committee on Environment and Public Works.
109 HR 1608	Related bill	Apr 22, 2005: Referred to the Subcommittee on Energy and Air Quality.
109 S 650	Related bill	Mar 17, 2005: Read twice and referred to the Committee on Environment and Public Works. (text of measure as introduced: CR S2999-3003)

Reliable Fuels Act - **Title I: General Provisions** - (Sec. 101) Amends the Clean Air Act to establish a renewable fuel program to increase production and use of renewable fuel in motor vehicles. Defines "renewable fuel" as motor vehicle fuel that is produced from grain, starch, oilseeds, or other biomass or a natural gas produced from a biogas source, and that is used to replace or reduce fossil fuels. Includes cellulosic biomass ethanol as equal to 1.5 gallons of renewable fuel.

Requires the Administrator of the Environmental Protection Agency (EPA) to promulgate regulations within one year after enactment of this Act to ensure that gasoline sold in the continental United States contains a specified volume of renewable fuel, beginning in 2006 at 3.8 billion gallons. Phases in a renewable fuel content requirement of 6.0 billion gallons in 2012. Sets forth a formula for determining the required renewable fuel content for 2013 and thereafter. Exempts small crude oil refineries (less than 75,000 barrels annually) from renewable fuel content requirements until 2011.

Establishes: (1) a system of tradeable credits for gasoline containing more renewable fuel than required; (2) a system of waivers for states and small crude oil refineries; and (3) a safe harbor from civil liability for renewable fuel manufacturers.

Requires the Administrator of the Energy Information Administration to study (in each calendar year beginning in 2006-2012) renewable fuel blending to determine whether there are excessive seasonal variations in the use of such fuel.

Directs the Federal Trade Commission (FTC) to perform an annual market concentration analysis of the level of competition in the ethanol production industry and to report to Congress on such analysis by December 1, 2005.

Directs the Administrator to promulgate an alternative vapor pressure limitation for ethanol blends when necessary to prevent increased emissions.

(Sec. 102) Requires the Administrator to conduct (by December 1, 2006, and on an annual basis thereafter) a survey to determine market share of conventional and reformulated gasoline containing ethanol and other renewable fuels.

Authorizes funding for loan guarantees to carry out cellulosic biomass commercial demonstration projects. Requires the Secretary of Energy to carry out not more than four such projects, including projects using cereal and municipal solid waste as feedstocks. Requires each project to have a design capacity for the production of at least 30 million gallons of cellulosic biomass ethanol each year.

Authorizes appropriations for a resource center at the University of Mississippi and the University of Oklahoma to develop bioconversion technology using low-cost biomass to produce ethanol.

Requires the Administrator to make grants for the research, development, and implementation of renewable fuel production technologies in certain states with low rates of ethanol production.

Authorizes the Secretary to make grants to merchant producers of cellulosic biomass ethanol for the construction of production facilities that use cellulosic biomass feedstocks. Authorizes appropriations.

(Sec. 103) Directs the Administrator of the Energy Information Administration to conduct and publish a survey of renewable fuels consumption in the U.S. motor vehicle fuels market on a monthly basis.

**Title II: Federal Reformulated Fuels** - (Sec. 201) Federal Reformulated Fuels Act of 2005 - Amends the Solid Waste Disposal Act to permit the use of the Leaking Underground Storage Tank Trust Fund for methyl tertiary butyl ether (MTBE) remediation purposes. Authorizes appropriations.

(Sec. 203) Prohibits the use of MTBE in motor vehicle fuel in certain states four years after enactment of this Act. Authorizes the Secretary of Energy to make grants to merchant producers of MTBE for conversion of MTBE facilities. Authorizes appropriations.

(Sec. 204) Amends the Clean Air Act to eliminate the oxygen content requirement for reformulated gasoline.

Requires the Administrator to establish standards for controlling toxic air pollutants from the use of reformulated gasoline.

Permits the commingling at retail stations of reformulated gasoline containing and not containing ethanol if the commingling complies with reformulated gasoline requirements and the retailer notifies the EPA prior to the commingling.

Requires the Administrator to revise certain regulations relating to volatility requirements for reformulated gasoline.

(Sec. 205) Requires the Administrator (currently discretionary) to require manufacturers of fuels or fuel additives to conduct tests to determine potential public health and environmental effects of fuels or fuel additives prior to registering such fuels.

Directs the Administrator to conduct a study of the public health and environmental effects, including effects on children, pregnant women, minority or low-income communities, and other sensitive populations, of using ethyl tertiary butyl ether (ETBE) and other additives, including ethanol, as substitutes for MTBE.

(Sec. 206) Requires the Administrator to: (1) publish in draft and final form an analysis of changes in emissions of air pollutants and air quality due to the use of motor vehicle fuel and fuel additives resulting from the implementation of this title; (2) develop and finalize an emissions model that reflects the effects of characteristics or components of motor vehicle fuel or emissions from 2007 vehicles; and (3) study and report to Congress on the permeation effects of ethanol content in gasoline.

(Sec. 207) Permits states in the ozone transport region, as created under the Clean Air Act, to opt into the reformulated gasoline (RFG) program unless the Administrator determines that there is insufficient capacity to supply reformulated gasoline in such region. Allows the Administrator, in the event of a finding of insufficient capacity, to extend or renew a state's participation in the program.

(Sec. 208) Requires the Administrator, at the request of a state, to enforce state controls on fuel and fuel additives.

(Sec. 209) Directs the Administrator and the Secretary of Energy to conduct a joint study of federal, state, and local motor fuels requirements and to report to Congress on such study by June 1, 2008. Requires such study to assess, among other things, the effect of the variety of such fuel requirements on consumer prices, fuel availability, domestic suppliers, air quality, and emissions.

## Actions Timeline

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- **May 26, 2005:** Committee on Environment and Public Works. Reported by Senator Inhofe with amendments. With written report No. 109-74. Additional and Minority views filed.
- **May 26, 2005:** Committee on Environment and Public Works. Reported by Senator Inhofe with amendments. With written report No. 109-74. Additional and Minority views filed.
- **May 26, 2005:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 116.
- **Mar 16, 2005:** Committee on Environment and Public Works. Ordered to be reported with amendments favorably.
- **Mar 11, 2005:** Introduced in Senate
- **Mar 11, 2005:** Sponsor introductory remarks on measure. (CR S2521-2522)
- **Mar 11, 2005:** Read twice and referred to the Committee on Environment and Public Works.