

110TH CONGRESS  
2D SESSION

# H. R. 5236

To promote the use of certain materials harvested from public lands in the production of renewable fuel, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2008

Ms. HERSETH SANDLIN (for herself, Mr. WALDEN of Oregon, Mr. DEFazio, Mr. STUPAK, Mr. ROSS, Mr. PICKERING, Mrs. EMERSON, Mr. GOODLATTE, Mr. BONNER, and Mr. PETERSON of Pennsylvania) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To promote the use of certain materials harvested from public lands in the production of renewable fuel, 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 “Renewable Biomass  
5       Facilitation Act of 2008”.

6       **SEC. 2. RENEWABLE BIOMASS.**

7       Section 201 of the Energy Independence and Security  
8       Act of 2006 (Public Law 110–140; 121 Stat. 1519) is

1 amended in the amendment made to section 211(o)(1) of  
2 the Clean Air Act (42 U.S.C. 7545) by amending subpara-  
3 graph (I) of such section 211(o)(1) to read as follows:

4 “(I) RENEWABLE BIOMASS.—The term ‘re-  
5 newable biomass’ means—

6 “(A) materials, precommercial thinnings,  
7 or removed exotic species that—

8 “(i) are byproducts of preventive  
9 treatments (such as trees, wood, brush,  
10 thinnings, chips, and slash) that are re-  
11 moved—

12 “(I) to reduce hazardous fuels;

13 “(II) to reduce or contain disease  
14 or insect infestation; or

15 “(III) to restore ecosystem  
16 health;

17 “(ii) would not otherwise be used for  
18 higher-value products; and

19 “(iii) are harvested from National  
20 Forest System land or public lands (as de-  
21 fined in section 103 of the Federal Land  
22 Policy and Management Act of 1976) in  
23 accordance with—

24 “(I) Federal and State law;

1           “(II) applicable land manage-  
2           ment plans; and

3           “(III) the requirements for old-  
4           growth maintenance, restoration, and  
5           management direction of paragraphs  
6           (2), (3), and (4) of subsection (e) of  
7           section 102 of the Healthy Forests  
8           Restoration Act of 2003 and the re-  
9           quirements for large-tree retention of  
10          subsection (f) of that section; or

11          “(B) any organic matter that is available  
12          on a renewable or recurring basis from non-  
13          Federal land or land belonging to an Indian or  
14          Indian tribe that is held in trust by the United  
15          States or subject to a restriction against alien-  
16          ation imposed by the United States, including—

17                 “(i) renewable plant material, includ-  
18                 ing—

19                         “(I) feed grains;

20                         “(II) other agricultural commod-  
21                         ities;

22                         “(III) other plants and trees; and

23                         “(IV) algae; and

24                 “(ii) waste material, including—

25                         “(I) crop residue;

1                   “(II) other vegetative waste ma-  
2                   terial (including wood waste and wood  
3                   residues);

4                   “(III) animal waste and byprod-  
5                   ucts (including fats, oils, greases, and  
6                   manure);

7                   “(IV) construction waste; and

8                   “(V) food waste and yard  
9                   waste.”.

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