

111TH CONGRESS  
1ST SESSION

# S. 283

To amend the Energy Policy and Conservation Act to modify the conditions for the release of products from the Northeast Home Heating Oil Reserve Account, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

JANUARY 21, 2009

Ms. SNOWE (for herself, Mr. DODD, and Mr. KERRY) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

## A BILL

To amend the Energy Policy and Conservation Act to modify the conditions for the release of products from the Northeast Home Heating Oil Reserve Account, 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. RELEASE OF PRODUCTS FROM NORTHEAST**  
4 **HOME HEATING OIL RESERVE ACCOUNT.**

5 Section 183 of the Energy Policy and Conservation  
6 Act (42 U.S.C. 6250b) is amended by striking subsection  
7 (a) and inserting the following:

8 “(a) FINDINGS.—

1           “(1) OPTIONAL RELEASES.—

2                   “(A) IN GENERAL.—Subject to paragraph  
3           (2), the Secretary may sell products from the  
4           Reserve only on a finding by the President  
5           that—

6                           “(i) there is a severe energy supply  
7                           interruption; or

8                           “(ii) the price of home heating oil  
9                           threatens the health and safety of resi-  
10                          dents of the Northeast.

11                   “(B) REQUIREMENT.—The President may  
12           make a finding under subparagraph (A) only if  
13           the President determines that—

14                           “(i) a dislocation in the heating oil  
15                           market has resulted from an interruption  
16                           described in subparagraph (A)(i);

17                           “(ii) the price of home heating oil has  
18                           increased by such an extent that the  
19                           Northeast is experiencing, or will experi-  
20                           ence, an emergency situation that threat-  
21                           ens the safety and health of residents of  
22                           the Northeast; or

23                           “(iii)(I) a circumstance (other than a  
24                           circumstance described in clause (i) or (ii))  
25                           exists that constitutes a regional supply

1 shortage of significant scope and duration;  
2 and

3 “(II) action taken under this section  
4 would assist directly and significantly in  
5 reducing the adverse impact of the short-  
6 age.

7 “(2) MANDATORY RELEASES.—

8 “(A) IN GENERAL.—For each fiscal year,  
9 the Secretary shall sell—

10 “(i) 20 percent of the quantity of  
11 products in the Reserve as of November 1  
12 of that fiscal year, on a finding by the  
13 President that the average retail price of  
14 No. 2 heating oil in the Northeast (as re-  
15 ported in the retail price data of the En-  
16 ergy Information Administration for the  
17 Northeast) is equal to or more than \$4.00  
18 per gallon (in 2008 dollars) on November  
19 1 of that fiscal year;

20 “(ii) 20 percent of the quantity of  
21 products in the Reserve as of November 1  
22 of that fiscal year, on a finding by the  
23 President that the average retail price of  
24 No. 2 heating oil in the Northeast (as so  
25 reported) is equal to or more than \$4.00

1 per gallon (in 2008 dollars) on December  
2 1 of that fiscal year;

3 “(iii) 20 percent of the quantity of  
4 products in the Reserve as of November 1  
5 of that fiscal year, on a finding by the  
6 President that the average retail price of  
7 No. 2 heating oil in the Northeast (as so  
8 reported) is equal to or more than \$4.00  
9 per gallon (in 2008 dollars) on January 1  
10 of that fiscal year;

11 “(iv) 20 percent of the quantity of  
12 products in the Reserve as of November 1  
13 of that fiscal year, on a finding by the  
14 President that the average retail price of  
15 No. 2 heating oil in the Northeast (as so  
16 reported) is equal to or more than \$4.00  
17 per gallon (in 2008 dollars) on February 1  
18 of that fiscal year; and

19 “(v) 20 percent of the quantity of  
20 products in the Reserve as of November 1  
21 of that fiscal year, on a finding by the  
22 President that the average retail price of  
23 No. 2 heating oil in the Northeast (as so  
24 reported) is equal to or more than \$4.00

1 per gallon (in 2008 dollars) on March 1 of  
2 that fiscal year.

3 “(B) USE OF REVENUE.—The Secretary  
4 shall use any revenue derived from the sale of  
5 products in the Reserve under subparagraph  
6 (A) to provide assistance to low-income con-  
7 sumers of heating oil under the Weatherization  
8 Assistance Program for Low-Income Persons  
9 established under part A of title IV of the En-  
10 ergy Conservation and Production Act (42  
11 U.S.C. 6861 et seq.).”.

○