

107TH CONGRESS  
1ST SESSION

# S. 1718

To amend the Internal Revenue Code of 1986 to extend section 29 to other facilities.

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2001

Mr. BURNS introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend the Internal Revenue Code of 1986 to extend section 29 to other facilities.

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. EXTENSION OF CREDIT FOR PRODUCING FUEL**

4 **FROM A NONCONVENTIONAL SOURCE.**

5 (a) IN GENERAL.—Section 29 of the Internal Rev-  
6 enue Code of 1986 is amended by adding at the end the  
7 following new subsection:

8 “(h) EXTENSION FOR OTHER FACILITIES.—

9 “(1) IN GENERAL.—In the case of a facility de-  
10 scribed in paragraph (2) which was placed in service

1 after June 30, 1998, and before January 1, 2007,  
 2 this section shall apply to fuel produced at such fa-  
 3 cility during the 5-year period beginning on the later  
 4 of—

5 “(A) the date such facility was placed in  
 6 service, or

7 “(B) the date of the enactment of this sub-  
 8 section.

9 “(2) COVERED FACILITIES.—A facility is de-  
 10 scribed in this paragraph if such facility produces a  
 11 qualified fuel described in subsection (c)(1)(C) using  
 12 a technology that results in—

13 “(A) a qualified emission reduction, and

14 “(B) a qualified enhanced value.

15 “(3) QUALIFIED EMISSION REDUCTION.—For  
 16 purposes of this subsection, the term ‘qualified emis-  
 17 sion reduction’ means a reduction of at least 20 per-  
 18 cent of the emissions of sulfur dioxide and nitrogen  
 19 oxide released when burning the qualified fuel (ex-  
 20 cluding any dilution caused by materials combined  
 21 or added during the production process), as com-  
 22 pared to the emissions released when burning the  
 23 feedstock coal or comparable coal predominantly  
 24 available in the marketplace as of January 1, 2002.

1           “(4) QUALIFIED ENHANCED VALUE.—For pur-  
2       poses of this subsection, the term ‘qualified en-  
3       hanced value’ means an increase of at least 50 per-  
4       cent in the market value of the qualified fuel (ex-  
5       cluding any increase caused by materials combined  
6       or added during the production process), as com-  
7       pared to the value of the feedstock coal or com-  
8       parable coal predominantly available in the market-  
9       place as of January 1, 2002.”.

10       (b) EFFECTIVE DATE.—The amendment made by  
11 this section shall apply to fuel sold after the date of the  
12 enactment of this Act.

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