

in petroleum distillate that provides the Department with fair market value. At no time may the oil be sold or exchanged resulting in a loss of revenue or value to the United States; and

(3) the Secretary shall only sell or dispose of the oil in the Reserve to entities customarily engaged in the sale and distribution of petroleum distillate.

**(e) Plan**

Within 45 days of November 9, 2000, the Secretary shall transmit to the President and, if the President approves, to the Congress a plan describing—

(1) the acquisition of storage and related facilities or storage services for the Reserve, including the potential use of storage facilities not currently in use;

(2) the acquisition of petroleum distillate for storage in the Reserve;

(3) the anticipated methods of disposition of petroleum distillate from the Reserve;

(4) the estimated costs of establishment, maintenance, and operation of the Reserve;

(5) efforts the Department will take to minimize any potential need for future drawdowns and ensure that distributors and importers are not discouraged from maintaining and increasing supplies to the Northeast; and

(6) actions to ensure quality of the petroleum distillate in the Reserve.

(Pub. L. 94-163, title I, §183, as added Pub. L. 106-469, title II, §201(a)(3), Nov. 9, 2000, 114 Stat. 2035; amended Pub. L. 109-58, title III, §301(d), Aug. 8, 2005, 119 Stat. 684.)

AMENDMENTS

2005—Subsec. (b)(1). Pub. L. 109-58 substituted “by more than 60 percent over its 5-year rolling average for the months of mid-October through March (considered as a heating season average)” for “by more than 60 percent over its 5 year rolling average for the months of mid-October through March”.

**§ 6250c. Northeast Home Heating Oil Reserve Account**

**(a) Establishment**

Upon a decision of the Secretary of Energy to establish a Reserve under this part, the Secretary of the Treasury shall establish in the Treasury of the United States an account known as the “Northeast Home Heating Oil Reserve Account” (referred to in this section as the “Account”).

**(b) Deposits**

the<sup>1</sup> Secretary of the Treasury shall deposit in the Account any amounts appropriated to the Account and any receipts from the sale, exchange, or other disposition of petroleum distillate from the Reserve.

**(c) Obligation of amounts**

The Secretary of Energy may obligate amounts in the Account to carry out activities under this part without the need for further appropriation, and amounts available to the Secretary of Energy for obligation under this sec-

tion shall remain available without fiscal year limitation.

(Pub. L. 94-163, title I, §184, as added Pub. L. 106-469, title II, §201(a)(3), Nov. 9, 2000, 114 Stat. 2036.)

**§ 6250d. Exemptions**

An action taken under this part is not subject to the rulemaking requirements of section 6393 of this title, section 7191 of this title, or section 553 of title 5.

(Pub. L. 94-163, title I, §185, as added Pub. L. 106-469, title II, §201(a)(3), Nov. 9, 2000, 114 Stat. 2036.)

**§ 6250e. Repealed. Pub. L. 109-58, title III, § 301(a)(2), Aug. 8, 2005, 119 Stat. 683**

Section, Pub. L. 94-163, title I, §186, as added Pub. L. 106-469, title II, §201(a)(3), Nov. 9, 2000, 114 Stat. 2036; amended Pub. L. 108-7, div. F, title III, §339(a)(2), Feb. 20, 2003, 117 Stat. 278, authorized appropriations for this part.

**§ 6250f. Limit on amount of petroleum distillate**

Notwithstanding section 6250 of this title, for fiscal year 2012 and hereafter, the [Northeast Home Heating Oil] Reserve shall contain no more than 1 million barrels of petroleum distillate.

(Pub. L. 112-74, div. B, title III, Dec. 23, 2011, 125 Stat. 869.)

CODIFICATION

Section was enacted as part of the Energy and Water Development and Related Agencies Appropriations Act, 2012, and also as part of the Consolidated Appropriations Act, 2012, and not as part of the Energy Policy and Conservation Act which comprises this chapter.

PART E—EXPIRATION

**§ 6251. Repealed. Pub. L. 109-58, title III, § 301(a)(3), Aug. 8, 2005, 119 Stat. 683**

Section, Pub. L. 94-163, title I, §191, formerly §171, as added Pub. L. 99-58, title I, §101(a), July 2, 1985, 99 Stat. 102; amended Pub. L. 101-46, §1(1), June 30, 1989, 103 Stat. 132; Pub. L. 101-262, §2(b), Mar. 31, 1990, 104 Stat. 124; Pub. L. 101-360, §2(b), Aug. 10, 1990, 104 Stat. 421; renumbered §181 and amended Pub. L. 101-383, §§2(2), 6(a)(3), Sept. 15, 1990, 104 Stat. 727, 729; Pub. L. 103-406, title I, §102, Oct. 22, 1994, 108 Stat. 4209; Pub. L. 104-306, §1(2), Oct. 14, 1996, 110 Stat. 3810; Pub. L. 105-177, §1(2), June 1, 1998, 112 Stat. 105; Pub. L. 106-64, §1(2), Oct. 5, 1999, 113 Stat. 511; renumbered §191 and amended Pub. L. 106-469, title I, §103(23), title II, §201(a)(2), Nov. 9, 2000, 114 Stat. 2033, 2034; Pub. L. 108-7, div. F, title III, §339(a)(3), Feb. 20, 2003, 117 Stat. 278, provided for the expiration of all authority under this subchapter at midnight Sept. 30, 2008.

SUBCHAPTER II—STANDBY ENERGY AUTHORITIES

PART A—GENERAL EMERGENCY AUTHORITIES

**§§ 6261 to 6264. Repealed. Pub. L. 106-469, title I, § 104(1), Nov. 9, 2000, 114 Stat. 2033**

Section 6261, Pub. L. 94-163, title II, §201, Dec. 22, 1975, 89 Stat. 890; Pub. L. 96-102, title I, §§103(b)(1), (c)(1), 105(a)(1)-(3), (5), Nov. 5, 1979, 93 Stat. 751, 755, 756; H. Res. 549, Mar. 25, 1980, required the President to transmit to Congress energy conservation contingency plans

<sup>1</sup> So in original. Probably should be capitalized.