

111TH CONGRESS
1ST SESSION

H. R. 469

IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2009

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To encourage research, development, and demonstration of technologies to facilitate the utilization of water produced in connection with the development of domestic energy resources, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Produced Water Utili-
3 zation Act of 2009”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **PRODUCED WATER.**—The term “produced
7 water” means water from an underground source
8 that is brought to the surface as part of the process
9 of exploration for or development of coalbed meth-
10 ane, oil, natural gas, or any other substance to be
11 used as an energy source.

12 (2) **SECRETARY.**—The term “Secretary” means
13 the Secretary of Energy.

14 **SEC. 3. PURPOSES.**

15 (a) **IN GENERAL.**—The Secretary shall carry out
16 under this Act a program of research, development, and
17 demonstration of technologies for environmentally sustain-
18 able utilization of produced water for agricultural,
19 irrigational, municipal, and industrial uses, or other envi-
20 ronmentally sustainable purposes. The program shall be
21 designed to maximize the utilization of produced water in
22 the United States by increasing the quality of produced
23 water and reducing the environmental impacts of produced
24 water.

25 (b) **PROGRAM ELEMENTS.**—The program under this
26 Act shall address the following areas, including improving

1 safety and minimizing environmental impacts of activities
2 within each area:

3 (1) Produced water recovery, including research
4 for desalination and demineralization to reduce total
5 dissolved solids in the produced water.

6 (2) Produced water utilization for agricultural,
7 irrigational, municipal, and industrial uses, or other
8 environmentally sustainable purposes.

9 (3) Re-injection of produced water into sub-
10 surface geological formations to increase energy pro-
11 duction.

12 (c) PROGRAM ADMINISTRATION.—To carry out the
13 purposes under this Act, the Secretary may enter into an
14 agreement with a consortium whose members have collec-
15 tively demonstrated capabilities and experience in plan-
16 ning and managing research, development, demonstration,
17 and commercial application programs for unconventional
18 natural gas and other petroleum production and produced
19 water utilization.

20 (d) ACTIVITIES AT THE NATIONAL LABORATORIES.—
21 The Secretary, through the appropriate National Labora-
22 tory, shall carry out a program of research, development,
23 and demonstration activities complementary to and sup-
24 portive of the research, development, and demonstration
25 programs under subsection (b).

1 **SEC. 4. CONSULTATION AND COORDINATION.**

2 (a) CONSULTATION.—In carrying out this Act, the
3 Secretary shall consult with the Secretary of the Interior
4 and the Administrator of the Environmental Protection
5 Agency.

6 (b) COORDINATION.—To the maximum extent prac-
7 ticable, the Secretary shall ensure that the activities under
8 this Act are coordinated with, and do not duplicate the
9 efforts of, programs at the Department of Energy and
10 other government agencies.

11 **SEC. 5. FUNDING.**

12 (a) ALLOCATION.—Amounts appropriated for this
13 Act for each fiscal year shall be allocated as follows:

14 (1) 75 percent shall be for activities under sec-
15 tion 3(a), (b), and (c).

16 (2) 25 percent shall be for activities under sec-
17 tion 3(d) and other activities under section 3, includ-
18 ing administrative functions such as program direc-
19 tion, overall program oversight, and contract man-
20 agement.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this Act
3 \$20,000,000 for each of fiscal years 2010 through 2014.

Passed the House of Representatives February 11,
2009.

Attest: LORRAINE C. MILLER,
Clerk.