112TH CONGRESS
1ST SESSION

H. R. 2171

To promote timely exploration for geothermal resources under existing
geothermal leases, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 2011

Mr. LABRADOR (for himself, Mr. HASTINGS of Washington, Mr. LAMBORN,
Mr. BROUN of Georgia, Mr. DUNCAN of Tennessee, and Mr. WITTMAN)
introduced the following bill; which was referred to the Committee on
Natural Resources

A BILL

To promote timely exploration for geothermal resources
under existing geothermal leases, 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 "Exploring for Geo-

5 thermal Energy on Federal Lands Act".

6 **SEC. 2. GEOTHERMAL EXPLORATION NOTICE AND EXCLU-**

7   **SION.**

8   (a) DEFINITION OF GEOTHERMAL EXPLORATION

9 TEST PROJECT.—In this section the term "geothermal ex-

1 ploration test project'' means the drilling of a well to test

2 or explore for geothermal resources on lands leased by the

3 Department of the Interior for the development and pro-

4 duction of geothermal resources, that—

5   (1) is carried out by the holder of the lease;

6   (2) causes—

7   (A) less than 1 acre of soil or vegetation

8   disruption at the location of each geothermal

9   exploration well; and

10   (B) not more than 5 acres of soil or vege-

11   tation disruption during access or egress to the

12   test site;

13   (3) is developed—

14   (A) no deeper than 2,500 feet;

15   (B) less than 8 inches in diameter;

16   (C) in a manner that does not require off-

17   road motorized access other than to and from

18   the well site along an identified off-road route

19   for which notice is provided to the Secretary of

20   the Interior under subsection (c);

21   (D) without construction of new roads

22   other than upgrading of existing drainage cross-

23   ings for safety purposes; and

24   (E) with the use of rubber-tired digging or

25   drilling equipment vehicles; and

1 (4) is completed in less than 45 days, includ-

2 ing—

3 (A) removal of any surface infrastructure

4 from the site; and

5 (B) restoration of the project site to ap-

6 proximately the condition that existed at the

7 time the project began.

8 (b) NEPA EXCLUSION.—Section 102(2)(C) of the

9 National Environmental Policy Act of 1969 (42 U.S.C.

10 4321 et seq.) shall not apply with respect to a project that

11 the Secretary of the Interior determines under subsection

12 (c) is a geothermal exploration test project.

13 (c) NOTICE OF INTENT; REVIEW AND DETERMINA-

14 TION.—

15 (1) REQUIREMENT TO PROVIDE NOTICE.—A

16 leaseholder intending to carry out a geothermal ex-

17 ploration test project shall provide notice to the Sec-

18 retary of the Interior not later than 30 days prior

19 to the start of drilling under the project.

20 (2) REVIEW OF PROJECT.—The Secretary shall

21 by not later than 10 days after receipt of a notice

22 of intent under paragraph (1) from a leaseholder—

23 (A) review the project described in the no-

24 tice and determine whether it is a geothermal

25 exploration test project under subsection (a);

1 (B) notify the leaseholder—

2 (i) that under subsection (b) of this

3 section, section 102(2)(C) of the National

4 Environmental Policy Act of 1969 (42

5 U.S.C. 4321 et seq.) does not apply to the

6 project; or

7 (ii) that section 102(2)(C) of the Na-

8 tional Environmental Policy Act of 1969

9 (42 U.S.C. 4321 et seq.) applies to the

10 project, including clear and detailed find-

11 ings on any deficiencies in the project that

12 preclude the application of subsection (b)

13 of this section to the project..

14 (3) OPPORTUNITY TO REMEDY.—If the Sec-

15 retary provides notice under paragraph (2)(B)(ii)

16 that section 102(2)(C) of the National Environ-

17 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.)

18 applies to the project, the Secretary shall provide the

19 leaseholder an opportunity to remedy the deficiencies

20 described in the notice prior to the date the lease-

21 holder intended to start of drilling under the project.

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