

115TH CONGRESS
2D SESSION

S. 3653

To amend the Energy Policy Act of 2005 to provide that certain coal-fired power plants are eligible for loan guarantees, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2018

Mr. YOUNG 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 Act of 2005 to provide that certain coal-fired power plants are eligible for loan guarantees, 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 “Reinvigorating Amer-
5 ican Energy Infrastructure Act”.

6 **SEC. 2. EXPANSION OF FOSSIL ENERGY LOAN GUARAN-**
7 **TEES.**

8 (a) IN GENERAL.—Section 1703 of the Energy Policy
9 Act of 2005 (42 U.S.C. 16513) is amended—

1 (1) in subsection (b)(2), by striking “in sub-
2 section (d)” and inserting “under subsection (d) and
3 coal-fired electric generating units meeting the cri-
4 teria under subsection (e)”;

5 (2) by redesignating subsection (e) as sub-
6 section (f); and

7 (3) by inserting after subsection (d) the fol-
8 lowing:

9 “(e) COAL-FIRED ELECTRIC GENERATING UNITS.—

10 “(1) IN GENERAL.—The Secretary may make
11 guarantees for the following coal-fired electric gener-
12 ating projects:

13 “(A) LARGE-SCALE HELE UNITS.—Large-
14 scale high-efficiency, low-emissions coal-fired
15 electric generating units—

16 “(i) not less than 65 percent of the
17 annual net energy output of which is used
18 to generate electricity;

19 “(ii) that have a maximum design
20 (nameplate) generating capacity that is not
21 less than 350 megawatts;

22 “(iii) that derive not less than 65 per-
23 cent of the annual heat input from coal or
24 1 or more coal derived fuels;

1 “(iv) that have been designed to
2 achieve an overall generation efficiency of
3 not less than 40 percent;

4 “(v) that have the capability of ac-
5 commodating the equipment that might be
6 necessary in the future to capture the car-
7 bon dioxide emissions from the unit; and

8 “(vi) that, to the maximum extent
9 practicable, minimize water consumption.

10 “(B) SMALL-SCALE HELE UNITS.—Small-
11 scale, high-efficiency, low-emissions coal-fired
12 electric generating units—

13 “(i) not less than 65 percent of the
14 annual net energy output of which is used
15 to generate electricity;

16 “(ii) that employ a modular design
17 that maximizes the benefits of high-quality,
18 low-cost shop fabrication to minimize con-
19 struction costs and project cycle time;

20 “(iii) that have a maximum design
21 (nameplate) generating capacity that is
22 less than 350 megawatts;

23 “(iv) that derive not less than 65 per-
24 cent of the annual heat input from coal or
25 1 or more coal derived fuels;

1 “(v) that have been designed to
2 achieve an overall generation efficiency of
3 not less than 40 percent;

4 “(vi) that have the capability of ac-
5 commodating the equipment that might be
6 necessary in the future to capture the car-
7 bon dioxide emissions from the unit;

8 “(vii) that have a load following capa-
9 bility down to 25 percent of maximum con-
10 tinuous rating for the unit;

11 “(viii) that have the capability to
12 achieve high ramp rates of not less than 4
13 percent of the maximum continuous rating
14 per minute of the unit; and

15 “(ix) that, to the maximum extent
16 practicable, minimize water consumption.

17 “(2) FEES.—The Secretary shall not require
18 with respect to a project receiving a guarantee under
19 paragraph (1)—

20 “(A) any payment under section 1702(b)
21 for the cost of the guarantee; or

22 “(B) the payment of—

23 “(i) any fees to cover administrative
24 expenses under section 1702(h); or

1 “(ii) any other fees under this title,
2 including application fees, facility fees, and
3 maintenance fees.

4 “(3) STREAMLINED PERMITTING.—A project
5 receiving a guarantee under paragraph (1) shall be
6 considered to be a covered project under title XLI
7 of the FAST Act (42 U.S.C. 4370m et seq.).”.

8 (b) CONFORMING AMENDMENTS.—Section 1702 of
9 the Energy Policy Act of 2005 (42 U.S.C. 16512) is
10 amended—

11 (1) in subsection (b)—

12 (A) by striking the subsection designation
13 and heading and all that follows through “No
14 guarantee” in the matter preceding subpara-
15 graph (A) and inserting the following:

16 “(b) SPECIFIC APPROPRIATION OR CONTRIBU-
17 TION.—Except as provided in section 1703(e)(2)(A), no
18 guarantee”;

19 (B) by redesignating subparagraphs (A)
20 through (C) as paragraphs (1) through (3), re-
21 spectively, and indenting appropriately; and

22 (C) in paragraph (3) (as so redesign-
23 ated)—

24 (i) by striking “subparagraph (A)”
25 and inserting “paragraph (1)”; and

1 (ii) by striking “subparagraph (B)”

2 and inserting “paragraph (2)”; and

3 (2) in subsection (h)(1), by striking “The Sec-

4 retary” and inserting the following: “Except as pro-

5 vided in section 1703(e)(2)(B), the Secretary”.

6 (c) TECHNICAL CORRECTION.—Section 20320(a) of

7 the Continuing Appropriations Resolution, 2007 (42

8 U.S.C. 16515(a)) is amended, in the first sentence, by

9 striking “section 1702(b)(2)” and inserting “section

10 1702(b)”.

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