

118TH CONGRESS
1ST SESSION

H. R. 3182

To amend the Energy Policy Act of 2005 to require the Secretary of Energy to create a plan for research, development, and commercialization projects capable of making significant reductions in the greenhouse gas emissions or carbon intensity of qualified fuel production facilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2023

Mrs. FLETCHER introduced the following bill; which was referred to the Committee on Science, Space, and Technology, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Energy Policy Act of 2005 to require the Secretary of Energy to create a plan for research, development, and commercialization projects capable of making significant reductions in the greenhouse gas emissions or carbon intensity of qualified fuel production facilities, 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 “Carbon Limiting Emis-
3 sions At Refineries Act” or the “CLEAR Act”.

4 **SEC. 2. CARBON EMISSIONS AND INTENSITY REDUCTION**
5 **TECHNOLOGIES FOR QUALIFIED FUEL PRO-**
6 **DUCTION FACILITIES.**

7 (a) IN GENERAL.—Subtitle F of title IX of the En-
8 ergy Policy Act of 2005 (42 U.S.C. 16291 et seq.) is
9 amended by adding at the end the following section:

10 **“SEC. 969E. CARBON EMISSIONS AND INTENSITY REDUC-**
11 **TION FOR QUALIFIED FUEL PRODUCTION FA-**
12 **CILITIES.**

13 “(a) REPORT.—Not later than 180 days after the
14 date of enactment of CLEAR Act, the Secretary shall sub-
15 mit to Congress a report that outlines opportunities for
16 research, development, and commercialization projects
17 that utilize technologies capable of making significant re-
18 ductions in the greenhouse gas emissions or carbon inten-
19 sity of qualified fuel production facilities, including a plan
20 for the 5-year period beginning on the date of the submis-
21 sion of the report for advancing the readiness level of such
22 technologies, including technologies for energy use reduc-
23 tions, use of advanced catalysts, electrification of heat and
24 steam generation, hydrogen firing, low grade waste heat
25 recovery, membrane separations, and other process im-

1 improvements for qualified fuel production facilities, from
2 laboratory scale to commercial use.

3 “(b) PROGRAM.—Not later than 180 days after the
4 Secretary submits the report under subsection (a), the
5 Secretary shall, based on such report, establish a program
6 of research, development, demonstration, and commercial
7 application of technologies described in subsection (a) to
8 facilitate the development of—

9 “(1) promising projects that, with appropriate
10 support, could produce such technologies that are
11 commercially-feasible; and

12 “(2) carbon capture, utilization, and sequestra-
13 tion technologies for qualified fuel production facili-
14 ties.

15 “(c) DEMONSTRATION PROJECTS.—

16 “(1) IN GENERAL.—In carrying out the pro-
17 gram established under subsection (b), the Secretary
18 may award funds for commercial-scale demonstra-
19 tion projects for qualified fuel production facilities
20 that test the scale of a technology described in sub-
21 section (a) necessary for commercial operation, in
22 accordance with this subsection.

23 “(2) ENGINEERING AND DESIGN STUDIES.—In
24 carrying out the program under subsection (b), the
25 Secretary may award funds for front-end engineer-

ing and design studies in addition to, or in advance of, issuing an award for a demonstration project under this subsection.

“(3) APPLICATION.—An entity seeking an award to conduct a demonstration project under this subsection shall submit to the Secretary an application at such time and in such manner as the Secretary may require.

“(4) LIMITATIONS.—The Secretary shall only provide an award under this subsection after reviewing each applicant and application for—

“(A) financial strength;

“(B) construction schedule;

“(C) market risk; and

“(D) contractor history.

“(5) REQUIREMENTS.—An awardee under this subsection shall—

“(A) utilize technologies that have completed pilot-scale testing or the equivalent, as determined by the Secretary;

“(B) secure and maintain agreements for one or more technologies described in subsection (a), or carbon capture, utilization, and sequestration technologies, at a qualified fuel production facility; and

1 “(C) upon completion of a demonstration
2 project, demonstrate reductions in the green-
3 house gas emissions or carbon intensity of a
4 qualified fuel production facility.

5 “(6) COST SHARING.—The Secretary shall re-
6 quire cost sharing under this subsection in accord-
7 ance with section 988.

8 “(d) APPLICABILITY.—No technology, or level of
9 emissions reduction, shall be treated as adequately dem-
10 onstrated for purposes of section 111 of the Clean Air Act
11 (42 U.S.C. 7411), achievable for purposes of section 169
12 of that Act (42 U.S.C. 7479), or achievable in practice
13 for purposes of section 171 of that Act (42 U.S.C. 7501)
14 solely by reason of the identification of such technology
15 in the report submitted under subsection (a) or under the
16 program established under subsection (b).

17 “(e) QUALIFIED FUEL PRODUCTION FACILITY DE-
18 FINED.—In this section, the term ‘qualified fuel produc-
19 tion facility’ means—

20 “(1) a petroleum refinery or any connected fa-
21 cility; or

22 “(2) a facility that manufactures commercial
23 amounts of a drop-in fuel (as defined in section
24 2922h(c)(1) of title 10, United States Code).

1 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
2 is authorized to be appropriated to carry out this section
3 \$200,000,000 for fiscal year 2024 and each fiscal year
4 thereafter.”.

5 (b) TABLE OF CONTENTS.—The table of contents for
6 the Energy Policy Act of 2005 is amended by adding after
7 the item relating to section 969D the following:

“Sec. 969E. Carbon emissions and intensity reduction for qualified fuel produc-
tion facilities.”.

