

(4) Identification of industries and pollutants that require priority assistance in multimedia source reduction²

(5) Recommendations as to incentives needed to encourage investment and research and development in source reduction.

(6) Identification of opportunities and development of priorities for research and development in source reduction methods and techniques.

(7) An evaluation of the cost and technical feasibility, by industry and processes, of source reduction opportunities and current activities and an identification of any industries for which there are significant barriers to source reduction with an analysis of the basis of this identification.

(8) An evaluation of methods of coordinating, streamlining, and improving public access to data collected under Federal environmental statutes.

(9) An evaluation of data gaps and data duplication with respect to data collected under Federal environmental statutes.

In the report following the first biennial report provided for under this subsection, paragraphs (3) through (9) may be included at the discretion of the Administrator.

(Pub. L. 101-508, title VI, §6608, Nov. 5, 1990, 104 Stat. 1388-326.)

REFERENCES IN TEXT

Section 13103(b) of this title, referred to in subsec. (a), was in the original "section 4(b)" and was translated as reading "section 6604(b)", meaning section 6604(b) of Pub. L. 101-508, because Pub. L. 101-508 has no section 4 but section 6604(b) of Pub. L. 101-508 relates to development of a strategy to promote source reduction.

§ 13108. Savings provisions

(a) Nothing in this chapter shall be construed to modify or interfere with the implementation of title III of the Superfund Amendments and Reauthorization Act of 1986 [42 U.S.C. 11001 et seq.].

(b) Nothing contained in this chapter shall be construed, interpreted or applied to supplant, displace, preempt or otherwise diminish the responsibilities and liabilities under other State or Federal law, whether statutory or common.

(Pub. L. 101-508, title VI, §6609, Nov. 5, 1990, 104 Stat. 1388-327.)

REFERENCES IN TEXT

Title III of the Superfund Amendments and Reauthorization Act of 1986, referred to in subsec. (a), is title III of Pub. L. 99-499, Oct. 17, 1986, 100 Stat. 1728, known as the Emergency Planning and Community Right-To-Know Act of 1986, which is classified generally to chapter 116 (§11001 et seq.) of this title. For complete classification of title III to the Code, see Short Title note set out under section 11001 of this title and Tables.

§ 13109. Authorization of appropriations

There is authorized to be appropriated to the Administrator \$8,000,000 for each of the fiscal years 1991, 1992, and 1993 for functions carried out under this chapter (other than State

Grants),¹ and \$8,000,000 for each of the fiscal years 1991, 1992, and 1993, for grant programs to States issued pursuant to section 13104 of this title.

(Pub. L. 101-508, title VI, §6610, Nov. 5, 1990, 104 Stat. 1388-327.)

CHAPTER 134—ENERGY POLICY

Sec.

13201. "Secretary" defined.

SUBCHAPTER I—ALTERNATIVE FUELS—GENERAL

13211. Definitions.

13212. Minimum Federal fleet requirement.

13213. Refueling.

13214. Federal agency promotion, education, and coordination.

13215. Agency incentives program.

13216. Recognition and incentive awards program.

13217. Measurement of alternative fuel use.

13218. Reports.

13219. United States Postal Service.

13220. Biodiesel fuel use credits.

SUBCHAPTER II—ALTERNATIVE FUELS—NON-FEDERAL PROGRAMS

13231. Public information program.

13232. Labeling requirements.

13233. Data acquisition program.

13234. Federal Energy Regulatory Commission authority to approve recovery of certain expenses in advance.

13235. State and local incentives programs.

13236. Alternative fuel bus program.

13237. Certification of training programs.

13238. Alternative fuel use in nonroad vehicles and engines.

13239. Low interest loan program.

SUBCHAPTER III—AVAILABILITY AND USE OF REPLACEMENT FUELS, ALTERNATIVE FUELS, AND ALTERNATIVE FUELED PRIVATE VEHICLES

13251. Mandate for alternative fuel providers.

13252. Replacement fuel supply and demand program.

13253. Replacement fuel demand estimates and supply information.

13254. Modification of goals; additional rulemaking authority.

13255. Voluntary supply commitments.

13256. Technical and policy analysis.

13257. Fleet requirement program.

13258. Credits.

13259. Secretary's recommendations to Congress.

13260. Effect on other laws.

13261. Prohibited acts.

13262. Enforcement.

13263. Powers of Secretary.

13263a. Alternative compliance.

13264. Authorization of appropriations.

SUBCHAPTER IV—ELECTRIC MOTOR VEHICLES

13271. Definitions.

PART A—ELECTRIC MOTOR VEHICLE COMMERCIAL DEMONSTRATION PROGRAM

13281. Program and solicitation.

13282. Selection of proposals.

13283. Discount payments.

13284. Cost-sharing.

13285. Reports to Congress.

13286. Authorization of appropriations.

PART B—ELECTRIC MOTOR VEHICLE INFRASTRUCTURE AND SUPPORT SYSTEMS DEVELOPMENT PROGRAM

13291. General authority.

² So in original. Probably should be followed by a period.

¹ So in original. Probably should not be capitalized.

- | | |
|---|---|
| <p>Sec.
13292. Proposals.
13293. Protection of proprietary information.
13294. Compliance with existing law.
13295. Repealed.
13296. Authorization of appropriations.</p> <p style="text-align: center;">SUBCHAPTER V—RENEWABLE ENERGY</p> <p>13311. Purposes.
13312. Renewable energy export technology training.
13313. Renewable Energy Advancement Awards.
13314. Study of tax and rate treatment of renewable energy projects.
13315. Data system and energy technology evaluation.
13316. Innovative renewable energy technology transfer program.
13317. Renewable energy production incentive.</p> <p style="text-align: center;">SUBCHAPTER VI—COAL</p> <p style="text-align: center;">PART A—RESEARCH, DEVELOPMENT, DEMONSTRATION, AND COMMERCIAL APPLICATION</p> <p>13331. Coal research, development, demonstration, and commercial application programs.
13332. Coal-fired diesel engines.
13333. Clean coal, waste-to-energy.
13334. Nonfuel use of coal.
13335. Coal refinery program.
13336. Coalbed methane recovery.
13337. Metallurgical coal development.
13338. Utilization of coal wastes.
13339. Underground coal gasification.
13340. Low-rank coal research and development.
13341. Magnetohydrodynamics.
13342. Oil substitution through coal liquefaction.
13343. Authorization of appropriations.</p> <p style="text-align: center;">PART B—CLEAN COAL TECHNOLOGY PROGRAM</p> <p>13351. Additional clean coal technology solicitations.</p> <p style="text-align: center;">PART C—OTHER COAL PROVISIONS</p> <p>13361. Clean coal technology export promotion and interagency coordination.
13362. Innovative clean coal technology transfer program.
13363. Conventional coal technology transfer.
13364. Study of utilization of coal combustion by-products.
13365. Coal fuel mixtures.
13366. National clearinghouse.
13367. Coal exports.
13368. Ownership of coalbed methane.
13369. Establishment of data base and study of transportation rates.
13370. Authorization of appropriations.</p> <p style="text-align: center;">SUBCHAPTER VII—GLOBAL CLIMATE CHANGE</p> <p>13381. Report.
13382. Least-cost energy strategy.
13383. Director of Climate Protection.
13384. Assessment of alternative policy mechanisms for addressing greenhouse gas emissions.
13385. National inventory and voluntary reporting of greenhouse gases.
13386. Export of domestic energy resource technologies to developing countries.
13387. Innovative environmental technology transfer program.
13388. Global Climate Change Response Fund.
13389. Greenhouse gas intensity reducing strategies.</p> <p style="text-align: center;">SUBCHAPTER VIII—REDUCTION OF OIL VULNERABILITY</p> <p>13401. Goals.</p> <p style="text-align: center;">PART A—OIL AND GAS SUPPLY ENHANCEMENT</p> <p>13411. Enhanced oil recovery.</p> | <p>Sec.
13412. Oil shale.
13413. Natural gas supply.
13414. Natural gas end-use technologies.
13415. Midcontinent Energy Research Center.</p> <p style="text-align: center;">PART B—OIL AND GAS DEMAND REDUCTION AND SUBSTITUTION</p> <p>13431. General transportation.
13432. Advanced automotive fuel economy.
13433. Alternative fuel vehicle program.
13434. Biofuels user facility.
13435. Electric motor vehicles and associated equipment research and development.
13436. Repealed.
13437. Advanced diesel emissions program.
13438. Telecommuting study.</p> <p style="text-align: center;">SUBCHAPTER IX—ENERGY AND ENVIRONMENT</p> <p style="text-align: center;">PART A—IMPROVED ENERGY EFFICIENCY</p> <p>13451. General improved energy efficiency.
13452. Natural gas and electric heating and cooling technologies.
13453. Pulp and paper.
13454. Advanced buildings for 2005.
13455. Electric drives.
13456. Improving efficiency in energy-intensive industries.
13457. Energy efficient environmental program.
13458. Energy efficient lighting and building centers.</p> <p style="text-align: center;">PART B—ELECTRICITY GENERATION AND USE</p> <p>13471. Renewable energy.
13472. High efficiency heat engines.
13473. Civilian nuclear waste.
13474. Fusion energy.
13475. Fuel cells.
13476. Environmental restoration and waste management program.
13477. High-temperature superconductivity program.
13478. Electric and magnetic fields research and public information dissemination program.
13479. Spark M. Matsunaga Renewable Energy and Ocean Technology Center.</p> <p style="text-align: center;">PART C—ADVANCED NUCLEAR REACTORS</p> <p>13491. Purposes and definitions.
13492. Program, goals, and plan.
13493. Commercialization of advanced light water reactor technology.
13494. Prototype demonstration of advanced nuclear reactor technology.
13495. Authorization of appropriations.</p> <p style="text-align: center;">SUBCHAPTER X—ENERGY AND ECONOMIC GROWTH</p> <p>13501. National Advanced Materials Program.
13502. National Advanced Manufacturing Technologies Program.
13503. Supporting research and technical analysis.
13504. Math and science education program.
13505. Integration of research and development.
13506. Definitions.</p> <p style="text-align: center;">SUBCHAPTER XI—POLICY AND ADMINISTRATIVE PROVISIONS</p> <p>13521. Policy on major construction projects.
13522. Energy Research, Development, Demonstration, and Commercial Application Advisory Board.
13523. Management plan.
13524. Costs related to decommissioning and storage and disposal of nuclear waste.
13525. Limits on participation by companies.
13526. Uncosted obligations.</p> <p style="text-align: center;">SUBCHAPTER XII—MISCELLANEOUS</p> <p style="text-align: center;">PART A—GENERAL PROVISIONS</p> <p>13541. Research, development, demonstration, and commercial application activities.</p> |
|---|---|

Sec.
13542. Cost sharing.

PART B—OTHER MISCELLANEOUS PROVISIONS

13551. Repealed.
13552. Use of energy futures for fuel purchases.
13553. Energy subsidy study.
13554. Tar sands.
13555. Consultative Commission on Western Hemisphere Energy and Environment.
13556. Disadvantaged business enterprises.
13557. Sense of Congress on risk assessments.

SUBCHAPTER XIII—CLEAN AIR COAL PROGRAM

13571. Purposes.
13572. Authorization of program.
13573. Generation projects.
13574. Air quality enhancement program.

§ 13201. “Secretary” defined

For purposes of this Act, the term “Secretary” means the Secretary of Energy.

(Pub. L. 102-486, § 2, Oct. 24, 1992, 106 Stat. 2782.)

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 102-486, Oct. 24, 1992, 106 Stat. 2776, known as the Energy Policy Act of 1992. For complete classification of this Act to the Code, see Short Title note below and Tables.

SHORT TITLE

Pub. L. 102-486, § 1(a), Oct. 24, 1992, 106 Stat. 2776, provided that: “This Act [see Tables for classification] may be cited as the ‘Energy Policy Act of 1992.’”

EX. ORD. NO. 13211. ACTIONS CONCERNING REGULATIONS THAT SIGNIFICANTLY AFFECT ENERGY SUPPLY, DISTRIBUTION, OR USE

Ex. Ord. No. 13211, May 18, 2001, 66 F.R. 28355, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to appropriately weigh and consider the effects of the Federal Government’s regulations on the supply, distribution, and use of energy, it is hereby ordered as follows:

SECTION 1. Policy. The Federal Government can significantly affect the supply, distribution, and use of energy. Yet there is often too little information regarding the effects that governmental regulatory action can have on energy. In order to provide more useful energy-related information and hence improve the quality of agency decisionmaking, I am requiring that agencies shall prepare a Statement of Energy Effects when undertaking certain agency actions. As described more fully below, such Statements of Energy Effects shall describe the effects of certain regulatory actions on energy supply, distribution, or use.

SEC. 2. Preparation of a Statement of Energy Effects. (a) To the extent permitted by law, agencies shall prepare and submit a Statement of Energy Effects to the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, for those matters identified as significant energy actions.

(b) A Statement of Energy Effects shall consist of a detailed statement by the agency responsible for the significant energy action relating to:

(i) any adverse effects on energy supply, distribution, or use (including a shortfall in supply, price increases, and increased use of foreign supplies) should the proposal be implemented, and

(ii) reasonable alternatives to the action with adverse energy effects and the expected effects of such alternatives on energy supply, distribution, and use.

(c) The Administrator of the Office of Information and Regulatory Affairs shall provide guidance to the agencies on the implementation of this order and shall

consult with other agencies as appropriate in the implementation of this order.

SEC. 3. Submission and Publication of Statements. (a) Agencies shall submit their Statements of Energy Effects to the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, whenever they present the related submission under Executive Order 12866 of September 30, 1993 [5 U.S.C. 601 note], or any successor order.

(b) Agencies shall publish their Statements of Energy Effects, or a summary thereof, in each related Notice of Proposed Rulemaking and in any resulting Final Rule.

SEC. 4. Definitions. For purposes of this order:

(a) “Regulation” and “rule” have the same meaning as they do in Executive Order 12866 [5 U.S.C. 601 note] or any successor order.

(b) “Significant energy action” means any action by an agency (normally published in the Federal Register) that promulgates or is expected to lead to the promulgation of a final rule or regulation, including notices of inquiry, advance notices of proposed rulemaking, and notices of proposed rulemaking:

(1)(i) that is a significant regulatory action under Executive Order 12866 or any successor order, and

(ii) is likely to have a significant adverse effect on the supply, distribution, or use of energy; or

(2) that is designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action.

(c) “Agency” means any authority of the United States that is an “agency” under 44 U.S.C. 3502(1), other than those considered to be independent regulatory agencies, as defined in 44 U.S.C. 3502(5).

SEC. 5. Judicial Review. Nothing in this order shall affect any otherwise available judicial review of agency action. This order is intended only to improve the internal management of the Federal Government and does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

GEORGE W. BUSH.

EX. ORD. NO. 13212. ACTIONS TO EXPEDITE ENERGY-RELATED PROJECTS

Ex. Ord. No. 13212, May 18, 2001, 66 F.R. 28357, as amended by Ex. Ord. No. 13286, § 10, Feb. 28, 2003, 68 F.R. 10622; Ex. Ord. No. 13302, § 1, May 15, 2003, 68 F.R. 27429, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to take additional steps to expedite the increased supply and availability of energy to our Nation, it is hereby ordered as follows:

SECTION 1. Policy. The increased production and transmission of energy in a safe and environmentally sound manner is essential to the well-being of the American people. In general, it is the policy of this Administration that executive departments and agencies (agencies) shall take appropriate actions, to the extent consistent with applicable law, to expedite projects that will increase the production, transmission, or conservation of energy and projects that will strengthen pipeline safety.

SEC. 2. Actions to Expedite Energy-Related Projects. For energy-related projects (including pipeline safety projects), agencies shall expedite their review of permits or take other actions as necessary to accelerate the completion of such projects, while maintaining safety, public health, and environmental protections. The agencies shall take such actions to the extent permitted by law and regulation, and where appropriate.

SEC. 3. Interagency Task Force. (a) There is established, within the Department of Energy for administrative purposes, an interagency task force (Task Force) to perform the following functions:

(i) monitor and assist the agencies in their efforts to expedite their reviews of permits or similar actions, as necessary, to accelerate the completion of energy-re-