

(2) requiring the lessee to report annually to the Secretary on activities taken on the lease;

(3) requiring the lessee to continuously monitor geothermal resources production and injection wells; and

(4) requiring the lessee to suspend activity on the lease if the Secretary determines that ongoing exploration, development or utilization activities are having a significant adverse effect on a significant thermal feature within a unit of the National Park System until such time as the significant adverse effect is eliminated. The stipulation shall provide for the termination of the lease by the Secretary if the significant adverse effect cannot be eliminated within a reasonable period of time.

(e) Lands administered by Department of Agriculture

The Secretary of Agriculture shall consider the effects on significant thermal features within units of the National Park System in determining whether to consent to leasing under this chapter on national forest lands or other lands administered by the Department of Agriculture available for leasing under this chapter, including public, withdrawn, and acquired lands.

(f) Prohibition

Nothing in this chapter shall affect the ban on leasing under this chapter with respect to the Island Park Geothermal Area, as designated by the map in the “Final Environmental Impact Statement of the Island Park Geothermal Area” (January 15, 1980, p. XI), and provided for in Public Law 98-473.

(Pub. L. 91-581, §28, as added Pub. L. 100-443, §6, Sept. 22, 1988, 102 Stat. 1769; amended Pub. L. 106-510, §3(a)(2), (b)(2), Nov. 13, 2000, 114 Stat. 2363; Pub. L. 109-58, title II, §236(1), (26), Aug. 8, 2005, 119 Stat. 671, 673.)

REFERENCES IN TEXT

Public Law 98-473, referred to in subsec. (f), is Pub. L. 98-473, Oct. 12, 1984, 98 Stat. 1837, as amended. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

2005—Pub. L. 109-58, §236(26), inserted section catchline.

Subsec. (d)(3). Pub. L. 109-58, §236(1), substituted “geothermal resources” for “geothermal steam and associated geothermal resources”.

2000—Subsec. (a)(1)(N). Pub. L. 106-510, §3(a)(2), substituted “Hawai’i Volcanoes National Park” for “Hawaii Volcanoes National Park”.

Subsec. (a)(1)(O). Pub. L. 106-510, §3(b)(2), substituted “Haleakalā National Park” for “Haleakala National Park”.

CORWIN SPRINGS KNOWN GEOTHERMAL RESOURCE AREA STUDY

Pub. L. 100-443, §8, Sept. 22, 1988, 102 Stat. 1771, provided that:

“(a) The United States Geological Survey, in consultation with the National Park Service, shall conduct a study on the impact of present and potential geothermal development in the vicinity of Yellowstone National Park on the thermal features within the park. The area to be studied shall be the lands within the Corwin Springs Known Geothermal Resource Area as designated in the July 22, 1975, Federal Register (Fed. Reg. Vol. 40, No. 141). The study shall be transmitted to Congress no later than December 1, 1990.

“(b) Any production from existing geothermal wells or any development of new geothermal wells or other facilities related to geothermal production is prohibited in the Corwin Springs Known Geothermal Resource Area until 180 days after the receipt by Congress of the study provided for in subsection (a) of this section.

“(c) The Secretary may not issue, extend, renew or modify any geothermal lease or drilling permit pursuant to the Geothermal Steam Act of 1970 (30 U.S.C. 1001-1025) in the Corwin Springs Known Geothermal Resource Area until 180 days after the receipt by Congress of the study provided for in section 8(a) of this Act. This section shall not be construed as requiring such leasing activities subsequent to the 180 days after study submittal.

“(d) If the Secretary determines that geothermal drilling and related activities within the area studied pursuant to subsection (a) of this section may adversely affect the thermal features of Yellowstone National Park, the Secretary shall include in the study required under subsection (a) of this section recommendations regarding the acquisition of the geothermal rights necessary to protect such thermal resources and features.”

§ 1027. Land subject to prohibition on leasing

The Secretary shall not issue any lease under this chapter on those lands subject to the prohibition provided under section 226-3 of this title.

(Pub. L. 91-581, §29, as added Pub. L. 100-443, §5(d), Sept. 22, 1988, 102 Stat. 1769; amended Pub. L. 109-58, title II, §236(27), Aug. 8, 2005, 119 Stat. 673.)

AMENDMENTS

2005—Pub. L. 109-58 inserted section catchline.

§ 1028. Hot dry rock geothermal energy

(a) USGS program

The Secretary of the Interior, acting through the United States Geological Survey, and in consultation with the Secretary of Energy, shall establish a cooperative Government-private sector program with respect to hot dry rock geothermal energy resources on public lands (as such term is defined in section 1702(e) of title 43) and lands managed by the Department of Agriculture, other than any such public or other lands that are withdrawn from geothermal leasing. Such program shall include, but shall not be limited to, activities to identify, select, and classify those areas throughout the United States that have a high potential for hot dry rock geothermal energy production and activities to develop and disseminate information regarding the utilization of such areas for hot dry rock energy production. Such information may include information regarding field test processes and techniques for assuring that hot dry rock geothermal energy development projects are developed in an economically feasible manner without adverse environmental consequences. Utilizing the information developed by the Secretary, together with information developed in connection with other related programs carried out by other Federal agencies, the Secretary, acting through the United States Geological Survey, may also enter into contracts and cooperative agreements with any public or private entity to provide assistance to any such entity to enable such entity to carry out addi-

tional projects with respect to the utilization of hot dry rock geothermal energy resources which will further the purposes of this section.

(b) Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary¹ to carry out this section.

(Pub. L. 102-486, title XXV, §2501, Oct. 24, 1992, 106 Stat. 3101.)

CODIFICATION

Section was enacted as part of the Energy Policy Act of 1992, and not as part of the Geothermal Steam Act of 1970 which comprises this chapter.

CHAPTER 24—GEOTHERMAL ENERGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION

Sec.

1101. Congressional findings.
1102. Definitions.

SUBCHAPTER I—GEOTHERMAL ENERGY COORDINATION AND MANAGEMENT PROJECT

1121. Formation of Project.
1122. Program definition.
1123. Resource inventory and assessment program.
1124. Research and development.
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SUBCHAPTER II—LOAN GUARANTIES

1141. Establishment of loan guaranty program.
1142. Payment of guaranteed obligation by Secretary of Energy.
1143. Period of guaranties and interest assistance.
1144. Geothermal Resources Development Fund.
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1146. Approval or disapproval of loan guarantee applications.
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SUBCHAPTER III—GENERAL PROVISIONS

1161. Protection of environment.
1162. Final report to President and Congress on terminated projects.
1163. Transfer of functions.
1164. Authorization of appropriations.

§ 1101. Congressional findings

The Congress hereby finds that—

(1) the Nation is currently suffering a critical shortage of environmentally acceptable forms of energy;

(2) the inadequate organizational structures and levels of funding for energy research have limited the Nation's current and future options for meeting energy needs;

(3) electric energy is a clean and convenient form of energy at the location of its use and is the only practicable form of energy in some modern applications, but the demand for electric energy in every region of the United States is taxing all of the alternative energy sources presently available and is projected to increase; some of the sources available for electric power generation are already in short supply, and the development and use of other

sources presently involve undesirable environmental impacts;

(4) the Nation's critical energy problems can be solved only if a national commitment is made to dedicate the necessary financial resources, and enlist the cooperation of the private and public sectors, in developing geothermal resources and other nonconventional sources of energy;

(5) the conventional geothermal resources which are presently being used have limited total potential; but geothermal resources which are different from those presently being used, and which have extremely large energy content, are known to exist;

(6) some geothermal resources contain energy in forms other than heat; examples are methane and extremely high pressures available upon release as kinetic energy;

(7) some geothermal resources contain valuable byproducts such as potable water and mineral compounds which should be processed and recovered as national resources;

(8) technologies are not presently available for the development of most of these geothermal resources, but technologies for the generation of electric energy from geothermal resources are potentially economical and environmentally desirable, and the development of geothermal resources offers possibilities of process energy and other nonelectric applications;

(9) much of the known geothermal resources exist on the public lands;

(10) Federal financial assistance is necessary to encourage the extensive exploration, research, and development in geothermal resources which will bring these technologies to the point of commercial application;

(11) the advancement of technology with the cooperation of private industry for the production of useful forms of energy from geothermal resources is important with respect to the Federal responsibility for the general welfare, to facilitate commerce, to encourage productive harmony between man and his environment, and to protect the public interest; and

(12) the Federal Government should encourage and assist private industry through Federal assistance for the development and demonstration of practicable means to produce useful energy from geothermal resources with environmentally acceptable processes.

(Pub. L. 93-410, §2, Sept. 3, 1974, 88 Stat. 1079.)

SHORT TITLE

Pub. L. 93-410, §1, Sept. 3, 1974, 88 Stat. 1079, provided that: "This Act [enacting this chapter] may be cited as the 'Geothermal Energy Research, Development, and Demonstration Act of 1974'."

§ 1102. Definitions

For the purposes of this chapter—

(1) the term "geothermal resources" means (A) all products of geothermal processes, embracing indigenous steam, hot water, and brines, (B) steam and other gases, hot water and hot brines, resulting from water, gas, or other fluids artificially introduced into geothermal formations, and (C) any byproduct derived from them;

¹ So in original. Probably should be "necessary".