

vately financed mechanisms, including energy savings performance contracts and utility incentive programs. These recovered funds will continue to be used to administer even greater energy efficiency, water conservation and use of renewable energy by means of privately financed mechanisms such as utility efficiency service contracts and energy savings performance contracts. The recoverable funds will be used for all necessary program expenses, including contractor support and resources needed, to achieve overall Federal energy management program objectives for greater energy savings. Any such privately financed contracts shall meet the provisions of the Energy Policy Act of 1992, Public Law 102-486 regarding energy savings performance contracts and utility incentive programs.

(Pub. L. 105-277, div. A, §101(e) [title II], Oct. 21, 1998, 112 Stat. 2681-231, 2681-278.)

#### REFERENCES IN TEXT

The Energy Policy Act of 1992, referred to in text, is Pub. L. 102-486, Oct. 24, 1992, 106 Stat. 2776, as amended. For complete classification of this Act to the Code, see Short Title note set out under section 13201 of this title and Tables.

#### CODIFICATION

Section was enacted as part of Department of the Interior and Related Agencies Appropriations Act, 1999, and also as part of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, and not as part of the National Energy Conservation Policy Act which comprises this chapter.

#### SIMILAR PROVISIONS

Similar provisions were contained in the following prior appropriation act:

Pub. L. 105-83, title II, Nov. 14, 1997, 111 Stat. 1582.

## CHAPTER 92—POWERPLANT AND INDUSTRIAL FUEL USE

### SUBCHAPTER I—GENERAL PROVISIONS

- |                                 |  |
|---------------------------------|--|
| Sec.<br>8301.<br>8302.<br>8303. | Findings; statement of purposes.<br>Definitions.<br>Territorial application. |
|---------------------------------|--|

### SUBCHAPTER II—NEW FACILITIES

#### PART A—PROHIBITIONS

- |                |  |
|----------------|--|
| 8311.<br>8312. | Coal capability of new electric powerplants; certification of compliance.<br>Repealed. |
|----------------|--|

#### PART B—EXEMPTIONS

- |                                  |   |
|----------------------------------|---|
| 8321.<br>8322.<br>8323.<br>8324. | Temporary exemptions.<br>Permanent exemptions.<br>General requirements for exemptions.<br>Terms and conditions; compliance plans. |
|----------------------------------|---|

### SUBCHAPTER III—EXISTING FACILITIES

#### PART A—PROHIBITIONS

- |                         |  |
|-------------------------|--|
| 8341.<br>8342.<br>8343. | Existing electric powerplants.<br>Repealed.<br>Rules relating to case-by-case and category prohibitions. |
|-------------------------|--|

#### PART B—EXEMPTIONS

- |                                  |   |
|----------------------------------|---|
| 8351.<br>8352.<br>8353.<br>8354. | Temporary exemptions.<br>Permanent exemptions.<br>General requirements for exemptions.<br>Terms and conditions; compliance plans. |
|----------------------------------|---|

### SUBCHAPTER IV—ADDITIONAL PROHIBITIONS; EMERGENCY AUTHORITIES

- |             |           |
|-------------|-----------|
| 8371, 8372. | Repealed. |
|-------------|-----------|

- |                                 |  |
|---------------------------------|--|
| Sec.<br>8373.<br>8374.<br>8375. | Conservation in Federal facilities, contracts, and financial assistance programs.<br>Emergency authorities.<br>Repealed. |
|---------------------------------|--|

### SUBCHAPTER V—SYSTEM COMPLIANCE OPTION

- |       |           |
|-------|-----------|
| 8391. | Repealed. |
|-------|-----------|

### SUBCHAPTER VI—FINANCIAL ASSISTANCE

- |                          |   |
|--------------------------|---|
| 8401.<br>8401a.<br>8402. | Assistance to areas impacted by increased coal or uranium production.<br>"Local government" defined.<br>Loans to assist powerplant acquisitions of air pollution control equipment. |
|--------------------------|---|

### SUBCHAPTER VII—ADMINISTRATION AND ENFORCEMENT

#### PART A—PROCEDURES

- |                |  |
|----------------|--|
| 8411.<br>8412. | Administrative procedures.<br>Judicial review. |
|----------------|--|

#### PART B—INFORMATION AND REPORTING

- |                |                                    |
|----------------|------------------------------------|
| 8421.<br>8422. | Information.<br>Compliance report. |
|----------------|------------------------------------|

#### PART C—ENFORCEMENT

- |   |   |
|---|---|
| 8431.<br>8432.<br>8433.<br>8434.<br>8435. | Notice of violation; other general provisions.<br>Criminal penalties.<br>Civil penalties.<br>Injunctions and other equitable relief.<br>Citizens suits. |
|---|---|

#### PART D—PRESERVATION OF CONTRACTUAL RIGHTS

- |       |                                       |
|-------|---------------------------------------|
| 8441. | Preservation of contractual interest. |
|-------|---------------------------------------|

#### PART E—STUDIES

- |   |  |
|---|--|
| 8451.<br>8452.<br>8453.<br>8454.<br>8455.<br>8456.<br>8457. | National coal policy study.<br>Repealed.<br>Impact on employees.<br>Study of compliance problem of small electric utility systems.<br>Repealed.<br>Socioeconomic impacts of increased coal production and other energy development.<br>Use of petroleum and natural gas in combustors. |
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#### PART F—APPROPRIATIONS AUTHORIZATION

- |       |                                  |
|-------|----------------------------------|
| 8461. | Authorization of appropriations. |
|-------|----------------------------------|

#### PART G—COORDINATION WITH OTHER PROVISIONS OF LAW

- |                         |   |
|-------------------------|---|
| 8471.<br>8472.<br>8473. | Effect on environmental requirements.<br>Effect of orders under section 792 of title 15.<br>Environmental impact statements under section 4332 of this title. |
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### SUBCHAPTER VIII—MISCELLANEOUS PROVISIONS

- |                               |  |
|-------------------------------|--|
| 8481, 8482.<br>8483.<br>8484. | Repealed.<br>Submission of reports.<br>Electric utility conservation plan. |
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### SUBCHAPTER I—GENERAL PROVISIONS

#### § 8301. Findings; statement of purposes

##### (a) Findings

The Congress finds that—

(1) the protection of public health and welfare, the preservation of national security, and the regulation of interstate commerce require the establishment of a program for the expanded<sup>1</sup> use, consistent with applicable environmental requirements, of coal and other al-

<sup>1</sup> So in original. Probably should be "expanded".