

(d) Investment tax credits**(1) In general**

The loan guarantees provided under this section do not preclude the facility from receiving an allocation for investment tax credits under section 48A of title 26.

(2) Other funding

Use of the investment tax credit described in paragraph (1) does not prohibit the use of other clean coal program funding.

(Pub. L. 109-58, title IV, §411, Aug. 8, 2005, 119 Stat. 754.)

§ 15972. Loan to place Alaska clean coal technology facility in service**(a) Definitions**

In this section:

(1) Borrower

The term “borrower” means the owner of the clean coal technology plant.

(2) Clean coal technology plant

The term “clean coal technology plant” means the plant located near Healy, Alaska, constructed under Department cooperative agreement number DE-FC-22-91PC90544.

(3) Cost of a direct loan

The term “cost of a direct loan” has the meaning given the term in section 661a(5)(B) of title 2.

(b) Authorization

Subject to subsection (c), the Secretary shall use amounts made available under subsection (e) to provide the cost of a direct loan to the borrower for purposes of placing the clean coal technology plant into reliable operation for the generation of electricity.

(c) Requirements**(1) Maximum loan amount**

The amount of the direct loan provided under subsection (b) shall not exceed \$80,000,000.

(2) Determinations by Secretary

Before providing the direct loan to the borrower under subsection (b), the Secretary shall determine that—

(A) the plan of the borrower for placing the clean coal technology plant in reliable operation has a reasonable prospect of success;

(B) the amount of the loan (when combined with amounts available to the borrower from other sources) will be sufficient to carry out the project; and

(C) there is a reasonable prospect that the borrower will repay the principal and interest on the loan.

(3) Interest; term

The direct loan provided under subsection (b) shall bear interest at a rate and for a term that the Secretary determines appropriate, after consultation with the Secretary of the Treasury, taking into account the needs and capacities of the borrower and the prevailing rate of interest for similar loans made by public and private lenders.

(4) Additional terms and conditions

The Secretary may require any other terms and conditions that the Secretary determines to be appropriate.

(d) Use of payments

The Secretary shall retain any payments of principal and interest on the direct loan provided under subsection (b) to support energy research and development activities, to remain available until expended, subject to any other conditions in an applicable appropriations Act.

(e) Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to provide the cost of a direct loan under subsection (b).

(Pub. L. 109-58, title IV, §412, Aug. 8, 2005, 119 Stat. 754.)

§ 15973. Western integrated coal gasification demonstration project**(a) In general**

Subject to the availability of appropriations, the Secretary shall carry out a project to demonstrate production of energy from coal mined in the western United States using integrated gasification combined cycle technology (referred to in this section as the “demonstration project”).

(b) Components

The demonstration project—

(1) may include repowering of existing facilities;

(2) shall be designed to demonstrate the ability to use coal with an energy content of not more than 9,000 Btu/lb.; and

(3) shall be capable of removing and sequestering carbon dioxide emissions.

(c) All types of western coals

Notwithstanding the foregoing, and to the extent economically feasible, the demonstration project shall also be designed to demonstrate the ability to use a variety of types of coal (including subbituminous and bituminous coal with an energy content of up to 13,000 Btu/lb.) mined in the western United States.

(d) Location

The demonstration project shall be located in a western State at an altitude of greater than 4,000 feet above sea level.

(e) Cost sharing

The Federal share of the cost of the demonstration project shall be determined in accordance with section 16352 of this title.

(f) Loan guarantees

Notwithstanding subchapter XIII, the demonstration project shall not be eligible for Federal loan guarantees.

(Pub. L. 109-58, title IV, §413, Aug. 8, 2005, 119 Stat. 755.)

REFERENCES IN TEXT

Subchapter XIII, referred to in subsec. (f), was in the original “title XIV”, meaning title XIV of Pub. L. 109-58, Aug. 8, 2005, 119 Stat. 1061, which enacted subchapter XIII of this chapter and section 13557 of this