

**§ 6215. Major fuel burning stationary source****(a) Restrictions on issuance of orders or rules by Governor pursuant to section 7425 of this title**

No Governor of a State may issue any order or rule pursuant to section 7425 of this title to any major fuel burning stationary source (or class or category thereof)—

- (1) prohibiting such source from using fuels other than locally or regionally available coal or coal derivatives, or
- (2) requiring such source to enter into a contract (or contracts) for supplies of locally or regionally available coal or coal derivatives.

**(b) Petition to President**

(1) The Governor of any State may petition the President to exercise the President's authorities pursuant to section 7425 of this title with respect to any major fuel burning stationary source located in such State.

(2) Any petition under paragraph (1) shall include documentation which could support a finding that significant local or regional economic disruption or unemployment would result from use by such source of—

- (A) coal or coal derivatives other than locally or regionally available coal,
- (B) petroleum products,
- (C) natural gas, or
- (D) any combination of fuels referred to in subparagraphs (A) through (C), to comply with the requirements of a State implementation plan pursuant to section 7410 of this title.

**(c) Action to be taken by President**

Within 90 days after the submission of a Governor's petition under subsection (b), the President shall either issue an order or rule pursuant to section 7425 of this title or deny such petition, stating in writing his reasons for such denial. In making his determination to issue such an order or rule pursuant to this subsection, the President must find that such order or rule would—

- (1) be consistent with section 7425 of this title;
- (2) result in no significant increase in the consumption of energy;
- (3) not subject the ultimate consumer to significantly higher energy costs; and
- (4) not violate any contractual relationship between such source and any supplier or transporter of fuel to such source.

**(d) Effect on authority of President to allocate coal or coal derivatives**

Nothing in subsection (a) or (b) of this section shall affect the authority of the President or the Secretary of the Department of Energy to allocate coal or coal derivatives under any provision of law.

**(e) Definitions**

The terms "major fuel burning stationary source (or class or category thereof)" and "locally or regionally available coal or coal derivatives" shall have the meanings assigned to them for the purposes of section 7425 of this title.

(Pub. L. 94-163, title I, §107, as added Pub. L. 95-619, title VI, §661, Nov. 9, 1978, 92 Stat. 3285;

amended Pub. L. 106-469, title VI, §605(b)(2), Nov. 9, 2000, 114 Stat. 2043.)

## AMENDMENTS

2000—Pub. L. 106-469 inserted section catchline.

**§ 6216. Annual Home Heating Readiness Reports****(a) In general**

On or before September 1 of each year, the Secretary, acting through the Administrator of the Energy Information Agency, shall submit to Congress a Home Heating Readiness Report on the readiness of the natural gas, heating oil and propane industries to supply fuel under various weather conditions, including rapid decreases in temperature.

**(b) Contents**

The Home Heating Readiness Report shall include—

- (1) estimates of the consumption, expenditures, and average price per gallon of heating oil and propane and thousand cubic feet of natural gas for the upcoming period of October through March for various weather conditions, with special attention to extreme weather, and various regions of the country;
- (2) an evaluation of—
  - (A) global and regional crude oil and refined product supplies;
  - (B) the adequacy and utilization of refinery capacity;
  - (C) the adequacy, utilization, and distribution of regional refined product storage capacity;
  - (D) weather conditions;
  - (E) the refined product transportation system;
  - (F) market inefficiencies; and
  - (G) any other factor affecting the functional capability of the heating oil industry and propane industry that has the potential to affect national or regional supplies and prices;
- (3) recommendations on steps that the Federal, State, and local governments can take to prevent or alleviate the impact of sharp and sustained increases in the price of natural gas, heating oil, and propane; and
- (4) recommendations on steps that companies engaged in the production, refining, storage, transportation of heating oil or propane, or any other activity related to the heating oil industry or propane industry, can take to prevent or alleviate the impact of sharp and sustained increases in the price of heating oil and propane.

(Pub. L. 94-163, title I, §108, as added Pub. L. 106-469, title VI, §605(a), Nov. 9, 2000, 114 Stat. 2042.)

(Pub. L. 94-163, title I, §108, as added Pub. L. 106-469, title VI, §605(a), Nov. 9, 2000, 114 Stat. 2042.)

**(c) Information requests**

The Secretary may request information necessary to prepare the Home Heating Readiness Report from companies described in subsection (b)(4).

(Pub. L. 94-163, title I, §108, as added Pub. L. 106-469, title VI, §605(a), Nov. 9, 2000, 114 Stat. 2042.)

**§ 6217. Scientific inventory of oil and gas reserves****(a) In general**

The Secretary of the Interior, in consultation with the Secretaries of Agriculture and Energy,