

**(2) State**

The term “State” means—

- (A) a State;
- (B) the Commonwealth of Puerto Rico; and
- (C) any other territory or possession of the United States.

(Pub. L. 109–58, title III, §391, Aug. 8, 2005, 119 Stat. 748.)

**Editorial Notes**

## REFERENCES IN TEXT

The Clean Air Act, referred to in subsec. (a)(5), is act July 14, 1955, ch. 360, 69 Stat. 322, which is classified generally to chapter 85 (§7401 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 7401 of this title and Tables.

**§ 15952. Federal-State regulatory coordination and assistance****(a) In general**

At the request of the Governor of a State, the Administrator may enter into a refinery permitting cooperative agreement with the State, under which each party to the agreement identifies steps, including timelines, that it will take to streamline the consideration of Federal and State environmental permits for a new refinery.

**(b) Authority under agreement**

The Administrator shall be authorized to—

- (1) accept from a refiner a consolidated application for all permits required from the Environmental Protection Agency, to the extent consistent with other applicable law;
- (2) enter into memoranda of agreement with other Federal agencies to coordinate consideration of refinery applications and permits among Federal agencies; and
- (3) enter into memoranda of agreement with a State, under which Federal and State review of refinery permit applications will be coordinated and concurrently considered, to the extent practicable.

**(c) State assistance**

The Administrator is authorized to provide financial assistance to State governments to facilitate the hiring of additional personnel with expertise in fields relevant to consideration of refinery permits.

**(d) Other assistance**

The Administrator is authorized to provide technical, legal, or other assistance to State governments to facilitate their review of applications to build new refineries.

(Pub. L. 109–58, title III, §392, Aug. 8, 2005, 119 Stat. 749.)

## SUBCHAPTER IV—COAL

## PART A—CLEAN COAL POWER INITIATIVE

**§ 15961. Authorization of appropriations****(a) Clean coal power initiative**

There are authorized to be appropriated to the Secretary to carry out the activities authorized by this part \$200,000,000 for each of fiscal years 2006 through 2014, to remain available until expended.

**(b) Report**

The Secretary shall submit to Congress the report required by this subsection not later than March 31, 2007. The report shall include, with respect to subsection (a), a plan containing—

- (1) a detailed assessment of whether the aggregate funding levels provided under subsection (a) are the appropriate funding levels for that program;
- (2) a detailed description of how proposals will be solicited and evaluated, including a list of all activities expected to be undertaken;
- (3) a detailed list of technical milestones for each coal and related technology that will be pursued; and
- (4) a detailed description of how the program will avoid problems enumerated in Government Accountability Office reports on the Clean Coal Technology Program, including problems that have resulted in unspent funds and projects that failed either financially or scientifically.

(Pub. L. 109–58, title IV, §401, Aug. 8, 2005, 119 Stat. 749.)

**§ 15962. Project criteria****(a) In general**

To be eligible to receive assistance under this part, a project shall advance efficiency, environmental performance, and cost competitiveness well beyond the level of technologies that are in commercial service or have been demonstrated on a scale that the Secretary determines is sufficient to demonstrate that commercial service is viable as of August 8, 2005.

**(b) Technical criteria for clean coal power initiative****(1) Gasification projects****(A) In general**

In allocating the funds made available under section 15961(a) of this title, the Secretary shall ensure that at least 70 percent of the funds are used only to fund projects on coal-based gasification technologies, including—

- (i) gasification combined cycle;
- (ii) gasification fuel cells and turbine combined cycle;
- (iii) gasification coproduction;
- (iv) hybrid gasification and combustion; and
- (v) other advanced coal based technologies capable of producing a concentrated stream of carbon dioxide.

**(B) Technical milestones****(i) Periodic determination****(I) In general**

The Secretary shall periodically set technical milestones specifying the emission and thermal efficiency levels that coal gasification projects under this part shall be designed, and reasonably expected, to achieve.

**(II) Prescriptive milestones**

The technical milestones shall become more prescriptive during the period of the clean coal power initiative.