



CLEAN Future Act Oil & Gas Provisions

Provisions that could directly affect the industry:

Sec. 220C. MODIFICATIONS TO EXERCISE OF THE RIGHT OF EMINENT DOMAIN BY HOLDER OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY. Amends the NGA to prevent pipeline companies from using eminent domain until they have obtained all federal and state permits necessary for the construction and operation of a pipeline project. Prohibits use of eminent domain for pipelines attached to liquified natural gas facilities.

Sec. 621. **ENHANCING UNDERGROUND INJECTION CONTROLS FOR ENHANCED OIL RECOVERY**. Creates a new Safe Drinking Water Act underground injection category (Class VII) for enhanced oil recovery wells using carbon dioxide thereby removing these wells from Class II regulations and setting carbon dioxide sequestration targets for enhanced oil recovery wells.

Sec. 623. **SAFE HYDRATION IS AN AMERICAN RIGHT IN ENERGY DEVELOPMENT**. Expands the Safe Drinking Water Act in include direct regulation of hydraulic fracturing and requiring mandatory, ongoing testing of nearby underground sources of drinking water.

Sec. 624. ADDRESSING HAZARDOUS AIR POLLUTION FROM OIL AND GAS SOURCES. Repeals the aggregation prohibition in the Clean Air Act hazardous pollutants title for oil and natural gas wells and mandates that hydrogen sulfide be listed as a hazardous air pollutant.

Sec. 625. **CLOSING LOOPHOLES AND ENDING ARBITRARY AND NEEDLESS EVASION OF REGULATIONS**. Repeals the current exclusion of drilling fluids and produced water from the hazardous waste subtitle (Subtitle C) of the Resource Conservation and Recovery Act, mandates that EPA act to subject these wastes to coverage under the subtitle and requires EPA to develop requirements for oil and natural gas production wastes that are not hazardous to be subject to new federal requirements as nonhazardous wastes (Subtitle D).

Sec. 701. CONTROLLING METHANE EMISSIONS FROM THE OIL AND NATURAL GAS SECTOR. Targets methane emissions from oil and natural gas facilities for 65 percent reductions by 2025 and 90 percent reductions by 2030 (from 2012 levels). The regulations must apply to new and existing facilities under stricter timetables than current law.

Sec. 702. CONTROLLING FLARING. Requires EPA to develop regulations to eliminate routing flaring of natural gas.

Sec. 704. IMPROVING THE NATURAL GAS DISTRIBUTION SYSTEM. Directs the Secretary of Energy to establish a program to award grants to states to improve the performance of the natural gas distribution program. Sets requirements for state grant applications to the program. Describes eligible projects to be conducted by natural gas distribution companies and requires a company receiving funds through a state grant to use such funds only to offset the near-term incremental costs to low-income households. Sets priorities for grant funding. Directs the Secretary to establish auditing and reporting requirements for the states. Defines terms used in the section. Authorizes \$250 million per year from FY 2022-2031.



Provisions that could be opportunities for the industry:

Sec. 205. CARBON MITIGATION FUND. Establishes a carbon mitigation program funded by ACPs made under section 202 and civil penalties under section 209. The EPA Administrator may award funds for activities that: improve energy efficiency; promote electrification; replace fossil fuel-powered vehicles owned by state and local governments with electric or other low-carbon fuel vehicles; replace fossil fuel-powered ground airport and seaport vehicles with electric or other low-carbon fuel vehicles; install fast charging electric vehicle infrastructure along urban and rural highways and public roads; or promote direct air capture and permanent sequestration or utilization of CO₂.

SEC. 502. SUPPORTING CARBON DIOXIDE GEOLOGIC SEQUESTRATION. Increases funding for injection well permitting at EPA by increasing authorization for activities involved in permitting Class VI wells and providing grants to states to defray the costs of establishing and operating their own Class VI permitting programs.

Sec. 504. CLEAN ENERGY MANUFACTURING GRANT PROGRAM.

Authorizes \$10 billion, to remain available until expended, to provide grants to reequip, expand, and establish facilities to support manufacturing of clean energy technologies and components. Grants may also be provided to facilities manufacturing certain energy-intensive, low-emissions industrial products, including steel and cement.

Sec. 532. SUSTAINABLE INDUSTRY REBATE PROGRAM.

Directs DOE to establish a Sustainable Industry Rebate Program to assist non-power industrial facilities in making upgrades to improve energy and water efficiency and reduce greenhouse gas emissions.

Sec. 703. EMERGING OIL AND NATURAL GAS GREENHOUSE GAS EMISSION REDUCTION TECHNOLOGIES PROGRAM.

Directs the Secretary of Energy to establish a technology commercialization program to reduce GHG emissions from the oil and natural gas sector through improvements to existing technologies and practices that reduce such emissions.

Sec. 811. CLEAN ENERGY AND SUSTAINABILITY ACCELERATOR. Amends Title XVI of EFACT05 to establish a nonprofit

Clean Energy and Sustainability Accelerator. Defines terms used in this subtitle. Authorizes the Accelerator to provide financing to help Page 26 | Prepared by the Committee on Energy and Commerce rapidly deploy technologies to reduce emissions in the United States. The Accelerator will mobilize public and private investment to provide financing for low- and zero-emissions energy technologies; renewable energy generation; building efficiency and electrification; industrial decarbonization; grid modernization; agriculture projects; clean transportation; and climate-resilient infrastructure.