



(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

**H. R.**

To amend the Energy Policy Act of 2005 to require the Secretary of Energy to create a plan for research, development, and commercialization projects capable of making significant reductions in the greenhouse gas emissions or carbon intensity of qualified fuel production facilities, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mrs. FLETCHER introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Energy Policy Act of 2005 to require the Secretary of Energy to create a plan for research, development, and commercialization projects capable of making significant reductions in the greenhouse gas emissions or carbon intensity of qualified fuel production facilities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Carbon Limiting Emis-  
3 sions At Refineries Act” or the “CLEAR Act”.

4 **SEC. 2. CARBON EMISSIONS AND INTENSITY REDUCTION**  
5 **TECHNOLOGIES FOR QUALIFIED FUEL PRO-**  
6 **DUCTION FACILITIES.**

7 (a) IN GENERAL.—Subtitle F of title IX of the En-  
8 ergy Policy Act of 2005 (42 U.S.C. 16291 et seq.) is  
9 amended by adding at the end the following section:

10 **“SEC. 969E. CARBON EMISSIONS AND INTENSITY REDUC-**  
11 **TION FOR QUALIFIED FUEL PRODUCTION FA-**  
12 **CILITIES.**

13 “(a) REPORT.—Not later than 180 days after the  
14 date of enactment of CLEAR Act, the Secretary shall sub-  
15 mit to Congress a report that outlines opportunities for  
16 research, development, and commercialization projects  
17 that utilize technologies capable of making significant re-  
18 ductions in the greenhouse gas emissions or carbon inten-  
19 sity of qualified fuel production facilities, including a plan  
20 for the 5-year period beginning on the date of the submis-  
21 sion of the report for advancing the readiness level of such  
22 technologies, including technologies for energy use reduc-  
23 tions, use of advanced catalysts, electrification of heat and  
24 steam generation, hydrogen firing, low grade waste heat  
25 recovery, membrane separations, and other process im-

1 improvements for qualified fuel production facilities, from  
2 laboratory scale to commercial use.

3 “(b) PROGRAM.—Not later than 180 days after the  
4 Secretary submits the report under subsection (a), the  
5 Secretary shall, based on such report, establish a program  
6 of research, development, demonstration, and commercial  
7 application of technologies described in subsection (a) to  
8 facilitate the development of—

9 “(1) promising projects that, with appropriate  
10 support, could produce such technologies that are  
11 commercially-feasible; and

12 “(2) carbon capture, utilization, and sequestra-  
13 tion technologies for qualified fuel production facili-  
14 ties.

15 “(c) DEMONSTRATION PROJECTS.—

16 “(1) IN GENERAL.—In carrying out the pro-  
17 gram established under subsection (b), the Secretary  
18 may award funds for commercial-scale demonstra-  
19 tion projects for qualified fuel production facilities  
20 that test the scale of a technology described in sub-  
21 section (a) necessary for commercial operation, in  
22 accordance with this subsection.

23 “(2) ENGINEERING AND DESIGN STUDIES.—In  
24 carrying out the program under subsection (b), the  
25 Secretary may award funds for front-end engineer-

1 ing and design studies in addition to, or in advance  
2 of, issuing an award for a demonstration project  
3 under this subsection.

4 “(3) APPLICATION.—An entity seeking an  
5 award to conduct a demonstration project under this  
6 subsection shall submit to the Secretary an applica-  
7 tion at such time and in such manner as the Sec-  
8 retary may require.

9 “(4) LIMITATIONS.—The Secretary shall only  
10 provide an award under this subsection after review-  
11 ing each applicant and application for—

12 “(A) financial strength;

13 “(B) construction schedule;

14 “(C) market risk; and

15 “(D) contractor history.

16 “(5) REQUIREMENTS.—An awardee under this  
17 subsection shall—

18 “(A) utilize technologies that have com-  
19 pleted pilot-scale testing or the equivalent, as  
20 determined by the Secretary;

21 “(B) secure and maintain agreements for  
22 one or more technologies described in sub-  
23 section (a), or carbon capture, utilization, and  
24 sequestration technologies, at a qualified fuel  
25 production facility; and

1           “(C) upon completion of a demonstration  
2           project, demonstrate reductions in the green-  
3           house gas emissions or carbon intensity of a  
4           qualified fuel production facility.

5           “(6) COST SHARING.—The Secretary shall re-  
6           quire cost sharing under this subsection in accord-  
7           ance with section 988.

8           “(d) APPLICABILITY.—No technology, or level of  
9           emissions reduction, shall be treated as adequately dem-  
10          onstrated for purposes of section 111 of the Clean Air Act  
11          (42 U.S.C. 7411), achievable for purposes of section 169  
12          of that Act (42 U.S.C. 7479), or achievable in practice  
13          for purposes of section 171 of that Act (42 U.S.C. 7501)  
14          solely by reason of the identification of such technology  
15          in the report submitted under subsection (a) or under the  
16          program established under subsection (b).

17          “(e) QUALIFIED FUEL PRODUCTION FACILITY DE-  
18          FINED.—In this section, the term ‘qualified fuel produc-  
19          tion facility’ means—

20                 “(1) a petroleum refinery or any connected fa-  
21                 cility; or

22                 “(2) a facility that manufactures commercial  
23                 amounts of a drop-in fuel (as defined in section  
24                 2922h(c)(1) of title 10, United States Code).

1       “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
2 is authorized to be appropriated to carry out this section  
3 \$200,000,000 for fiscal year 2024 and each fiscal year  
4 thereafter.”.

5       (b) TABLE OF CONTENTS.—The table of contents for  
6 the Energy Policy Act of 2005 is amended by adding after  
7 the item relating to section 969D the following:

“Sec. 969E. Carbon emissions and intensity reduction for qualified fuel produc-  
tion facilities.”.