

[The Library of Congress](#) > [THOMAS Home](#) > [Bills, Resolutions](#) > [Search Results](#)

[NEW SEARCH](#) | [HOME](#) | [HELP](#) | [ABOUT SUMMARIES](#)

## H.R.2454

**Title:** To create clean energy jobs, achieve energy independence, reduce global warming pollution and transition to a clean energy economy.

**Sponsor:** [Rep Waxman, Henry A.](#) [CA-30] (introduced 5/15/2009)      [Cosponsors](#) (1)

**Related Bills:** [H.RES.587](#), [H.R.2998](#)

**Latest Major Action:** 7/7/2009 Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 97.

**House Reports:** [111-137](#) Part 1

### SUMMARY AS OF:

5/15/2009--Introduced.

American Clean Energy and Security Act of 2009 - Amends the Public Utility Regulatory Policies Act of 1978 (PURPA) to establish a combined efficiency and renewable electricity standard that requires utilities to supply an increasing percentage of their demand from a combination of energy efficiency savings and renewable energy (6% in 2012, 9.5% in 2014, 13% in 2016, 16.5% in 2018, and 20% in 2021-2039). Provides for: (1) issuing, trading, banking, retiring, and verifying renewable electricity credits; and (2) prescribing standards to define and measure electricity savings from energy efficiency and energy conservation measures.

Amends the Clean Air Act (CAA) to require the Administrator of the Environmental Protection Agency (EPA) to: (1) set forth a national strategy to address barriers to the commercial-scale deployment of carbon capture and sequestration; (2) establish an approach to certify and permit geologic sequestration; and (3) promulgate regulations to minimize the risk of escape to the atmosphere of carbon dioxide injected for purposes of geological sequestration. Amends the Safe Drinking Water Act to require the Administrator to promulgate regulations for sequestration wells.

Sets forth: (1) a process to establish a Carbon Storage Research Corporation to collect assessments from distribution utilities of fossil fuel-based electricity delivered directly to consumers; and (2) performance standards for new coal-fired power plants.

Amends PURPA to provide for the development of electric vehicle infrastructure. Requires the Secretary of Energy (Secretary) to establish: (1) a large-scale vehicle electrification program; and (2) a program to provide financial assistance for the manufacture of plug-in electric drive vehicles. Requires the Administrator to establish a program under which a state may create a State Energy and Environment Development Account.

Sets forth provisions concerning the development of a smart grid, including provisions: (1) amending the Energy Policy and Conservation Act to provide for the inclusion of smart grid capability information on appliance energy guide labels; (2) requiring the Federal Energy Regulatory Commission (FERC) to support load-serving entities in developing their peak demand reduction goals; (3) amending the Energy Policy Act of 2005 to reauthorize the energy efficiency public information program and to include

smart grid information in it; and (4) reauthorizing the energy efficient and smart appliance rebate program and revising it to include smart-grid features.

Amends the Federal Power Act to require FERC to adopt electricity grid planning principles derived from a federal policy (established by this Act) on electric grid planning that facilitates the deployment of renewable and other zero-carbon energy sources for generating electricity to reduce greenhouse gases (GHGs) while ensuring reliability, reducing congestion, ensuring cyber-security, and providing for cost-effective electricity services.

Amends the Energy Policy and Conservation Act to revise: (1) rules regarding improving energy efficiency in industrial equipment; (2) efficiency standards for electric motors; (3) conservation standards for lighting and appliances; and (4) the Energy Conservation Program for Consumer Products Other Than Automobiles.

Requires the Secretary to establish Clean Energy Innovation Centers to promote commercial deployment of clean, indigenous energy alternatives to fossil fuels, to reduce GHG emissions, and to ensure that the United States maintains a lead in developing and deploying state-of-the-art energy technologies.

Amends the Energy Conservation and Production Act to revise energy conservation standards for new buildings. Requires the Administrator to establish: (1) standards for a national energy and environmental building retrofit policy for residences; and (2) a building energy performance labeling program. Establishes a rebate program to assist low-income households residing in pre-1976 manufactured homes in purchasing new Energy Star qualified manufactured homes.

Requires the Secretary to establish a Best-in-Class Appliances Deployment Program.

Requires the President to use statutory authorities to set motor vehicle emissions standards. Amends the CAA to require the Administrator to promulgate standards applicable to GHG emissions from specified mobile sources, including heavy-duty vehicles and engines, new marine vessels, locomotives, and aircraft. Establishes within EPA a SmartWay Transport Program, a SmartWay Transport Partnership program, and a SmartWay Financing Program.

Requires the Secretary to establish a program to make monetary awards to encourage owners and operators of electric energy generation facilities or thermal energy production facilities using fossil or nuclear fuel to use innovative means of recovering any thermal energy that is a potentially useful byproduct of their processes to: (1) generate additional electric energy; or (2) make sales of thermal energy not used for electric generation, in the form of steam, hot water, chilled water, or desiccant regeneration, or for other commercially valid purposes.

Authorizes the Secretary to make grants to community development organizations to provide financing to businesses and projects that improve energy efficiency, develop alternative, renewable, and distributed energy supplies, provide technical assistance and promote job and business opportunities for low-income residents, and increase energy conservation in low income rural and urban communities.

Safe Climate Act - Amends the CAA to require the Administrator to promulgate regulations to: (1) cap and reduce GHG emissions, annually, so that GHG emissions from

capped sources are reduced to 97% of 2005 levels by 2012, 83% by 2020, 58% by 2030, and 17% by 2050; and (2) establish a federal GHG registry.

Designates carbon dioxide, methane, nitrous oxide, sulfur hexafluoride, hydrofluorocarbons (HFCs) from a chemical manufacturing process at an industrial stationary source, perfluorocarbons, and nitrogen trifluoride as GHGs and establishes a carbon dioxide equivalent value for each gas. Prohibits any person from manufacturing, introducing into interstate commerce, or emitting a significant quantity of certain fluorinated gas that is generated as a byproduct during the production or use of another fluorinated gas.

Requires the Administrator to establish specified emission allowances (annual tonnage limits) for: (1) each of 2012-2049; and (2) 2050 and thereafter. Provides for the establishment and distribution of compensatory allowances for the destruction and conversionary use of fluorinated gases and the nonemissive use of petroleum-based or coal-based liquid or gaseous fuel, petroleum coke, natural gas liquid, or natural gas as a feedstock.

Phases in prohibitions against covered entities (including electricity sources, fuel producers and importers, industrial gas producers and importers, geological sequestration sites, industrial stationary sources, industrial fossil fuel-fired combustion devices, natural gas local distribution companies, nitrogen trifluoride sources, algae-based fuels, and fugitive emissions) exceeding allowable emission levels. Requires covered entities to demonstrate compliance through: (1) holding emission allowances (including international emission or compensatory allowances) at least as great as attributable emissions (as specified); or (2) using offset credits. Sets forth penalties for noncompliance.

Provides for trading, banking and borrowing, auctioning, selling, exchanging, transferring, holding, or retiring emission allowances.

Requires the Administrator to: (1) establish a strategic reserve account and place into that account specified amounts (ranging from 1% to 3%) of the emission allowances for each of calendar years 2012-2050; and (2) auction such strategic reserve allowances once each quarter of each of such years.

Requires stationary sources subject to the CAA to have permits that require the covered entity to hold a number of emission allowances at least equal to the total annual amount of carbon dioxide equivalents for its combined emissions and attributable GHG emissions.

Authorizes the Administrator to designate an international climate change program as a qualifying international program for purposes of international emission allowances provisions, if certain conditions are met.

Establishes the Offsets Integrity Advisory Board. Requires the Administrator, considering the Board's recommendations, to promulgate regulations establishing a program for the issuance of offset credits.

Requires the Administrator to promulgate regulations concerning reducing GHG emissions from deforestation in developing countries.

Sets forth provisions governing the disposition of emission allowances, including specifying allocations: (1) for supplemental emissions reductions from reduced deforestation; (2) for the benefit of electricity, natural gas, and/or home heating oil and propane consumers; (3) for auction, with proceeds for the benefit of low income consumers and worker investment; (4) to energy-intensive, trade-exposed industries; (5) for the deployment of carbon capture and sequestration technology; (6) to invest in energy efficiency and renewable energy; (7) to be distributed to Clean Energy Innovation Centers; (8) to invest in the development and deployment of clean vehicles; (9) to domestic refiners; (10) for domestic and international adaptation; (11) for domestic wildlife and natural resource adaptation; and (12) for international clean technology deployment.

Requires the Administrator to auction off certain unused allowances and to deposit the proceeds for 2012-2025 into the Treasury and for 2026-2050 into the Climate Change Dividend Fund. Requires the President to distribute funds in the Consumer Climate Change Rebate Fund (established by this Act) to U.S. households.

Amends the CAA to require the Administrator to promulgate GHG emission performance standards for specified categories of stationary sources that: (1) have uncapped GHG emissions greater than 10,000 tons of carbon dioxide equivalent and are responsible for emitting at least 20% of the uncapped GHG gas emission annually; or (2) are responsible for at least 10% of the uncapped methane emissions.

Requires the Administrator to promulgate regulations to phase down the consumption of and regulate the production of HFCs. Specifies consumption allowances for: (1) each of 2012-2032; and (2) 2033 and thereafter. Provides for: (1) the distribution, auction, banking, exchange, and international transfer of such allowances; and (2) the issuance of offset credits for the destruction of chlorofluorocarbons. Establishes the Stratospheric Ozone and Climate Protection Fund, into which the Administrator shall deposit all proceeds from the sale of such allowances.

Requires the Administrator to promulgate regulations to reduce emissions of black carbon (light absorbing component of carbonaceous aerosols) or propose a finding that existing CAA regulations adequately regulate such emissions.

Prohibits states from implementing a cap and trade program that covers any capped emissions emitted during 2012-2017.

Amends the Federal Power Act to require FERC to promulgate regulations for the establishment, operation, and oversight of markets for regulated allowances. Requires the President to establish an interagency working group on carbon market oversight.

Amends the Commodity Exchange Act to provide for transactions in derivatives that involve energy commodities. Gives the Commodity Futures Trading Commission (CFTC) jurisdiction over the establishment, operations, and oversight of markets for regulated allowance derivatives.

Amends the CAA to require the Administrator to: (1) distribute emission allowance rebates to eligible industrial sectors (with eligibility based on specified energy, GHG, or trade intensity criteria); and (2) provide for the sale of and require submission of international reserve allowances by U.S. importers of products of industrial sectors that the President determines have suffered certain negative impacts from compliance with GHG emission requirements.

Sets forth provisions concerning green jobs and worker transition, including: (1) authorizing the Secretary of Education to award grants to eligible partnerships to develop programs of study focused on emerging careers and jobs in renewable energy, energy efficiency, and climate change mitigation; and (2) providing climate change adjustment assistance to adversely affected workers.

Amends the Internal Revenue Code to allow certain low income taxpayers a refundable energy tax credit to compensate such taxpayers for reductions in their purchasing power, as identified and calculated by the Environmental Protection Agency (EPA), resulting from regulation of GHGs.

Requires: (1) the Administrator to implement the Energy Refund Program to give low-income households a monthly cash energy refund equal to the estimated loss in purchasing power resulting from this Act; (2) the Secretary of State to oversee distributions of allowances from the International Clean Technology Account; (3) the President to establish within the United States Global Change Research Program a National Climate Change Adaptation Program; (4) the Secretary of Commerce to establish within the National Oceanic and Atmospheric Administration (NOAA) a National Climate Service; (5) the Secretary of Health and Human Services (HHS) to publish a strategic action plan to assist health professionals in preparing for and responding to the impacts of climate change; (6) the President to develop a Natural Resources Climate Change Adaptation Strategy; and (7) the Secretary of State to establish an International Climate Change Adaptation Program.

[THOMAS Home](#) | [Contact](#) | [Accessibility](#) | [Legal](#) | [FirstGov](#)