

113TH CONGRESS
1ST SESSION

H. R. 3138

To provide that certain emission limits for hydrogen chloride and sulfur dioxide shall not apply to certain existing electric utility steam generating units that use circulating fluidized bed technology to convert coal refuse into energy.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 19, 2013

Mr. ROTHFUS (for himself, Mr. DENT, Mr. BARLETTA, and Mr. THOMPSON of Pennsylvania) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To provide that certain emission limits for hydrogen chloride and sulfur dioxide shall not apply to certain existing electric utility steam generating units that use circulating fluidized bed technology to convert coal refuse into energy.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Satisfying Energy
5 Needs and Saving the Environment Act of 2013” or the
6 “SENSE Act of 2013”.

1 **SEC. 2. INAPPLICABILITY OF CERTAIN EMISSION LIMITS**
2 **FOR ELECTRIC UTILITY STEAM GENERATING**
3 **UNITS THAT CONVERT COAL REFUSE INTO**
4 **ENERGY.**

5 (a) INAPPLICABILITY OF CERTAIN EMISSION LIMITS
6 FOR CERTAIN EGUS.—The emission limits for hydrogen
7 chloride and sulfur dioxide in table 2 to subpart UUUUU
8 of part 63 of title 40, Code of Federal Regulations, enti-
9 tled “Emission Limits for Existing EGUs”, shall not
10 apply to an electric utility steam generating unit in the
11 subcategory “Coal-fired unit not low rank virgin coal” if
12 such electric utility steam generating unit—

13 (1) is in operation as of the date of enactment
14 of this Act;

15 (2) utilizes circulating fluidized bed technology
16 to convert coal refuse into energy; and

17 (3)(A) derives at least 75 percent of its heat
18 input from coal refuse; or

19 (B) is a qualifying facility.

20 (b) DEFINITIONS.—In this section:

21 (1) COAL REFUSE.—The term “coal refuse”
22 means any byproduct of coal mining, physical coal
23 cleaning, or coal preparation operations, that con-
24 tains coal, matrix material, clay, and other organic
25 and inorganic material.

1 (2) QUALIFYING COGENERATION FACILITY.—

2 The term “qualifying cogeneration facility” has the
3 meaning given such term in section 3 of the Federal
4 Power Act (16 U.S.C. 796).

5 (3) QUALIFYING FACILITY.—The term “quali-
6 fying facility” means—

7 (A) a qualifying small power production fa-
8 cility; or

9 (B) a qualifying cogeneration facility.

10 (4) QUALIFYING SMALL POWER PRODUCTION
11 FACILITY.—The term “qualifying small power pro-
12 duction facility” has the meaning given such term in
13 section 3 of the Federal Power Act (16 U.S.C. 796).

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