

### **§ 16161c. Clean hydrogen manufacturing and recycling**

#### **(a) Clean hydrogen manufacturing initiative**

##### **(1) In general**

In carrying out the programs established under sections 16154 and 16161a of this title, the Secretary shall award multiyear grants to, and enter into contracts, cooperative agreements, or any other agreements authorized under this Act or other Federal law with, eligible entities (as determined by the Secretary) for research, development, and demonstration projects to advance new clean hydrogen production, processing, delivery, storage, and use equipment manufacturing technologies and techniques.

##### **(2) Priority**

In awarding grants or entering into contracts, cooperative agreements, or other agreements under paragraph (1), the Secretary, to the maximum extent practicable, shall give priority to clean hydrogen equipment manufacturing projects that—

(A) increase efficiency and cost-effectiveness in—

- (i) the manufacturing process; and
- (ii) the use of resources, including existing energy infrastructure;

(B) support domestic supply chains for materials and components;

(C) identify and incorporate nonhazardous alternative materials for components and devices;

(D) operate in partnership with tribal energy development organizations, Indian Tribes, Tribal organizations, Native Hawaiian community-based organizations, or territories or freely associated States; or

(E) are located in economically distressed areas of the major natural gas-producing regions of the United States.

##### **(3) Evaluation**

Not later than 3 years after November 15, 2021, and not less frequently than once every 4 years thereafter, the Secretary shall conduct, and make available to the public and the relevant committees of Congress, an independent review of the progress of the projects carried out through grants awarded, or contracts, cooperative agreements, or other agreements entered into, under paragraph (1).

#### **(b) Clean hydrogen technology recycling research, development, and demonstration program**

##### **(1) In general**

In carrying out the programs established under sections 16154 and 16161a of this title, the Secretary shall award multiyear grants to, and enter into contracts, cooperative agreements, or any other agreements authorized under this Act or other Federal law with, eligible entities for research, development, and demonstration projects to create innovative and practical approaches to increase the reuse and recycling of clean hydrogen technologies, including by—

(A) increasing the efficiency and cost-effectiveness of the recovery of raw materials

from clean hydrogen technology components and systems, including enabling technologies such as electrolyzers and fuel cells;

(B) minimizing environmental impacts from the recovery and disposal processes;

(C) addressing any barriers to the research, development, demonstration, and commercialization of technologies and processes for the disassembly and recycling of devices used for clean hydrogen production, processing, delivery, storage, and use;

(D) developing alternative materials, designs, manufacturing processes, and other aspects of clean hydrogen technologies;

(E) developing alternative disassembly and resource recovery processes that enable efficient, cost-effective, and environmentally responsible disassembly of, and resource recovery from, clean hydrogen technologies; and

(F) developing strategies to increase consumer acceptance of, and participation in, the recycling of fuel cells.

##### **(2) Dissemination of results**

The Secretary shall make available to the public and the relevant committees of Congress the results of the projects carried out through grants awarded, or contracts, cooperative agreements, or other agreements entered into, under paragraph (1), including any educational and outreach materials developed by the projects.

#### **(c) Authorization of appropriations**

There is authorized to be appropriated to the Secretary to carry out this section \$500,000,000 for the period of fiscal years 2022 through 2026.

(Pub. L. 109–58, title VIII, §815, as added Pub. L. 117–58, div. D, title III, §40314(2), Nov. 15, 2021, 135 Stat. 1011.)

#### **Editorial Notes**

##### **REFERENCES IN TEXT**

This Act, referred to subsecs. (a)(1) and (b)(1), is Pub. L. 109–58, Aug. 8, 2005, 119 Stat. 594, known as the Energy Policy Act of 2005, which enacted this chapter and enacted, amended, and repealed numerous other sections and notes in the Code. For complete classification of this Act to the Code, see Short Title note set out under section 15801 of this title and Tables.

##### **PRIOR PROVISIONS**

A prior section 815 of Pub. L. 109–58 was renumbered section 820 and is classified to section 16164 of this title.

#### **Statutory Notes and Related Subsidiaries**

##### **WAGE RATE REQUIREMENTS**

For provisions relating to rates of wages to be paid to laborers and mechanics on projects for construction, alteration, or repair work funded under div. D or an amendment by div. D of Pub. L. 117–58, including authority of Secretary of Labor, see section 18851 of this title.

### **§ 16161d. Clean hydrogen electrolysis program**

#### **(a) Definitions**

In this section:

##### **(1) Electrolysis**

The term “electrolysis” means a process that uses electricity to split water into hydrogen and oxygen.