

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110-140, set out as a note under section 1824 of Title 2, The Congress.

§ 17095. Cost-effective technology acceleration program**(a) Definition of Administrator**

In this section, the term “Administrator” means the Administrator of General Services.

(b) Establishment**(1) In general**

The Administrator shall establish a program to accelerate the use of more cost-effective technologies and practices at GSA facilities.

(2) Requirements

The program established under this subsection shall—

(A) ensure centralized responsibility for the coordination of cost reduction-related recommendations, practices, and activities of all relevant Federal agencies;

(B) provide technical assistance and operational guidance to applicable tenants to achieve the goal identified in subsection (c)(2)(B)(ii);

(C) establish methods to track the success of Federal departments and agencies with respect to that goal; and

(D) be fully coordinated with and no less stringent nor less energy-conserving or water-conserving than required by other provisions of this Act and other applicable law, including sections 321 through 324, 431 through 438, 461, 511 through 518, and 523 through 525 and amendments made by those sections.

(c) Accelerated use of technologies**(1) Review****(A) In general**

As part of the program under this section, not later than 90 days after December 19, 2007, the Administrator shall conduct a review of—

(i) current use of cost-effective lighting technologies and geothermal heat pumps in GSA facilities; and

(ii) the availability to managers of GSA facilities of cost-effective lighting technologies and geothermal heat pumps.

(B) Requirements

The review under subparagraph (A) shall—

(i) examine the use of cost-effective lighting technologies, geothermal heat pumps, and other cost-effective technologies and practices by Federal agencies in GSA facilities; and

(ii) as prepared in consultation with the Administrator of the Environmental Protection Agency, identify cost-effective lighting technology and geothermal heat pump technology standards that could be used for all types of GSA facilities.

(2) Replacement**(A) In general**

As part of the program under this section, not later than 180 days after December 19,

2007, the Administrator shall establish, using available appropriations and programs implementing sections 432 and 525¹ (and amendments made by those sections), a cost-effective lighting technology and geothermal heat pump technology acceleration program to achieve maximum feasible replacement of existing lighting, heating, cooling² technologies with cost-effective lighting technologies and geothermal heat pump technologies in each GSA facility. Such program shall fully comply with the requirements of sections 321 through 324, 431 through 438, 461, 511 through 518, and 523 through 525¹ and amendments made by those sections and any other provisions of law, which shall be applicable to the extent that they are more stringent or would achieve greater energy savings than required by this section.

(B) Acceleration plan timetable**(i) In general**

To implement the program established under subparagraph (A), not later than 1 year after December 19, 2007, the Administrator shall establish a timetable of actions to comply with the requirements of this section and sections 431 through 435, whichever achieves greater energy savings most expeditiously, including milestones for specific activities needed to replace existing lighting, heating, cooling² technologies with cost-effective lighting technologies and geothermal heat pump technologies, to the maximum extent feasible (including at the maximum rate feasible), at each GSA facility.

(ii) Goal

The goal of the timetable under clause (i) shall be to complete, using available appropriations and programs implementing sections 431 through 435¹ (and amendments made by those sections), maximum feasible replacement of existing lighting, heating, and cooling technologies with cost-effective lighting technologies and geothermal heat pump technologies consistent with the requirements of this section and sections 431 through 435,¹ whichever achieves greater energy savings most expeditiously. Notwithstanding any provision of this section, such program shall fully comply with the requirements of the Act³ including sections 321 through 324, 431 through 438, 461, 511 through 518, and 523 through 525 and amendments made by those sections and other provisions of law, which shall be applicable to the extent that they are more stringent or would achieve greater energy or water savings than required by this section.

(d) GSA facility technologies and practices**(1) In general**

Not later than 180 days after December 19, 2007, and annually thereafter, the Administrator shall—

¹ See References in Text note below.

² So in original. Probably should be “and cooling”.

³ So in original. Probably should be “this Act”.

(A) ensure that a manager responsible for implementing section 432¹ and for accelerating the use of cost-effective technologies and practices is designated for each GSA facility; and

(B) submit to Congress a plan to comply with section 432,¹ this section, and other applicable provisions of this Act and applicable law with respect to energy and water conservation at GSA facilities.

(2) Measures

The plan shall implement measures required by such other provisions of law in accordance with those provisions, and shall implement the measures required by this section to the maximum extent feasible (including at the maximum rate feasible) using available appropriations and programs implementing sections 431 through 435 and 525¹ (and amendments made by those sections), by not later than the date that is 5 years after December 19, 2007.

(3) Contents of plan

The plan shall—

(A) with respect to cost-effective technologies and practices—

(i) identify the specific activities needed to comply with sections 431 through 435;¹

(ii) identify the specific activities needed to achieve at least a 20-percent reduction in operational costs through the application of cost-effective technologies and practices from 2003 levels at GSA facilities by not later than 5 years after December 19, 2007;

(iii) describe activities required and carried out to estimate the funds necessary to achieve the reduction described in clauses (i) and (ii);

(B) include an estimate of the funds necessary to carry out this section;

(C) describe the status of the implementation of cost-effective technologies and practices at GSA facilities, including—

(i) the extent to which programs, including the program established under subsection (b), are being carried out in accordance with this part; and

(ii) the status of funding requests and appropriations for those programs;

(D) identify within the planning, budgeting, and construction processes, all types of GSA facility-related procedures that inhibit new and existing GSA facilities from implementing cost-effective technologies;

(E) recommend language for uniform standards for use by Federal agencies in implementing cost-effective technologies and practices;

(F) in coordination with the Office of Management and Budget, review the budget process for capital programs with respect to alternatives for—

(i) implementing measures that will assure that Federal agencies retain all identified savings accrued as a result of the use of cost-effective technologies, consistent with section 8253(a)(1) of this title, and other applicable law; and

(ii) identifying short- and long-term cost savings that accrue from the use of cost-effective technologies and practices;

(G) with respect to cost-effective technologies and practices, achieve substantial operational cost savings through the application of the technologies; and

(H) include recommendations to address each of the matters, and a plan for implementation of each recommendation, described in subparagraphs (A) through (G).

(4) Administration

Notwithstanding any provision of this section, the program required under this section shall fully comply with the requirements of sections 321 through 324, 431 through 438, 461, 511 through 518, and 523 through 525¹ and amendments made by those sections, which shall be applicable to the extent that they are more stringent or would achieve greater energy or water savings than required by this section.

(e) Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this section, to remain available until expended.

(Pub. L. 110-140, title IV, § 439, Dec. 19, 2007, 121 Stat. 1620.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in subsecs. (b)(2)(D), (c)(2)(B)(ii), and (d)(1)(B), is Pub. L. 110-140, Dec. 19, 2007, 121 Stat. 1492, known as the Energy Independence and Security Act of 2007, which enacted this chapter and enacted and amended 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 17001 of this title and Tables.

Sections 321 through 324, 431 through 438, 461, 511 through 518, and 523 through 525, referred to in subsecs. (b)(2)(D), (c)(2)(A), (B)(ii), and (d)(4), are sections 321 to 324, 431 to 438, 461, 511 to 518, and 523 to 525, respectively, of Pub. L. 110-140, which enacted sections 17091 to 17094 of this title, part A (§ 17131) of subchapter IV of this chapter, subchapter V (§ 2695 et seq.) of chapter 53 of Title 15, Commerce and Trade, and section 3313 of Title 40, Public Buildings, Property, and Works, amended sections 6291 to 6294, 6295, 6297, 6302, 6304, 6832, 6834, 8253, 8256, 8258, 8259b, 8287, and 8287c of this title, section 2913 of Title 10, Armed Forces, and sections 3307, 3310, and 3314 to 3316 of Title 40, and enacted provisions set out as notes under sections 6294, 6295, 6834, and 8259b of this title.

Sections 432 and 525, referred to in subsec. (c)(2)(A), are sections 432 and 525 of Pub. L. 110-140, which amended sections 8253 and 8259b of this title and enacted provisions set out as a note under section 8259b of this title.

Sections 431 through 435, referred to in subsecs. (c)(2)(B) and (d)(2), (3)(A)(i), are sections 431 to 435 of Pub. L. 110-140, which enacted section 17091 of this title, amended sections 6832, 6834, and 8253 of this title, and enacted provisions set out as a note under section 6834 of this title.

Section 432, referred to in subsec. (d)(1), is section 432 of Pub. L. 110-140, Dec. 19, 2007, 121 Stat. 1607, which amended section 8253 of this title.

Section 525, referred to in subsec. (d)(2), is section 525 of Pub. L. 110-140, December 19, 2007, 121 Stat. 1663, which amended section 8259b of this title and enacted provisions set out as a note under section 8259b of this title.

This part, referred to in subsec. (d)(3)(C)(i), was in the original “this subtitle”, meaning subtitle C (§§ 431-441) of title IV of Pub. L. 110-140, Dec. 19, 2007, 121 Stat. 1607,

which enacted this part, amended sections 6832, 6834, 8253, and 8254 of this title, and enacted provisions set out as a note under section 6834 of this title. For complete classification of subtitle C to the Code, see Tables.

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EFFECTIVE DATE

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§ 17096. Authorization of appropriations

There is authorized to be appropriated to carry out sections 434 through 439 and 482¹ \$4,000,000 for each of fiscal years 2008 through 2012, to remain available until expended.

(Pub. L. 110-140, title IV, § 440, Dec. 19, 2007, 121 Stat. 1623.)

Editorial Notes

REFERENCES IN TEXT

Sections 434 through 439, referred to in text, are sections 434 to 439 of Pub. L. 110-140, which enacted sections 17091 to 17095 of this title and amended section 8253 of this title. Section 482 is unidentifiable because Pub. L. 110-140 does not contain a section 482.

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PART D—INDUSTRIAL ENERGY EFFICIENCY

§ 17111. Future of industry program

(a) Definitions

In this section:

(1) Eligible entity

The term “eligible entity” means—

- (A) an energy-intensive industry;
- (B) a national trade association representing an energy-intensive industry; or
- (C) a person acting on behalf of 1 or more energy-intensive industries or sectors, as determined by the Secretary.

(2) Energy-intensive industry

The term “energy-intensive industry” means an industry that uses significant quantities of energy as part of its primary economic activities, including—

- (A) information technology, including data centers containing electrical equipment used in processing, storing, and transmitting digital information;
- (B) consumer product manufacturing;
- (C) food processing;
- (D) materials manufacturers, including—
 - (i) aluminum;
 - (ii) chemicals;
 - (iii) forest and paper products;
 - (iv) metal casting;
 - (v) glass;
 - (vi) petroleum refining;

- (vii) mining; and
- (viii) steel;

(E) water and wastewater treatment facilities, including systems that treat municipal, industrial, and agricultural waste; and

(F) other energy-intensive industries, as determined by the Secretary.

(3) Feedstock

The term “feedstock” means the raw material supplied for use in manufacturing, chemical, and biological processes.

(4) Partnership

The term “partnership” means an energy efficiency partnership established under subsection (c)(1)(A).

(5) Program

The term “program” means the energy-intensive industries program established under subsection (b).

(b) Establishment of program

The Secretary shall establish a program under which the Secretary, in cooperation with energy-intensive industries and national industry trade associations representing the energy-intensive industries, shall support, research, develop, and promote the use of new materials processes, technologies, and techniques to optimize energy efficiency and the economic competitiveness of the United States’ industrial and commercial sectors.

(c) Partnerships

(1) In general

As part of the program, the Secretary shall establish energy efficiency partnerships between the Secretary and eligible entities to conduct research on, develop, and demonstrate new processes, technologies, and operating practices and techniques to significantly improve the energy efficiency of equipment and processes used by energy-intensive industries, including the conduct of activities to—

- (A) increase the energy efficiency of industrial processes and facilities;
- (B) research, develop, and demonstrate advanced technologies capable of energy intensity reductions and increased environmental performance; and
- (C) promote the use of the processes, technologies, and techniques described in subparagraphs (A) and (B).

(2) Eligible activities

Partnership activities eligible for funding under this subsection include—

- (A) feedstock and recycling research, development, and demonstration activities to identify and promote—
 - (i) opportunities for meeting industry feedstock requirements with more energy efficient and flexible sources of feedstock or energy supply;
 - (ii) strategies to develop and deploy technologies that improve the quality and quantity of feedstocks recovered from process and waste streams; and
 - (iii) other methods using recycling, reuse, and improved industrial materials;

¹ See References in Text note below.