

istrator, in environmental permitting of gathering or transmission infrastructure necessary for offtake of increased volume as a result of methane emissions mitigation implementation.

**(6) Exemption for regulatory compliance**

**(A) In general**

Charges shall not be imposed pursuant to subsection (c) on an applicable facility that is subject to and in compliance with methane emissions requirements pursuant to subsections (b) and (d) of section 7411 of this title upon a determination by the Administrator that—

(i) methane emissions standards and plans pursuant to subsections (b) and (d) of section 7411 of this title have been approved and are in effect in all States with respect to the applicable facilities; and

(ii) compliance with the requirements described in clause (i) will result in equivalent or greater emissions reductions as would be achieved by the proposed rule of the Administrator entitled “Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review” (86 Fed. Reg. 63110 (November 15, 2021)), if such rule had been finalized and implemented.

**(B) Resumption of charge**

If the conditions in clause (i) or (ii) of subparagraph (A) cease to apply after the Administrator has made the determination in that subparagraph, the applicable facility will again be subject to the charge under subsection (c) beginning in the first calendar year in which the conditions in either clause (i) or (ii) of that subparagraph are no longer met.

**(7) Plugged wells**

Charges shall not be imposed with respect to the emissions rate from any well that has been permanently shut-in and plugged in the previous year in accordance with all applicable closure requirements, as determined by the Administrator.

**(g) Period**

The charge under subsection (c) shall be imposed and collected beginning with respect to emissions reported for calendar year 2024 and for each year thereafter.

**(h) Reporting**

Not later than 2 years after August 16, 2022, the Administrator shall revise the requirements of subpart W of part 98 of title 40, Code of Federal Regulations, to ensure the reporting under such subpart, and calculation of charges under subsections (e) and (f) of this section, are based on empirical data, including data collected pursuant to subsection (a)(4), accurately reflect the total methane emissions and waste emissions from the applicable facilities, and allow owners and operators of applicable facilities to submit empirical emissions data, in a manner to be prescribed by the Administrator, to demonstrate the extent to which a charge under subsection (c) is owed.

**(i) Definition of greenhouse gas**

In this section, the term “greenhouse gas” means the air pollutants carbon dioxide, hydrofluorocarbons, methane, nitrous oxide, perfluorocarbons, and sulfur hexafluoride.

(July 14, 1955, ch. 360, title I, § 136, as added Pub. L. 117–169, title VI, § 60113, Aug. 16, 2022, 136 Stat. 2073.)

**§ 7437. Greenhouse gas air pollution plans and implementation grants**

**(a) Appropriations**

**(1) Greenhouse gas air pollution planning grants**

In addition to amounts otherwise available, there is appropriated to the Administrator for fiscal year 2022, out of any amounts in the Treasury not otherwise appropriated, \$250,000,000, to remain available until September 30, 2031, to carry out subsection (b).

**(2) Greenhouse gas air pollution implementation grants**

In addition to amounts otherwise available, there is appropriated to the Administrator for fiscal year 2022, out of any amounts in the Treasury not otherwise appropriated, \$4,750,000,000, to remain available until September 30, 2026, to carry out subsection (c).

**(3) Administrative costs**

Of the funds made available under paragraph (2), the Administrator shall reserve 3 percent for administrative costs necessary to carry out this section, to provide technical assistance to eligible entities, to develop a plan that could be used as a model by grantees in developing a plan under subsection (b), and to model the effects of plans described in this section.

**(b) Greenhouse gas air pollution planning grants**

The Administrator shall make a grant to at least one eligible entity in each State for the costs of developing a plan for the reduction of greenhouse gas air pollution to be submitted with an application for a grant under subsection (c). Each such plan shall include programs, policies, measures, and projects that will achieve or facilitate the reduction of greenhouse gas air pollution. Not later than 270 days after August 16, 2022, the Administrator shall publish a funding opportunity announcement for grants under this subsection.

**(c) Greenhouse gas air pollution reduction implementation grants**

**(1) In general**

The Administrator shall competitively award grants to eligible entities to implement plans developed under subsection (b).

**(2) Application**

To apply for a grant under this subsection, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator shall require, which such application shall include information regarding the degree to which greenhouse gas air pollution is projected to be reduced in total

and with respect to low-income and disadvantaged communities.

**(3) Terms and conditions**

The Administrator shall make funds available to a grantee under this subsection in such amounts, upon such a schedule, and subject to such conditions based on its performance in implementing its plan submitted under this section and in achieving projected greenhouse gas air pollution reduction, as determined by the Administrator.

**(d) Definitions**

In this section:

**(1) Eligible entity**

The term “eligible entity” means—

- (A) a State;
- (B) an air pollution control agency;
- (C) a municipality;
- (D) an Indian tribe; and
- (E) a group of one or more entities listed in subparagraphs (A) through (D).

**(2) Greenhouse gas**

The term “greenhouse gas” means the air pollutants carbon dioxide, hydrofluorocarbons, methane, nitrous oxide, perfluorocarbons, and sulfur hexafluoride.

(July 14, 1955, ch. 360, title I, § 137, as added Pub. L. 117-169, title VI, § 60114, Aug. 16, 2022, 136 Stat. 2076.)

**§ 7438. Environmental and climate justice block grants**

**(a) Appropriation**

In addition to amounts otherwise available, there is appropriated to the Administrator for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

- (1) \$2,800,000,000 to remain available until September 30, 2026, to award grants for the activities described in subsection (b); and
- (2) \$200,000,000 to remain available until September 30, 2026, to provide technical assistance to eligible entities related to grants awarded under this section.

**(b) Grants**

**(1) In general**

The Administrator shall use amounts made available under subsection (a)(1) to award grants for periods of up to 3 years to eligible entities to carry out activities described in paragraph (2) that benefit disadvantaged communities, as defined by the Administrator.

**(2) Eligible activities**

An eligible entity may use a grant awarded under this subsection for—

- (A) community-led air and other pollution monitoring, prevention, and remediation, and investments in low- and zero-emission and resilient technologies and related infrastructure and workforce development that help reduce greenhouse gas emissions and other air pollutants;
- (B) mitigating climate and health risks from urban heat islands, extreme heat, wood heater emissions, and wildfire events;
- (C) climate resiliency and adaptation;

(D) reducing indoor toxics and indoor air pollution; or

(E) facilitating engagement of disadvantaged communities in State and Federal advisory groups, workshops, rulemakings, and other public processes.

**(3) Eligible entities**

In this subsection, the term “eligible entity” means—

(A) a partnership between—

- (i) an Indian tribe, a local government, or an institution of higher education; and
- (ii) a community-based nonprofit organization;

(B) a community-based nonprofit organization; or

(C) a partnership of community-based nonprofit organizations.

**(c) Administrative costs**

The Administrator shall reserve 7 percent of the amounts made available under subsection (a) for administrative costs to carry out this section.

**(d) Definition of greenhouse gas**

In this section, the term “greenhouse gas” means the air pollutants carbon dioxide, hydrofluorocarbons, methane, nitrous oxide, perfluorocarbons, and sulfur hexafluoride.

(July 14, 1955, ch. 360, title I, § 138, as added Pub. L. 117-169, title VI, § 60201, Aug. 16, 2022, 136 Stat. 2078.)

PART B—OZONE PROTECTION

**§§ 7450 to 7459. Repealed. Pub. L. 101-549, title VI, § 601, Nov. 15, 1990, 104 Stat. 2648**

Section 7450, act July 14, 1955, ch. 360, title I, § 150, as added Aug. 7, 1977, Pub. L. 95-95, title I, § 126, 91 Stat. 725, set forth Congressional declaration of purpose.

Section 7451, act July 14, 1955, ch. 360, title I, § 151, as added Aug. 7, 1977, Pub. L. 95-95, title I, § 126, 91 Stat. 726, set forth Congressional findings.

Section 7452, act July 14, 1955, ch. 360, title I, § 152, as added Aug. 7, 1977, Pub. L. 95-95, title I, § 126, 91 Stat. 726, set forth definitions applicable to this part.

Section 7453, act July 14, 1955, ch. 360, title I, § 153, as added Aug. 7, 1977, Pub. L. 95-95, title I, § 126, 91 Stat. 726, related to studies by Environmental Protection Agency.

Section 7454, act July 14, 1955, ch. 360, title I, § 154, as added Aug. 7, 1977, Pub. L. 95-95, title I, § 126, 91 Stat. 728; amended Pub. L. 96-88, title V, § 509(b), Oct. 17, 1979, 93 Stat. 695, related to research and monitoring activities by Federal agencies.

Section 7455, act July 14, 1955, ch. 360, title I, § 155, as added Aug. 7, 1977, Pub. L. 95-95, title I, § 126, 91 Stat. 729, related to reports on progress of regulation.

Section 7456, act July 14, 1955, ch. 360, title I, § 156, as added Aug. 7, 1977, Pub. L. 95-95, title I, § 126, 91 Stat. 729, authorized President to enter into international agreements to foster cooperative research.

Section 7457, act July 14, 1955, ch. 360, title I, § 157, as added Aug. 7, 1977, Pub. L. 95-95, title I, § 126, 91 Stat. 729, related to promulgation of regulations.

Section 7458, act July 14, 1955, ch. 360, title I, § 158, as added Aug. 7, 1977, Pub. L. 95-95, title I, § 126, 91 Stat. 730, set forth other provisions of law that would be unaffected by this part.

Section 7459, act July 14, 1955, ch. 360, title I, § 159, as added Aug. 7, 1977, Pub. L. 95-95, title I, § 126, 91 Stat. 730, related to authority of States to protect the stratosphere.