

**\*Alaska Wilderness League \* Defenders of Wildlife \* Earthjustice \* Friends of the Earth \*  
\* League of Conservation Voters \* National Audubon Society \*  
\* National Environmental Trust \* Public Citizen \* Sierra Club \*  
\* Southern Utah Wilderness Alliance \* The Wilderness Society\* U.S. PIRG \***

## **Summary of the Harmful Provisions in the Energy Bill**

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After five years, the U.S. Congress has crafted an energy bill that fails to reduce America's dependence on oil, fails to address the threat of global warming, fails to make any new investments in clean energy, and by the President's own admission, fails to help consumers at the gas pump. When it comes to solving America's pressing energy problems, this bill can only be classified as a miserable failure. Instead of moving toward a new energy future, the energy bill provides tens of billions of dollars to the oil, gas, coal and nuclear industries, significantly weakens environmental protections such as the Clean Water Act and Safe Drinking Water Act, and undermines numerous consumer protections. This energy bill doesn't meet America's 21<sup>st</sup> century needs.

Listed below are several of the many terrible provisions in the final energy bill.

1. Threatens drinking water by amending the Safe Drinking Water Act to allow the unregulated underground injection of chemicals during oil and gas development and during geothermal energy development. [Section 322]
2. Grants the oil and gas industries an exemption for their construction activities from compliance with Clean Water Act provisions that require all types of construction activities to reduce polluted runoff from these sites. [Section 323]
3. Provides billions of dollars in subsidies to the nuclear industry, including \$2 billion risk insurance program for up to six new reactors that was not included in either the House or Senate passed energy bills. [Nuclear title; risk insurance was added as an amendment in conference]
4. Includes dangerous provisions to allow harmful underwater oil and gas exploration that could pave the way for offshore drilling along America's coastlines. [Sec. 357]
5. Repeals the Public Utility Holding Company Act, the main law to protect consumers from market manipulation, fraud, and abuse in the electricity sector.[Section 1263]
6. Provides "backdoor immunity" to the producers and distributors, of the likely carcinogenic gasoline additive MTBE by removing MTBE claims from state court to federal court when the claims are based on state tort law, nuisance law, or consumer law. This unfairly deprives injured parties and their representatives (water utilities, states AGs, etc) of their right to have their claims heard in their state forum and could derail many legal claims entirely, effectively shielding those companies responsible for MTBE contamination from their full financial liability for the damages they have caused. [Sec. 1504]
7. Seeks to significantly increase the ability to categorically exclude a broad range of oil and gas exploration and drilling activities from public involvement and impact analysis under the National Environmental Policy Act [Sec 389].
8. Pre-empts state authority in the siting and construction of liquefied natural gas (LNG) facilities, which are potentially dangerous facilities that will contain large amount of gas. [Section 311]

9. Increases air pollution and global warming with more than \$6 billion in new incentives to burn coal for electricity. [Coal and R&D titles]
10. Provides federal loan guarantees to build at least 16 new coal-fired power plants [Coal Title and Incentives Title]
11. Provides incentives to cut down trees, including those in sensitive areas such as roadless areas, to use in ethanol and motor fuels production [Section 1513]
12. Increases America's oil dependence by 130,000 barrels of oil per day in 2014 through extending the 'dual-fuel' loophole. [Title VII, Sec. 772]
13. Promotes nuclear proliferation by reversing long-standing U.S. nuclear policy against reprocessing waste from commercial nuclear reactors, and using plutonium to generate commercial energy. [Section 953]
14. Tramples on states' abilities to protect their coasts from harmful oil and gas exploration by weakening their voice about federal projects that affect their coasts. [Section 381]
15. Pre-empts states' rights by providing federal siting authority for transmission lines [Section 1221].
16. Extends the Price Anderson Act for 20 years which limits the nuclear industry's liability in case of an accident [Nuclear Title]
17. Allows oil industry to forgo royalty payments to the federal Treasury for oil drilled areas off Alaska's coastline [Section 346]
18. Provides \$250,000 to develop technologies to use radioactivity to refine oil [Hall Amendment added in conference]
19. Weakens states rights under the Clean Water Act and the Clean Air Act in the permitting of liquefied natural gas (LNG) facilities and natural gas pipelines [Hall Amendment added in conference]
20. Authorizes up to \$1.5 billion in new subsidies to the oil industry for ultra-deep oil drilling and exploration, [Hall amendment added in conference today]
21. Threatens wildlife and subsistence values of the 23 million-acre National Petroleum Reserve-Alaska by literally giving away oil leases on Alaska's North Slope, while at the same time handing oil companies a free pass to sit on the leases for decades without contributing anything to America's energy needs. [Section 347]
22. Mandates the rapid development of a commercial oil shale/tar sands leasing program. Directs the Department of Interior to identify and prioritize for land exchange federal lands for transfer to corporations for oil shale development. [Sec. 369]