

## Union Calendar No.

118TH CONGRESS  
1ST SESSION

# H. R. 1070

[Report No. 118-]

To amend the Solid Waste Disposal Act to provide the owner or operator of a critical energy resource facility an interim permit under subtitle C that is subject to final approval by the Administrator of the Environmental Protection Agency, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2023

Mr. CARTER of Georgia introduced the following bill; which was referred to the Committee on Energy and Commerce

MARCH --, 2023

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on February 17, 2023]

# **A BILL**

To amend the Solid Waste Disposal Act to provide the owner or operator of a critical energy resource facility an interim permit under subtitle C that is subject to final approval by the Administrator of the Environmental Protection Agency, and for other purposes.

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. INTERIM HAZARDOUS WASTE PERMITS.**

4 *Section 3005(e) of the Solid Waste Disposal Act (42*  
5 *U.S.C. 6925(e)) is amended—*

6 *(1) in paragraph (1)(A)—*

7 *(A) in clause (i), by striking “or” at the*  
8 *end;*

9 *(B) in clause (ii), by inserting “or” after*  
10 *“this section,”;*

11 *(C) by adding at the end the following:*

12 *“(iii) is a critical energy resource facility,”;*

13 *and*

14 *(2) by adding at the end the following:*

15 *“(4) DEFINITIONS.—For the purposes of this sub-*  
16 *section:*

17 *“(A) CRITICAL ENERGY RESOURCE.—The term*  
18 *‘critical energy resource’ means, as determined by the*  
19 *Secretary of Energy, any energy resource—*

20 *“(i) that is essential to the energy sector*  
21 *and energy systems of the United States; and*

22 *“(ii) the supply chain of which is vulner-*  
23 *able to disruption.*

24 *“(B) CRITICAL ENERGY RESOURCE FACILITY.—*

25 *The term ‘critical energy resource facility’ means a*

1       *facility that processes or refines a critical energy re-*  
2       *source.”.*