

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2339
OFFERED BY MR. HALL OF TEXAS**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Produced Water Utili-
3 zation Act of 2008”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **PRODUCED WATER.**—The term “produced
7 water” means water from an underground source
8 that is brought to the surface as part of the process
9 of exploration for or development of coalbed meth-
10 ane, oil, natural gas, or any other substance to be
11 used as an energy source.

12 (2) **SECRETARY.**—The term “Secretary” means
13 the Secretary of Energy.

14 **SEC. 3 PURPOSES.**

15 (a) **IN GENERAL.**—The Secretary shall carry out
16 under this Act a program of research, development, and
17 demonstration of technologies for environmentally sustain-
18 able utilization of produced water for agricultural,

1 irrigational, municipal, and industrial uses, or other envi-
2 ronmentally sustainable purposes. The program shall be
3 designed to maximize the utilization of produced water in
4 the United States by increasing the quality of produced
5 water and reducing the environmental impacts of produced
6 water.

7 (b) PROGRAM ELEMENTS.—The program under this
8 Act shall address the following areas, including improving
9 safety and minimizing environmental impacts of activities
10 within each area:

11 (1) Produced water recovery, including research
12 for desalination and demineralization to reduce total
13 dissolved solids in the produced water.

14 (2) Produced water utilization for agricultural,
15 irrigational, municipal, and industrial uses, or other
16 environmentally sustainable purposes.

17 (3) Re-injection of produced water into sub-
18 surface geological formations to increase energy pro-
19 duction.

20 (c) PROGRAM ADMINISTRATION.—To carry out the
21 purposes under this Act the Secretary may enter into an
22 agreement with a consortium whose members have collec-
23 tively demonstrated capabilities and experience in plan-
24 ning and managing research, development, demonstration,
25 and commercial application programs for unconventional

1 natural gas and other petroleum production and produced
2 water utilization.

3 (d) ACTIVITIES AT THE NATIONAL LABORATORIES.—
4 The Secretary, through the appropriate National Labora-
5 tory, shall carry out a program of research, development,
6 and demonstration activities complementary to and sup-
7 portive of the research, development, and demonstration
8 programs under subsection (b).

9 **SEC. 4. CONSULTATION AND COORDINATION.**

10 (a) CONSULTATION.—In carrying out this Act, the
11 Secretary shall consult with the Secretary of the Interior
12 and the Administrator of the Environmental Protection
13 Agency.

14 (b) COORDINATION.—To the maximum extent prac-
15 ticable, the Secretary shall ensure that the activities under
16 this Act are coordinated with, and do not duplicate the
17 efforts of, programs at the Department of Energy and
18 other government agencies.

19 **SEC. 5. FUNDING.**

20 (a) ALLOCATION.—Amounts appropriated for this
21 Act for each fiscal year shall be allocated as follows:

22 (1) 75 percent shall be for activities under sec-
23 tion 3(a), (b), and (c).

24 (2) 25 percent shall be for activities under sec-
25 tion 3(d) and other activities under section 3, includ-

1 ing administrative functions such as program direc-
2 tion, overall program oversight, and contract man-
3 agement.

4 (b) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated to carry out this Act
6 \$20,000,000 for each of fiscal years 2009 through 2013.

