

Notice of Intent No.: DE-FOA-0003108

DISCLAIMER: The “Notice of Intent to Issue” is for informational purposes only; the Department of Energy is not seeking comments on the information in this notice and applications are not being accepted at this time. Any information contained in this notice is subject to change.

**This is a Notice of Intent to issue
Administrative and Legal Requirements Document Announcement No.: DE-FOA-0003109**

IRA: Mitigating Emissions from Marginal Conventional Wells

The U.S. Department of Energy (DOE) National Energy Technology Laboratory (NETL) intends to issue an Administrative and Legal Requirements Document (ALRD) on behalf of the DOE Office of Fossil Energy and Carbon Management (FECM) and in collaboration with U.S. Environmental Protection Agency (EPA), entitled “IRA: Mitigating Emissions from Marginal Conventional Wells. NETL anticipates issuing the ALRD in August 2023 with an application availability period of 30 days. The ALRD will be funded by the Clean Air Act (CAA), as amended by the Inflation Reduction Act (IRA).

BACKGROUND

On August 16, 2022, President Biden signed the IRA into law (Public Law 117-169). Section 60113 of the IRA, amended the Clean Air Act (CAA) by adding Section 136, “Methane Emissions and Waste Reduction Incentive Program for Petroleum and Natural Gas Systems” (also referred to as the Methane Emissions Reduction Program) (codified at 42 U.S.C. 7436). CAA Section 136 gives EPA the authority to award grants, rebates, contracts, loans, and other activities for the purpose of providing financial and technical assistance to reduce methane and other greenhouse gas emissions from petroleum and natural gas systems. In particular, CAA Section 136(b) appropriates \$700 million for activities under Section 136(a) at marginal conventional wells (MCWs), which are being defined as onshore, vertical oil or natural gas wells producing less than or equal to 15 barrels of oil equivalent per day (BOED) and which are producing or idle wells with known operators.

The mission of EPA is to protect human health and the environment. EPA works to ensure that: Americans have clean air, land and water; national efforts to reduce environmental risks are based on the best available scientific information; Federal laws protecting human health and the environment are administered and enforced fairly, effectively and as Congress intended; environmental stewardship is integral to U.S. policies concerning natural resources, human health, economic growth, energy, transportation, agriculture, industry, and international trade, and these factors are similarly considered in establishing environmental policy; all parts of society--communities, individuals, businesses, and State, local and Tribal governments--have access to accurate information sufficient to effectively participate in managing human health and environmental risks; contaminated lands and toxic sites are cleaned up by potentially responsible parties and revitalized; and chemicals in the marketplace are reviewed for safety. The Office of Air and Radiation (OAR) develops national programs, policies, and regulations for controlling air pollution and radiation exposure. OAR is responsible for administering the CAA and other applicable environmental laws.

The mission of DOE is to ensure America’s security and prosperity by addressing its energy, environmental and nuclear challenges through transformative science and technology solutions. DOE works to catalyze the timely, material, and efficient transformation of the nation’s energy system and secure U.S. leadership in energy technology, as well as maintain a vibrant U.S. effort in science and engineering as a cornerstone of our clear leadership in strategic areas. Furthermore, the agency enhances nuclear security through defense, nonproliferation, and

environmental efforts.

The mission of FECM is to minimize the environmental and climate impacts of fossil fuels and industrial processes while working towards net-zero emissions. FECM's programs support research, development, demonstration, and deployment to advance technologies to reduce emissions and other environmental impacts of fossil fuels and industrial production. In particular, the Methane Mitigation Technologies Division is working to reduce methane emissions from the oil and gas supply chain by 2030 including from production to processing, transportation, storage, and end use.

The NETL mission is to drive innovation and deliver solutions for an environmentally sustainable and prosperous energy future. This includes ensuring affordable, abundant, and reliable energy that drives a robust economy and national security, while developing technologies to manage carbon across the full life cycle and enabling environmental sustainability for all Americans. NETL implements national programs in fossil energy and carbon management and broader DOE programs in collaboration with partners through integrated technical and business teams. In addition, NETL, primarily through its Research and Innovation Center, exercises core technical competencies that enable NETL to be an international resource for fossil energy technology discovery, development, and deployment.

The agencies identified above will collaborate to provide financial assistance by which States will have an opportunity to better characterize methane emissions, accelerate emissions mitigation operations (including prioritization of plugging and abandonment), and support reclamation opportunities.

TECHNICAL OBJECTIVES

DOE is partnering with EPA to make funds available to States for the purpose of working with operators to voluntarily and permanently plug marginal conventional wells (MCWs) on non-Federal lands, supporting environmental restoration of the well pad, and enhancing industry's and States' capacities to monitor methane and other air pollutants from wells. If released, this ALRD is expected to make available up to \$350 million for financial assistance in the form of cooperative agreements to States via a formula.

The formula will be based on a state's national portion of MCWs. Formulas could be adjusted by weighting parameters and/or minimum or maximum award amounts that will be identified in the ALRD. If an ALRD is issued, States may apply for formula financial assistance by submitting a work plan describing how they will meet several requirements to be defined in a state guidance document, such as:

- Well plugging identification and prioritization process, including a discussion of how methane emissions, disadvantaged communities, and environmental benefits will be considered
- Well plugging and surface reclamation standards
- Public engagement strategy and data publication
- Quantifying methane mitigation and other environmental benefits
- Estimated timeline and budget (including administrative costs)

Coordination with external stakeholders, government entities, and the public will be central to supporting the mitigation of methane emissions from MCWs in the U.S.

In keeping with the Administration's goals, and as agencies whose missions include strengthening our country's energy prosperity, DOE and EPA will also support the Justice40 Initiative under this ALRD (if issued), which aims to provide 40 percent of the overall benefits of certain Federal investments to

disadvantaged communities. DOE will require projects to track and report on outcomes and outputs related to environmental justice, community engagement, consent-based siting, equity, and workforce development. Guidance on specific application and reporting requirements will be included in the program ALRD, if issued.

DOE and EPA will **not** accept questions at this time regarding issuance of the potential ALRD. Details on how to submit questions and comments will be provided in the ALRD, if issued.

Additional Information on EPA's Methane Emissions Reduction Program may be accessed at: [Methane Emissions Reduction Program | US EPA](#); see also DOE FECM's Methane Mitigation Technologies at [Methane Mitigation Technologies | Department of Energy](#).

SUBMISSION AND REGISTRATION REQUIREMENTS FOR FULL APPLICATION

If the ALRD is issued, it will be posted at the Clean Energy Infrastructure Funding Opportunity Exchange (INFRASTRUCTURE eXCHANGE) at <https://infrastructure-eXCHANGE.energy.gov>, online application portal.

There are several one-time actions that must be completed before submitting an application in response to this ALRD (e.g., register with the System for Award Management (SAM), obtain a Unique Entity Identifier (UEI) number, and register with the Clean Energy Infrastructure Funding Opportunity Exchange (INFRASTRUCTURE eXCHANGE). It is vital that Applicants address these items as soon as possible. Some may take several weeks, and failure to complete them could interfere with an Applicant's ability to apply to this ALRD.

- **UEI** – Applicants must obtain an UEI from the SAM to uniquely identify the entity. The UEI is available in the SAM entity registration record.

NOTE: Subawardees/Subrecipients at all tiers must also obtain an UEI from the SAM and provide the UEI to the Prime Recipient before the subaward can be issued. Full registration in SAM is not required to obtain an UEI for subaward reporting.

- **INFRASTRUCTURE FUNDING OPPORTUNITY EXCHANGE (INFRASTRUCTURE eXCHANGE)** – Register and create an account on INFRASTRUCTURE eXCHANGE at <https://infrastructure-eXCHANGE.energy.gov>. This account will allow the user to apply to any open ALRDs that are currently in INFRASTRUCTURE eXCHANGE.

It is recommended that each organization or business unit, whether acting as a team or a single entity, use only one account as the contact point for each submission. Applicants should also designate backup points of contact so they may be easily contacted if deemed necessary. **This step is required to apply to this ALRD.** The INFRASTRUCTURE eXCHANGE registration does not have a delay; however, **the remaining registration requirements below could take several weeks to process and are necessary for a potential Applicant to receive an award under this ALRD.**

Questions related to the registration process and use of the INFRASTRUCTURE eXCHANGE website should be submitted to: INFRASTRUCTURE-eXCHANGESupport@hq.doe.gov.

- **FedConnect.net** – Register in FedConnect (<https://www.fedconnect.net>).

- **Electronic Authorization of Applications and Award Documents** – Submission of an application and supplemental information under this ALRD through electronic systems used by DOE, including INFRASTRUCTURE eXCHANGE and FedConnect, constitutes the authorized representative’s approval and electronic signature.

DISCLAIMER

This NOI is issued so that interested parties are aware of DOE’s intention to issue a ALRD in the near term. Any information contained in this NOI is subject to change.

No Full Applications are being accepted at this time.