

**Carbon Dioxide Capture, Utilization, and Sequestration
Non-Federal Lands Permitting Task Force
U.S. Department of Energy**

Advisory Committee Charter

- 1. Committee's Official Designation.** Carbon Dioxide Capture, Utilization, and Sequestration Non-Federal Lands Permitting Task Force
- 2. Authority.** The Carbon Dioxide Capture, Utilization, and Sequestration (CCUS) Non-Federal Lands Permitting Task Force (the Committee) is established pursuant to the Utilizing Significant Emissions with Innovative Technologies (USE IT) Act, Pub. L. No. 116-260, Div. S, 134 Stat. 2253-55 (Dec. 27, 2020), in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. Ch. 10.
- 3. Objectives and Scope of Activities.** The Committee shall identify permitting and other challenges and successes that permitting authorities and project developers and operators face in permitting projects in an efficient, orderly, and responsible manner; improve the performance of the permitting process and regional coordination for the purpose of promoting the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and provide advice and recommendations to the Chair of the Council on Environmental Quality (CEQ) and the Secretary of Energy on these subjects. To accomplish these objectives, the Committee shall undertake the following activities with respect to non-federal lands:
 - a) inventory existing or potential Federal and State approaches to facilitate reviews associated with the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including best practices that avoid duplicative reviews to the extent permitted by law, engage stakeholders early in the permitting process, and make the permitting process efficient, orderly, and responsible;
 - b) develop common models for State-level carbon dioxide pipeline regulation and oversight guidelines that can be shared with States in the geographical area covered by the Committee;
 - c) provide technical assistance to States in the geographical area covered by the Committee in implementing regulatory requirements and any models developed under (b) above;
 - d) inventory current or emerging activities that transform captured carbon dioxide into a product of commercial value, or as an input to products of commercial value;
 - e) identify any priority carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale;
 - f) identify gaps in the current Federal and State regulatory framework and in existing data for the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines;
 - g) identify Federal and State financing mechanisms available to project developers; and
 - h) develop recommendations for relevant Federal agencies on how to develop and research technologies that can capture carbon dioxide and would be able to be deployed within

the region covered by the Committee, including any projects that have received technical or financial assistance for research under paragraph (6) of section 103(g) of the Clean Air Act (42 U.S.C. 7403(g)).

In carrying out these activities to support the efficient, effective, and responsible permitting of CCUS projects, the Committee shall also consider and develop recommendations to address community concerns regarding the climate benefits and environmental justice implications, including public health and safety, of CCUS. In the development of these recommendations, the Committee shall consider and identify recommended mechanisms to ensure just treatment and meaningful involvement of impacted communities.

4. **Description of Duties.** The duties of the Committee are solely advisory in nature and are as stated in Paragraph 3 above.
5. **Official(s) to Whom the Committee Reports.** The Committee shall report to the Assistant Secretary of the Office of Fossil Energy and Carbon Management, Department of Energy (DOE) and the Chair of CEQ.
6. **Agency Responsible for Providing the Necessary Support.** DOE will be responsible for financial and administrative support. Within DOE, primary support will be provided by the Office of Fossil Energy and Carbon Management.
7. **Estimated Annual Operating Cost and Staff Years.** The estimated annual operating costs associated with supporting the Committee are \$350,000 and the Committee requires approximately 0.5 staff per year.
8. **Designated Federal Officer (DFO).** A full-time or permanent part-time DOE employee, appointed in accordance with agency procedures, will serve as the DFO (or designee). The DFO (or designee) will approve or call all of the advisory Committee's and subcommittee's meetings; prepare and approve all meeting agendas; attend all Committee and subcommittee meetings; and adjourn any meeting when the DFO determines adjournment to be in the public interest.
9. **Estimated Number and Frequency of Meetings.** The Committee shall meet as frequently as needed and approved by the DFO, and not less than twice each year. To the maximum extent practicable, the Committee shall meet collectively, not less than once a year, with any other task force organized under the USE IT Act.
10. **Duration.** The Committee is continuing in nature. Pursuant to the USE IT Act, not later than 5 years after the date of enactment of the Act, the Chair of CEQ, in consultation with the Assistant Secretary of the Office of Fossil Energy and Carbon Management, shall reevaluate the need for the Committee and submit to Congress a recommendation as to whether the Committee should continue.
11. **Termination.** This Charter shall expire two years from the date of the Committee's establishment.

- 12. Membership and Designation.** The Committee shall be composed of members who participate as experts in their respective fields, who will serve as special Government employees; members who represent state, local and Tribal governments or private organizations; and Regular Government Employees, serving in their official capacities.

The Chair of CEQ will appoint the members of the Committee according to the criteria set forth in the USE IT Act, the procedures set forth in the Memorandum of Understanding between DOE and CEQ dated October 31, 2023, and in accordance with FACA.

Initial appointments may be made for up to two years and members may be appointed for additional terms. The Chair of CEQ will select members to fill vacancies on the task forces as they occur and determine whether to reappoint members whose terms are expiring. The Chairperson and/or Co-Chairperson of the Committee will be appointed by DOE.

Members of the Committee shall serve without compensation. However, members may receive reimbursement for travel expenses incurred while attending Committee meetings, including per diem, in accordance with the Federal Travel Regulations.

- 13. Subcommittees.** The Committee has the authority to form subcommittees, which may include ad hoc groups and technical advisory groups, as considered necessary for the performance of its functions. The objective of each subcommittee is to make recommendations to the parent Committee with respect to particular matters related to the responsibilities of the parent Committee. Such subcommittees may not work independently of the Committee and must report any findings, recommendations, and advice to the full Committee for full deliberation and discussion. Subcommittees have no authority to make decisions on behalf of the chartered Committee, nor can they report directly to DOE or CEQ.

- 14. Recordkeeping.** The records of the Committee and any subcommittee shall be handled in accordance with General Records Schedule 6.2, DOE Administrative Records, Schedule 16, Item 8b (1.1), and other approved agency records disposition schedules. These records shall be available for public inspection and copying, subject to the exemptions set forth in the Freedom of Information Act, 5 U.S.C. 552(b).

- 15. April 9, 2024**

Sarah E. Butler
Committee Management Officer