



Chairman Capito Opening Statement at Hearing on Advancing CCUS Technology, Proper Implementation of USE IT Act

Below is the [opening statement](#) of Chairman Shelley Moore Capito (R-W.Va.) as delivered.

“I’m excited to start this year with a hearing on a bipartisan topic that Ranking Member Whitehouse and I have worked together on over the years to address, and I look forward to continuing bipartisan efforts to champion meaningful legislation on this issue with Ranking Member Whitehouse and the rest of the Committee. Certainly, [Senator Cramer] knows a lot about this at the same time in the great state of North Dakota. Innovative CCUS technologies will play a critical role in reducing emissions, particularly for facilities that face unique challenges because of their size, location, or industrial application.”

“In my state of West Virginia, several CCUS efforts are underway. West Virginia University is currently exploring direct air capture technologies, and the Department of Energy’s National Energy Technology Laboratory, which is located in Morgantown, is supporting a suite of CCUS research.”

“West Virginia is also a partner in the Appalachian Regional Clean Hydrogen Hub – known as ARCH2 – that includes project partners who are working to deploy CCUS technologies. Collectively, these projects position West Virginia to continue as a national energy leader, while also reducing our air emissions.”

“But, we cannot realize the full benefits of these projects and emerging technologies like CCUS if there is not a permitting framework that will allow for the rapid and safe deployment of these projects. That’s why Ranking Member Whitehouse and I, working together with Senator Barrasso and former Senator Carper, moved forward to get the Utilizing Significant Emissions with Innovative Technologies Act – or the USE IT Act – signed into law in December of 2020.

“This legislation was intended to ensure that carbon capture projects, at all types of facilities, can be permitted in a timely and efficient manner. Despite the progress made by the USE IT Act, there have been significant problems with its implementation that have held back the deployment and the development of CCUS.

“First, while the Council on Environmental Quality – or CEQ – released a report in 2021 and subsequent interagency guidance for the deployment of CCUS in 2022, as the USE IT Act required, the guidance failed to present a clear pathway to expedite permitting for these projects.

“Second, the law required at least two federal task forces be established to help identify challenges to and solutions for permitting these projects. The Department of Energy and CEQ missed the required 18-month deadline to establish these task forces.

“They were not chartered until April of 2024, more than twice as long as the Congress mandated in the USE IT Act. The delay in standing up these task forces has hindered our progress in supporting CCUS, but at least they are finally working on recommendations to improve the permitting process.

“After the USE IT Act, Congress and the EPW Committee worked in a bipartisan way to expedite carbon capture projects by including \$25 million in the IJA for the EPA to review and approve Class VI well applications.

“The IJA also included \$50 million to help our states obtain primacy for permitting such Class VI wells. This funding gave the EPA needed resources to clear its backlog of individual Class VI applications, and reduce the total number of applications that the EPA must review by granting states primacy.

“Despite receiving additional help and funding with the process, the Biden administration only approved two Class VI projects, and only granted primacy to two states, Louisiana, and after more than three and half years...my home state, really the last day of the Biden administration, received their permit for primacy on Class VI wells.

“I’m very excited that [West Virginia] got our primacy over that permitting process. I hope EPA Administrator Zeldin will prioritize reducing the current backlog of pending applications and support additional states that are seeking to obtain primacy.

“The North American Electric Reliability Corporation has found that over the next ten years, due to a rise in energy consumption and the early retirement of our existing fossil fuel generation, our country could face major electric reliability concerns.

“The deployment of CCUS can be a tool to not only maintain, but expand reliable electric generation capacity and ensure the reliability of our electric grid, while improving the environment and growing our economy. I believe that’s a win-win situation.

“I look forward to our discussion today on this important topic, so we can figure out how we can continue to work in a bipartisan manner to advance CCUS deployment.”

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