

# Energy Permitting Reform Act of 2024

On July 22, 2024, U.S. Senators Joe Manchin (I-W.Va.) and John Barrasso (R-Wyo.) introduced the [Energy Permitting Reform Act of 2024](#). The bill looks to limit lawsuits related to energy permitting decisions and also shorten the energy permitting process. This bill comes at a critical time following the White House Council on Environmental Quality [developing](#) new requirements onto the already complicated National Environmental Policy Act (NEPA) permitting process. Specifically, the bill would:

## **Limit lawsuits once permits have been issued on energy construction projects**

- The bill establishes a 150-day statute of limitations to seek judicial review of an action granting or denying an energy or mineral project's authorization, including construction projects.
  - Court reviews must be expedited for any civil action arising under federal law seeking judicial review of a final agency action granting or denying an authorization.
  - If a court remands an authorization, federal agencies must act within 180 days.
  - Within 30 days of receiving a petition for review or civil action complaint, the agency must notify the project sponsor of the filing of the petition or complaint.
  - The bill does not appear to have any restrictions on who can file a petition or civil complaint against a project i.e. a party that was never involved in the project or permitting process (AGC continues to advocate for this restriction).

## **Expedite timelines for permitting decisions on energy construction projects**

- Establishes a Federal permitting process to allow for simultaneous, concurrent consideration of multiple phases of a geothermal project, including powerplant construction.
- Requires the creation of categorical exclusions under NEPA for certain activities relating to the electric grid, including the placement, upgrade, repair or maintenance to any existing electric transmission or distribution facilities.

Additional information regarding the Energy Permitting and Reform Act of 2024 can be found in this [summary](#) prepared by Senate Energy & Natural Resources staffers.