Supporting Statement Associated with RM26-2-001
for
FERC-537 (Gas Pipeline Certificates: Construction, Acquisition, and Abandonment)
FERC-539 (Gas Pipeline Certificates: Import & Export Related Applications)
FERC-577 (Natural Gas Facilities: Environmental Review and Compliance)

The Federal Energy Regulatory Commission (Commission or FERC) requests that the Office of Management and Budget (OMB) review the proposed modifications to the following approved collections as described in the RM26-2-001: Authorizations for Certain Activities at Liquefied Natural Gas Plants.

- FERC-537: Gas Pipeline Certificates: Construction, Acquisition, and Abandonment (1902-0060)
- FERC-539: Gas Pipeline Certificates: Import & Export Related Applications (1902-0062)
- FERC-577: Natural Gas Facilities: Environmental Review and Compliance (1902-0128)

These collections implement sections 3 and 7 of the Natural Gas Act (NGA).

In this Notice of Proposed Rulemaking (NOPR), the Commission proposes to amend its regulations to establish procedures for authorizing activities at liquefied natural gas (LNG) plants without the need for operators to file case-specific applications or for the Commission to issue case-specific orders under sections 3 or 7 of the Natural Gas Act (NGA).[1] This NOPR includes proposed revisions to Parts 2, 153, and 375 of the Commission's regulations. The proposal includes the creation of an LNG blanket program allowing the automatic or prior notice authorization for certain activities. The case-by-case review process for certain replacements, modifications, and expansions is administratively inefficient and slows down the authorization of needed projects.

The proposed program would have similarities to the Part 157, subpart F program that currently enables interstate pipelines with a blanket certificate to undertake, without case-specific authorizations, certain activities automatically, subject only to regular reporting requirements,[2] and certain other activities after prior notice.[3]

1. CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY

The Commission regulates the siting, construction, expansion, and operation of LNG plants pursuant to sections 3 and 7 of the NGA. Section 3(a) provides for Federal jurisdiction over the siting, construction, expansion, and operation of facilities used to export or import natural gas.[4] Section 3(e)(1) states that "[t]he Commission shall have the exclusive authority to approve or

[1] 15 U.S.C. 717b; 717f.

[2] 18 CFR 157.203(b), 157.208(a), (e).

[3] *Id.* 157.203(c), 157.208(b).

[4] 15 U.S.C. 717b(a).

deny an application for the siting, construction, expansion, or operation of an LNG terminal."[5] And under section 7(c), the Commission issues certificates of public convenience and necessity for the construction and operation of natural gas and LNG facilities used for the transportation of natural gas in interstate commerce.[6] Under both section 3 and section 7, the Commission has the authority to include terms and conditions in any order authorizing an LNG plant.[7]

Modifications to already-approved, operating LNG plants may need to be undertaken during the life of the plant.[8] Such modifications may currently necessitate that the operator file a case-specific application, on which the Commission makes a public interest determination.

2. HOW, BY WHOM, AND FOR WHAT PURPOSE THE INFORMATION IS TO BE USED AND THE CONSEQUENCES OF NOT COLLECTING THE INFORMATION

Natural gas companies and LNG operators file applications with the Commission so it can review the necessary information related to (a) the construction, maintenance, and operation of facilities to provide service or to (b) the abandonment of facilities or service under sections 3 and 7 of the NGA and determine if the requested authorization meets statutory and regulatory requirements and should be granted. This NOPR proposal would provide entities with an opportunity to apply to participate in two new lower-burden filing approaches for well understood activities. To participate in the new approaches, entities must apply for and be granted a blanket authorization:

- *Application for Blanket Authorization* that includes a brief application, together with evidence that the applicant has the required safety systems, emergency response plans, and appropriate environmental, engineering and operating procedures to support blanket activities.

The proposed lower-burden filing approaches are:

- *Prior Notice Filings* would include a description of the project, purpose, and justification, together with engineering and technical data, and an assessment of any capacity increases or footprint changes and any environmental or safety impacts. The prior notice filings also include evidence of landowner notification, the identification of affected agencies, as well as any environmental documentation.

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[5] 15 U.S.C. 717b(e)(1). LNG terminal is defined as: "all natural gas facilities located onshore or in State waters that are used to receive, unload, load, store, transport, gasify, liquefy, or process natural gas that is imported to the United States . . . , exported to a foreign country . . . , or transported in interstate commerce by waterborne vessel, but does not include (A) waterborne vessels used to deliver natural gas to or from any such facility; or (B) any pipeline or storage facility subject to the jurisdiction of the Commission under [section 7]." *Id.* 717a(11).

[6] *Id.* 717f(c)(1)(A).

[7] *Id.* 717b(a), 717b(e)(3), 717f(e). For a discussion of the Commission's authority to condition its approvals of LNG plants under section 3 of the NGA, *see, e.g.*, *Distrigas Corp. v. FPC*, 495 F.2d 1057, 1063-64 (D.C. Cir. 1974), *cert. denied*, 419 U.S. 834 (1974); *Dynegy LNG Prod. Terminal, L.P.*, 97 FERC ¶ 61,231 (2001).

[8] LNG projects occurring during operation may include: safety system installations, existing equipment upgrades or replacements, emissions controls, system modifications to enable integration with non-jurisdictional activities (helium extraction or offsite carbon capture and sequestration), uprates, extra power generation, and new LNG trains, storage tanks, or loading berths.

- *Automatic Authorizations* that will not require prior filings or applications. These activities must be documented in a semi-annual operational report, which is already required for these projects.

These proposed new approaches would be alternatives to the existing full application process, which requires extensive technical, environmental, and economic materials.

3. DESCRIBE ANY CONSIDERATION OF THE USE OF IMPROVED TECHNOLOGY TO REDUCE BURDEN AND TECHNICAL OR LEGAL OBSTACLES TO REDUCING BURDEN

FERC encourages companies to use its eFiling system. Natural gas companies and LNG operators can submit responses to these collections using FERC's eFiling system. (See http://www.ferc.gov/docs-filing/efiling.asp.)

4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION AND SHOW SPECIFICALLY WHY ANY SIMILAR INFORMATION ALREADY AVAILABLE CANNOT BE USED OR MODIFIED FOR USE FOR THE PURPOSE(S) DESCRIBED IN INSTRUCTION NO. 2

DOE and FERC share the regulatory functions described in the NGA Section 3. The Commission has the authority to approve or deny the construction and operation of facilities related to the importation or exportation of natural gas. DOE approves the importation or exportation of the natural gas commodity. FERC collects information about a facility used for import/export in order to approve or deny construction and operation. DOE collects information about the imported/exported natural gas. The information collected by each agency is distinct and necessary to meet the purposes of the NGA.

5. METHODS USED TO MINIMIZE BURDEN IN COLLECTION OF INFORMATION INVOLVING SMALL ENTITIES

The Small Business Administration's (SBA) Office of Size Standards develops the numerical definition of a small business. LNG facilities are designated under "All Other Support Activities for Transportation" (i.e., NAICS 488999) as small entities if they do not exceed the size standard of $25 million.[9] FERC reviewed the companies operating LNG facilities and is not aware of any with a revenue below $25 million. Impacts associated with this NOPR are limited to the avoidance of unintended new obligations that would be imposed on affected small businesses in the absence of a change and therefore are not significant.

6. CONSEQUENCE TO FEDERAL PROGRAM IF COLLECTION WERE CONDUCTED LESS FREQUENTLY

[9] 13 CFR 121.101; NAICS Association, 488999 - All Other Support Activities for Transportation, https://www.naics.com/naics-code-description/?v=2022&code=221210.

The information that must be submitted to the Commission is event driven. The Commission reviews and analyzes the information subject to FERC-537, FERC-539, and FERC-577 to determine whether to approve or deny the requested authorization. If the Commission failed to collect this information, it would lose its ability to review relevant information to determine whether the request should be granted.

7. EXPLAIN ANY SPECIAL CIRCUMSTANCES RELATING TO THE INFORMATION

These collections present only one special circumstance. The Commission's regulation at 18 CFR 157.6 requires applicants to file an original plus seven paper copies. On its face, this regulation exceeds the OMB limitation of two copies at 5 CFR 1320.5(d)(2)(iii). However, the regulation at 18 CFR 157.6 allows an applicant that uses electronic eFiling to not provide any paper copies. Since eFiling is currently the typical method for submitting information involving FERC-537, the special circumstance presented by 18 CFR 157.6 is rarely pertinent.

8. DESCRIBE EFFORTS TO CONSULT OUTSIDE THE AGENCY: SUMMARIZE PUBLIC COMMENTS AND THE AGENCY'S RESPONSE TO THESE COMMENTS

On November 20, 2025, the Commission issued a notice of inquiry (NOI) in this proceeding, requesting information and comments on whether and if so how to revise its regulations to allow for the authorization of activities at LNG plants without case-specific authorization under section 3 or 7 of the NGA.[10] The NOI was published in the Federal Register on November 25, 2025,[11] and established a 60-day comment period expiring on January 27, 2026. In response to the NOI, the Commission received 18 comments—eight from LNG and natural gas companies and related trade associations, one from an energy technology company, two from engineering consulting firms, six from public interest organizations, and one on behalf of nine states' attorneys general.[12, 13] The comments addressed a variety of issues, including: support for a blanket program as it would allow certain activities at LNG plants to proceed in an expedited fashion; recommendations on how the Commission should implement a program with a tiered authorization system that would allow automatic approval for minor, in-footprint modifications and a prior notice process for moderate changes; recommendations that the LNG blanket program not include costs limits; questions pertaining to how the public and state agencies would receive notice; concerns about environmental effects and safety impacts; and questions as to whether the LNG industry is suitable for a blanket authorization program. These comments informed the preparation of the NOPR. The NOPR was published in the Federal Register on October 20, 2026 (91 FR 66492).

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[10] *Authorizations for Certain Activities at Liquefied Natural Gas Plants*, 193 FERC ¶ 61,141 (2025).

[11] 90 FR 53251 (Nov. 25, 2025).

[12] The Commission also received motions to intervene from Atmos Energy Corp., Symmetry Energy Solutions, and the Maryland Office of the Attorney General.

[13] The comments are available at eLibrary at https://elibrary.ferc.gov/eLibrary/search by searching for the docket ID RM26-2.

9. EXPLAIN ANY PAYMENT OR GIFTS TO RESPONDENTS

There are no payments or gifts to respondents of these collections.

10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS

The Commission does not guarantee the confidentiality of information provided by applicants. The Commission encourages applicants to indicate information which may be Critical Energy/Electric Infrastructure Information (CEII) or privileged. CEII as defined in Section 18 CFR 388.113 includes information about proposed or existing natural gas facilities that could be used by a person planning an attack on critical energy infrastructure. Privileged material most often includes proprietary business information, specific cultural resource details and locations, and personal identification information of affected landowners. More information about CEII and privileged security levels of information is posted at http://www.ferc.gov/legal/ceii-foia/ceii.asp and http://www.ferc.gov/legal/ceii-foia/ceii/classes.asp. The Commission's procedures in Part 388 are designed to ensure that CEII and privileged material are not placed in the Commission's public records.

11. PROVIDE ADDITIONAL JUSTIFICATION FOR ANY QUESTIONS OF A SENSITIVE NATURE, SUCH AS SEXUAL BEHAVIOR AND ATTITUDES, RELIGIOUS BELIEFS, AND OTHER MATTERS THAT ARE COMMONLY CONSIDERED PRIVATE

There are no questions of a sensitive nature associated with these collections.

12. ESTIMATED BURDEN COLLECTION OF INFORMATION

The Commission estimates that this NOPR will affect the following existing information collections:

- FERC-537: Gas Pipeline Certificate: Construction, Acquisition & Abandonment (OMB Control No 1902-0060)
- FERC-539: Gas Pipeline Certificates: Import & Export Related Applications (OMB Control No 1902-0062)
- FERC-577: Natural Gas Facilities: Environmental Review and Compliance (OMB Control No 1902-0128)

Title: FERC-537: Gas Pipeline Certificate: Construction, Acquisition & Abandonment.

Respondents: Companies proposing natural gas projects under section 7 of the NGA and jurisdictional natural gas companies.

Frequency of Responses: Ongoing. Natural gas companies file the necessary information with the Commission so that it can review the filing of applications for the construction and operation of facilities to provide service or to abandon facilities or service under section 7 of the NGA to determine if the requested authorization should be granted.

Proposed Change: The Commission estimates that this NOPR would reduce the number of Interstate Certificate and Abandonment Applications by 1 (from 31 to 30). Note that the Commission published a separate NOPR[14] that proposed to reduce the burden associated with these applications by 9 (from 31 to 22). If both of these NOPRs are finalized as proposed, the burden reductions would be added together (e.g., reducing applications by 10 from 31 to 21).

Public Reporting Burden: The Commission estimates burden[15] and cost as follows:

	Number of Respondents (1)	**Annual Number of Responses per Respondent (2)**	**Total Number of Responses (1)*(2)=(3)**	**Average Burden & Cost Per Response[16] (4)**	**Total Annual Burden Hours & Total Annual Cost (3)*(4)=(5)**	**Cost per Respondent ($) (5)÷(1)[17]**
18 CFR 157.6 Interstate Certificate and Abandonment Applications[18]	30	1.39	41.7	500 hrs.; $51,000	20,850 hrs.; $2,126,700	$70,890
TOTAL (impacted collection activities)			**41.7**		**20,850 hrs.; $2,126,700**	

Title: FERC-539: Gas Pipeline Certificates: Import & Export Related Applications.

[14] *Revisions to the Blanket Certificate Program*, 91 FR 31371, 195 FERC ¶ 61,128.

[15] Burden is defined as the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose, or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, refer to 5 CFR 1320.3.

[16] Commission staff estimates that the industry's hourly cost for wages plus benefits is similar to the Commission's $102 FY 2026 average hourly cost for wages and benefits.

[17] Each of the figures in this column are rounded to the nearest dollar.

[18] This NOPR would reduce the number of applications. There is no proposed impact on the other parts of this collection.

Respondents: Companies proposing and reporting natural gas projects under section 3 of the NGA and LNG terminal operators

Frequency of Responses: Ongoing. Jurisdictional companies file the necessary information with the Commission so that it can review the filing of applications for the construction and operation of facilities to provide service or to abandon facilities or service under section 3 of the NGA to determine if the requested authorization should be granted.

Proposed Change: In order to participate in the blanket authorization program, the Commission proposes that natural gas companies will need to submit an application that is reviewed by the Commission. The Commission anticipates that most or all of the relevant companies will apply to participate in this program over the first three years, after which there would be very few applications - only when a new jurisdictional entity is formed. The Commission estimates that adopting the proposals in this NOPR would reduce the number of applications seeking authorization under Section 3 of the NGA by 2 (from 6 to 4) as a result of companies shifting to using the blanket authorization program. When allowed by the program rules and regulations, participants could submit prior notice fillings instead of full applications. The Commission estimates that there would be 3 Prior Notice Fillings each year: 2 related to LNG terminals and 1 related to interstate certificate and abandonment.[19] Program participants would need to include information about any activities completed under the blanket authorization program in their semi-annual operational reports. These reports are already required as a condition of their NGA authorization. The Commission is incorporating this reporting burden into the FERC-539 information collection to reflect that this would be a regulatory requirement.

Public Reporting Burden: The Commission estimates burden and cost as follows:

	Number of Respondents (1)	**Annual Number of Responses per Respondent (2)**	**Total Number of Responses (1)*(2)=(3)**	**Average Burden & Cost Per Response[20] (4)**	**Total Annual Burden Hours & Total Annual Cost (3)*(4)=(5)**	**Cost per Respondent ($) (5)÷(1)**
18 CFR 153.7 Applications	4	2	8	15 hrs.; $1,530	120 hrs.; $12,240	$3,060

[19] Described above in the estimated impacts to the FERC-537 information collection.

[20] Commission staff estimates that the industry's hourly cost for wages plus benefits is similar to the Commission's $102 FY 2026 average hourly cost for wages and benefits.

	Number of Respondents (1)	**Annual Number of Responses per Respondent (2)**	**Total Number of Responses (1)*(2)=(3)**	**Average Burden & Cost Per Response (4)**	**Total Annual Burden Hours & Total Annual Cost (3)*(4)=(5)**	**Cost per Respondent ($) (5)÷(1)**
18 CFR 153.104 Blanket Authorization Program - Application[21]	25	0.33	8	4 hrs.; $408	32 hrs.; $3,264	$408
18 CFR 153.103(c) Blanket Authorization Prior Notice Filings	3	1	3	8 hrs.; $816	24 hrs.; $2,448	$816
18 CFR 153.106(c) Semi-Annual Operational Reports[22]	25	2	50	25 hrs.; $2,550	1,250 hrs.; $127,500	$5,100
TOTAL (impacted collection activities)			**69**		**1,426 hrs.; $145,452**	

Title: FERC-577: Natural Gas Facilities: Environmental Review and Compliance.

Respondents: Companies seeking authorization to site, design, construct, operate, or modify LNG facilities.

[21] After the initial applications in the first 3 years, the Commission anticipates that there will only be a new application when a new company enters the market. The Commission estimates this as 1 application every 3 years.

[22] These semi-annual operational reports are already required as part of each company's authorization under section 3 or 7 of the NGA. The Commission is incorporating this requirement into the regulations and documenting that shift with this information collection.

Frequency of Responses: Ongoing. Companies file the necessary information

Proposed Change: The Commission estimates that this NOPR would reduce the number of companies' environmental review and compliance submissions by 3 (from 107 to 104) as a result of companies shifting to using the blanket certificate program. This would result in a burden reduction of 9,289 hours and would also significantly decrease the time before a facilities or infrastructure improvement could be implemented enabling the company to reap the benefits of the improvement more quickly (e.g., additional revenue or decreased costs).

Public Reporting Burden: The Commission estimates burden and cost as follows:

	Number of Respondents (1)	**Number of Responses Per Respondent (2)**	**Total Number of Responses (1) * (2) = (3)**	**Average Burden Hours & Average Cost per Response ($) (rounded) (4)**	**Total Annual Burden Hours & Total Annual Cost ($) (rounded) (3) * (4) = (5)**	**Cost per Respondent ($) (rounded) (5) ÷ (1) = (6)**
Companies' Environmental Review and Compliance[23] (18 CFR Parts 2, 153, 157, and 380)	104	16	1,664	193.52 hours; $19,932.56	322,017 hours; $32,845,763	$318,921
TOTAL (impacted collection activities)			**1,664**		**322,017 hours; $32,845,763**	

13. ESTIMATE OF THE TOTAL ANNUAL COST BURDEN TO RESPONDENTS

There are no non-labor start-up costs. All costs are related to burden hours and are addressed in Questions #12 and #15.

14. ESTIMATED ANNUALIZED COST TO FEDERAL GOVERNMENT

The estimate of the cost for analysis and processing of filings is based on salaries and benefits for professional and clerical support. The Commission also incurs costs associated with obtaining OMB clearance for the FERC-537 information collection under the Paperwork Reduction Act (PRA). The PRA Administrative Cost is a federal cost associated with preparing, issuing, and submitting materials necessary to comply with the PRA for any vehicle (including a

[23] This is the number of estimated companies anticipated to file environmental related information. This is based on previous years' responses combined with trend information.

rulemaking) used to create, modify, extend, or discontinue an information collection. This average annual cost includes requests for extensions, all associated rulemakings and orders, other changes to the collection, and associated publications in the Federal Register.

FERC-537	**Number of Employees (FTE)[24]**	**Estimated Annual Federal Cost**
Analysis and Processing of filings	4	$852,012
PRA Administrative Cost		$8,404
FERC Total		$860,416

FERC-539	**Number of Employees (FTE)**	**Estimated Annual Federal Cost**
Analysis and Processing of filings	3.5	$745,511
PRA Administrative Cost		$8,404
FERC Total		$753,915

FERC-577	**Number of Employees (FTE)**	**Estimated Annual Federal Cost**
Analysis and Processing of filings	1	$213,003
PRA Administrative Cost		$8,404
FERC Total		$221,407

15. REASONS FOR CHANGES IN BURDEN INCLUDING THE NEED FOR ANY INCREASE

The NOPR proposes to establish procedures for authorizing activities at LNG plants without a case-specific authorization order from the Commission. As a result, these proposals would reduce the number of full applications and reporting burden.

The following table shows the total burden of the new collection of information. The format, labels, and definitions of the table follow the ROCIS submission system's "Information Collection Request Summary of Burden" for the metadata.

FERC-537

[24] The Commission's FY 2026 average cost for wages and benefits is $102/hr or $213,003 annually.

	Total Request	Previously Approved	Change Due to Adjustment in Estimate	Change Due to Agency Discretion
Annual Number of Responses	442	444	0	-2
Annual Time Burden (Hrs.)	48,395	49,090	0	-695
Annual Cost Burden ($)	$0	$0	$0	$0

FERC-539

	Total Request	Previously Approved	Change Due to Adjustment in Estimate	Change Due to Agency Discretion
Annual Number of Responses	69	12	0	57
Annual Time Burden (Hrs.)	1,426	180	0	1,246
Annual Cost Burden ($)	$0	$0	$0	$0

FERC-577

	Total Request	Previously Approved	Change Due to Adjustment in Estimate	Change Due to Agency Discretion
Annual Number of Responses	25,280	25,328	0	-48
Annual Time Burden (Hrs.)	312,728	378,538	0	-65,810
Annual Cost Burden ($)	$0	$0	$0	$0

Combined

	Total Request	Previously Approved	Change Due to Adjustment in Estimate	Change Due to Agency Discretion
Annual Number of Responses	25,791	25,784	0	7
Annual Time Burden (Hrs.)	362,549	427,808	0	-65,259
Annual Cost Burden ($)	$0	$0	$0	$0

16. TIME SCHEDULE FOR PUBLICATION OF DATA

There are no publications for the collections of information.

17. DISPLAY OF EXPIRATION DATES

The expiration date for these collections will not change as a result of the NOPR. The OMB expiration date is posted on https://www.ferc.gov/information-collections.

18. EXCEPTIONS TO THE CERTIFICATION STATEMENT

There are no exceptions.