



[6450-01-P]

**DEPARTMENT OF ENERGY**

[FE Docket No. 12-156-LNG]

**Golden Pass LNG Terminal LLC; Application for Limited Amendment to Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Countries**

**AGENCY:** Office of Fossil Energy, Department of Energy.

**ACTION:** Notice of application.

**SUMMARY:** The Office of Fossil Energy (FE) of the Department of Energy (DOE) gives notice (Notice) of receipt of an Application for Limited Amendment (Application), filed on August 14, 2020, by Golden Pass LNG Terminal, LLC (Golden Pass LNG). Previously, in DOE/FE Order No. 3978, DOE/FE authorized Golden Pass LNG to export domestically produced liquefied natural gas (LNG) from the proposed Golden Pass LNG Terminal to any country with which the United States does not have a free trade agreement (FTA) requiring national treatment for trade in natural gas, and with which trade is not prohibited by U.S. law or policy (non-FTA countries). The Application requests a limited amendment of Order No. 3978 to increase the approved non-FTA export volume from 808 billion cubic feet per year (Bcf/yr) to 937 Bcf/yr of natural gas—an increase of 129 Bcf/yr. Golden Pass LNG filed the Application under section 3 of the Natural Gas Act (NGA).

**DATES:** Protests, motions to intervene, or notices of intervention, as applicable, requests for additional procedures, and written comments are to be filed using procedures detailed in the **Public Comment Procedures** section no later than 4:30 p.m., Eastern time, [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**ADDRESSES:**

**Electronic Filing by email:**

*fergas@hq.doe.gov*

**Regular Mail**

U.S. Department of Energy (FE-34)  
Office of Regulation, Analysis, and Engagement  
Office of Fossil Energy  
P.O. Box 44375  
Washington, DC 20026-4375

**Hand Delivery or Private Delivery Services (e.g., FedEx, UPS, etc.)**

U.S. Department of Energy (FE-34)  
Office of Regulation, Analysis, and Engagement  
Office of Fossil Energy  
Forrestal Building, Room 3E-042  
1000 Independence Avenue, SW,  
Washington, DC 20585

**FOR FURTHER INFORMATION CONTACT:**

Benjamin Nussdorf or Amy Sweeney  
U.S. Department of Energy (FE-34)  
Office of Regulation, Analysis, and Engagement  
Office of Fossil Energy  
Forrestal Building, Room 3E-042  
1000 Independence Avenue, SW,  
Washington, DC 20585  
(202) 586-7893 or (202) 586-2627  
*benjamin.nussdorf@hq.doe.gov* or *amy.sweeney@hq.doe.gov*

Cassandra Bernstein  
U.S. Department of Energy (GC-76)  
Office of the Assistant General Counsel for  
Electricity and Fossil Energy  
Forrestal Building  
1000 Independence Avenue, SW,  
Washington, DC 20585  
(202) 586-9793  
*cassandra.bernstein@hq.doe.gov*

**SUPPLEMENTARY INFORMATION:**

Golden Pass LNG states that, on May 21, 2020, it filed an application with the Federal Energy Regulatory Commission (FERC) requesting to amend its existing FERC order for the proposed Golden Pass LNG Terminal—to be located in Jefferson County, Texas—to increase

the Terminal's authorized maximum LNG production capacity. Golden Pass LNG states that, in the Application filed in this proceeding, it seeks to align its authorized LNG export quantity based on the maximum LNG production capacity requested in its pending FERC application. Specifically, Golden Pass LNG asks DOE/FE to increase its approved non-FTA exports in DOE/FE Order No. 3978<sup>1</sup> from 15.6 million metric tons per annum (mtpa) to 18.1 mtpa of LNG, which Golden Pass LNG states is equivalent to an increase from 808 Bcf/yr to 937 Bcf/yr of natural gas (an increase of 129 Bcf/yr).<sup>2</sup>

Additional details can be found in Golden Pass LNG's Application, posted on the DOE/FE website at:

<https://www.energy.gov/sites/prod/files/2020/08/f77/FE12-156->

[LNG%20GPLNG%20Amendment%20Application%20Quantity%208-14-20.pdf](https://www.energy.gov/sites/prod/files/2020/08/f77/FE12-156-LNG%20GPLNG%20Amendment%20Application%20Quantity%208-14-20.pdf). Golden Pass

LNG also filed a clarification to the Application, which is posted on the DOE/FE website at:

<https://www.energy.gov/sites/prod/files/2020/09/f78/Golden%20Pass%20Clarification.pdf>.

### **DOE/FE Evaluation**

In reviewing Golden Pass LNG's Application, DOE will consider any issues required by law or policy. DOE will consider domestic need for the natural gas, as well as any other issues determined to be appropriate, including whether the arrangement is consistent with DOE's policy of promoting competition in the marketplace by allowing commercial parties to freely negotiate their own trade arrangements. As part of this analysis, DOE will consider the study entitled,

---

<sup>1</sup> *Golden Pass LNG Terminal LLC*, DOE/FE Order No. 3978, FE Docket No. 12-156-LNG, Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Golden Pass LNG Terminal Located in Jefferson County, Texas, to Non-Free Trade Agreement Nations (Apr. 25, 2017), *reh'g denied*, DOE/FE Order No. 3978-A (Mar. 30, 2018), *amended by* DOE/FE Order Nos. 3978-B (Mar. 4, 2020) and 3978-C (Mar. 24, 2020).

<sup>2</sup> This Notice applies only to the portion of Golden Pass LNG's Application requesting a limited amendment of its non-FTA authorization (DOE/FE Order No. 3978), pursuant to section 3(a) of the NGA, 15 U.S.C. 717b(a). DOE/FE will review Golden Pass LNG's request for a limited amendment to its FTA export authorization (in FE Docket No. 12-88-LNG) separately pursuant to section 3(c) of the NGA, 15 U.S.C. 717b(c).

*Macroeconomic Outcomes of Market Determined Levels of U.S. LNG Exports* (2018 LNG Export Study),<sup>3</sup> and DOE/FE's response to public comments received on that Study.<sup>4</sup>

Additionally, DOE will consider the following environmental documents:

- *Addendum to Environmental Review Documents Concerning Exports of Natural Gas From the United States*, 79 FR 48132 (Aug. 15, 2014);<sup>5</sup>
- *Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas From the United States*, 79 FR 32260 (June 4, 2014);<sup>6</sup> and
- *Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas From the United States: 2019 Update*, 84 FR 49278 (Sept. 19, 2019), and DOE/FE's response to public comments received on that study.<sup>7</sup>

Parties that may oppose this Application should address these issues and documents in their comments and protests, as well as other issues deemed relevant to the Application.

The National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.*, requires DOE to give appropriate consideration to the environmental effects of its proposed decisions. No final decision will be issued in this proceeding until DOE has met its environmental responsibilities.

### **Public Comment Procedures**

In response to this Notice, any person may file a protest, comments, or a motion to intervene or notice of intervention, as applicable. Interested parties will be provided 60 days from the date

---

<sup>3</sup> See NERA Economic Consulting, *Macroeconomic Outcomes of Market Determined Levels of U.S. LNG Exports* (June 7, 2018), available at: <https://www.energy.gov/sites/prod/files/2018/06/f52/Macroeconomic%20LNG%20Export%20Study%202018.pdf>.

<sup>4</sup> U.S. Dep't of Energy, *Study on Macroeconomic Outcomes of LNG Exports: Response to Comments Received on Study*; Notice of Response to Comments, 83 FR 67251 (Dec. 28, 2018).

<sup>5</sup> The Addendum and related documents are available at: <http://energy.gov/fe/draft-addendum-environmental-review-documents-concerning-exports-natural-gas-united-states>.

<sup>6</sup> The 2014 Life Cycle Greenhouse Gas Report is available at: <http://energy.gov/fe/life-cycle-greenhouse-gas-perspective-exporting-liquefied-natural-gas-united-states>.

<sup>7</sup> U.S. Dep't of Energy, *Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas From the United States: 2019 Update – Response to Comments*, 85 FR 72 (Jan. 2, 2020). The 2019 Update and related documents are available at: <https://fossil.energy.gov/app/docketindex/docket/index/21>.

of publication of this Notice in which to submit comments, protests, motions to intervene, or notices of intervention.

Any person wishing to become a party to the proceeding must file a motion to intervene or notice of intervention. The filing of comments or a protest with respect to the Application will not serve to make the commenter or protestant a party to the proceeding, although protests and comments received from persons who are not parties will be considered in determining the appropriate action to be taken on the Application. All protests, comments, motions to intervene, or notices of intervention must meet the requirements specified by the regulations in 10 CFR part 590.

Filings may be submitted using one of the following methods: (1) e-mailing the filing to *fergas@hq.doe.gov*, with FE Docket No. 12-156-LNG in the title line; (2) mailing an original and three paper copies of the filing to the Office of Regulation, Analysis, and Engagement at the address listed in **ADDRESSES**; or (3) hand delivering an original and three paper copies of the filing to the Office of Regulation, Analysis, and Engagement at the address listed in **ADDRESSES**. All filings must include a reference to FE Docket No. 12-156-LNG. PLEASE NOTE: If submitting a filing via email, please include all related documents and attachments (e.g., exhibits) in the original email correspondence. Please do not include any active hyperlinks or password protection in any of the documents or attachments related to the filing. All electronic filings submitted to DOE must follow these guidelines to ensure that all documents are filed in a timely manner. Any hardcopy filing submitted greater in length than 50 pages must also include, at the time of the filing, a digital copy on disk of the entire submission.

A decisional record on the Application will be developed through responses to this Notice by parties, including the parties' written comments and replies thereto. Additional procedures will

be used as necessary to achieve a complete understanding of the facts and issues. If an additional procedure is scheduled, notice will be provided to all parties. If no party requests additional procedures, a final Opinion and Order may be issued based on the official record, including the Application and responses filed by parties pursuant to this Notice, in accordance with 10 CFR 590.316.

The Application is available for inspection and copying in the Office of Regulation, Analysis, and Engagement docket room, Room 3E-042, 1000 Independence Avenue, SW, Washington, DC 20585. The docket room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. The Application and any filed protests, motions to intervene, notices of interventions, and comments will also be available electronically by going to the following DOE/FE Web address:

*<http://www.fe.doe.gov/programs/gasregulation/index.html>*

Signed in Washington, DC, on September 11, 2020.

**Amy Sweeney,**  
*Director, Office of Regulation, Analysis, and Engagement,  
Office of Oil and Natural Gas.*