

## Carbon Dioxide & Natural Gas Legal Framework Fact Sheets

The following fact sheets contain information on the legal frameworks of four topics related to carbon dioxide and natural gas infrastructure: (1) carbon dioxide (CO<sub>2</sub>) pipelines; (2) carbon capture and storage (CCS); (3) liquid natural gas (LNG) terminals; and (4) natural gas pipelines.

The fact sheets summarize the federal and state laws governing each area, which cover permitting, siting, safety, and more. The fact sheets also provide suggestions on how to get involved in the decision-making processes for these types of projects.

Below is an overview of the relevant laws and common ways to get involved. More details are available in the individual fact sheets.

### Governing Laws: A Summary

#### Federal Regulation

##### CO<sub>2</sub> Pipelines

- Federal agency: Pipeline and Hazardous Materials Safety Administration (PHMSA)
- Federal law: Federal Pipeline Safety Laws (49 U.S.C. §§ 60101-60143)

##### CCS

- Federal agency: Environmental Protection Agency (EPA)
- Federal law: Safe Drinking Water Act (SDWA) (42 U.S.C. §§ 300f-300j)

##### LNG Terminals

- Federal agencies: Federal Energy Regulatory Commission (FERC) and Department of Energy (DOE)
- Federal law: Natural Gas Act (NGA) (15 U.S.C. §§ 717-717w)

##### LNG Pipelines

- Federal agencies: Federal Energy Regulatory Commission (FERC) and Pipeline and Hazardous Materials Safety Administration (PHMSA)
- Federal laws: Natural Gas Act (NGA) (15 U.S.C. §§ 717-717w) and Federal Pipeline Safety Laws (49 U.S.C. §§ 60101-60143)

#### State Regulation

The degree to which states are involved depends on the provisions of the relevant federal law. There are a few main considerations to keep in mind across all four topics:

- Preemption: many of the federal laws at issue “preempt” state and local law, meaning that states are excluded from (or limited in) regulating in these areas. However, states have at least some level of involvement in all four areas either because the federal government has specifically authorized it or because the federal laws leave gaps which states can fill.
- State-level NEPA: many states have a version of the federal National Environmental Policy Act (NEPA), which provide opportunities for public involvement in state permitting or approval decisions.
- State-by-state variation: in areas where states are allowed to regulate, laws and rules will vary by state. This also means that opportunities for involvement will vary.

### How to Get Involved:

#### Topic-specific regulations

- The federal laws that govern each of the four topics authorize federal agencies to make regulations with specific requirements related to the process of permitting, siting, etc. of the different projects.
- These regulations often provide opportunities for public participation. For example, EPA regulations mandate public participation in the permitting process for CO<sub>2</sub> wells.

#### National Environmental Policy Act (NEPA) or state-level NEPA

- The permitting or approval of many of these projects triggers NEPA and often requires the preparation of an Environmental Impact Statement (EIS) or Environmental Assessment (EA) before a permit is issued. Community members can participate at multiple steps in this process. NEPA also creates a pathway for citizens to seek review in court.

#### Other federal laws with participation opportunities

- Although not specific to the four topics, a variety of other federal laws may be implicated by these projects and could give rise to additional community participation opportunities.



## Carbon Dioxide Pipelines - Legal Framework



**Primary Federal Agency: PHMSA**



U.S. Department of Transportation  
**Pipeline and Hazardous Materials Safety Administration**

### State Agencies:

- State agencies that regulate CO<sub>2</sub> pipelines include, but are not limited to:



**CO<sub>2</sub> pipelines are components of carbon capture and storage systems, which capture CO<sub>2</sub> generated by fossil fuel power plants and other industrial uses before it is released into the atmosphere. The pipelines carry CO<sub>2</sub> from where it is captured to places where it is stored or utilized.**

**As of 2023, there were 50 CO<sub>2</sub> pipelines operating in the US, with 8,000 km transporting 70 million tons of CO<sub>2</sub> annually. This is expected to scale up considerably, enabled by policies such as the Inflation Reduction Act.**

## Governing Laws

### Federal Regulation: Pipeline Safety

- Under the **Federal Pipeline Safety Laws** (49 U.S.C. §§ 60101-60143), the Pipeline and Hazardous Materials Safety Administration (PHMSA) within the Department of Transportation (DOT) regulates the safety of construction, operation, and maintenance of CO<sub>2</sub> pipelines.
- PHMSA has established design, construction, testing, and maintenance requirements via the Federal Pipeline Safety Regulations (PSR) at 49 C.F.R. §§ 190-199.
- PHMSA currently regulates pipelines transporting CO<sub>2</sub> as a fluid consisting of more than 90 percent carbon dioxide molecules compressed to a supercritical state, which is how CO<sub>2</sub> is typically conveyed.
- Federal pipeline safety regulation preempts state and local law as to safety standards but not siting.

### State Regulation: Pipeline Siting

- States have primary siting jurisdiction for CO<sub>2</sub> pipelines.
- The comprehensiveness of state regulation largely varies by state—while some states have established permitting processes (see Iowa), others have left CO<sub>2</sub> pipelines entirely unregulated (see Nebraska).
- On issues of pipeline siting, local governments may be preempted by state law but not federal law.
- Note that certain pipeline segments may require federal approvals, such as those traversing federal lands.
- The Pipeline Safety Laws allow for States to assume safety authority over *intrastate* CO<sub>2</sub> pipelines through Certifications and Agreements with PHMSA.

## How to Get Involved:

### State Permits

- Because of state jurisdiction over siting, opportunities for participation will depend on state-specific processes. Generally, members of the community will have an opportunity to participate at two stages in the permitting process:
  - 1) Submit written comment(s) or speak at public hearing(s) on proposed permit/project application.
  - 2) If permit is issued, challenge the state agency decision, either through the appeal process with the state agency or by going to court.
- Some but not all pipeline developers provide opportunities for public input in addition to the formal application process.
- Some states provide for enhanced public participation in environmental justice communities.



### **PHMSA Regulations**

- When PHMSA drafts new regulations, parties can submit written comment on the Notice of Proposed Rulemaking (NPRM) and take advantage of other opportunities voluntarily provided by PHMSA, like public meetings.
  - Note that these opportunities relate to overall regulation, not to specific projects.

### **National Environmental Policy Act (NEPA) or State-Level NEPA**

- Most federal permits trigger NEPA, which may require the preparation of an Environmental Assessment (EA) or Environmental Impact Statement (EIS) before a permit is issued. (EAs are for lesser environmental impacts.)
  - If an EIS is needed, community members can 1) participate at the scoping stage (the Notice of Intent will provide information about getting involved) and 2) comment on the draft EIS.
  - If an agency is preparing an EA, the regulations of the Council on Environmental Quality (CEQ)—the agency that oversees NEPA implementation—require involvement of the public to the extent practicable. Implementation of this mandate varies by agency.
  - After the issuance of a final EA or EIS and a final permitting decision, parties who have commented during the public comment period can challenge agency compliance with NEPA under the Administrative Procedure Act (APA).
- Some states have roughly equivalent laws for state and local approvals, so if state or local-level permitting is involved, this presents another opportunity for public involvement.

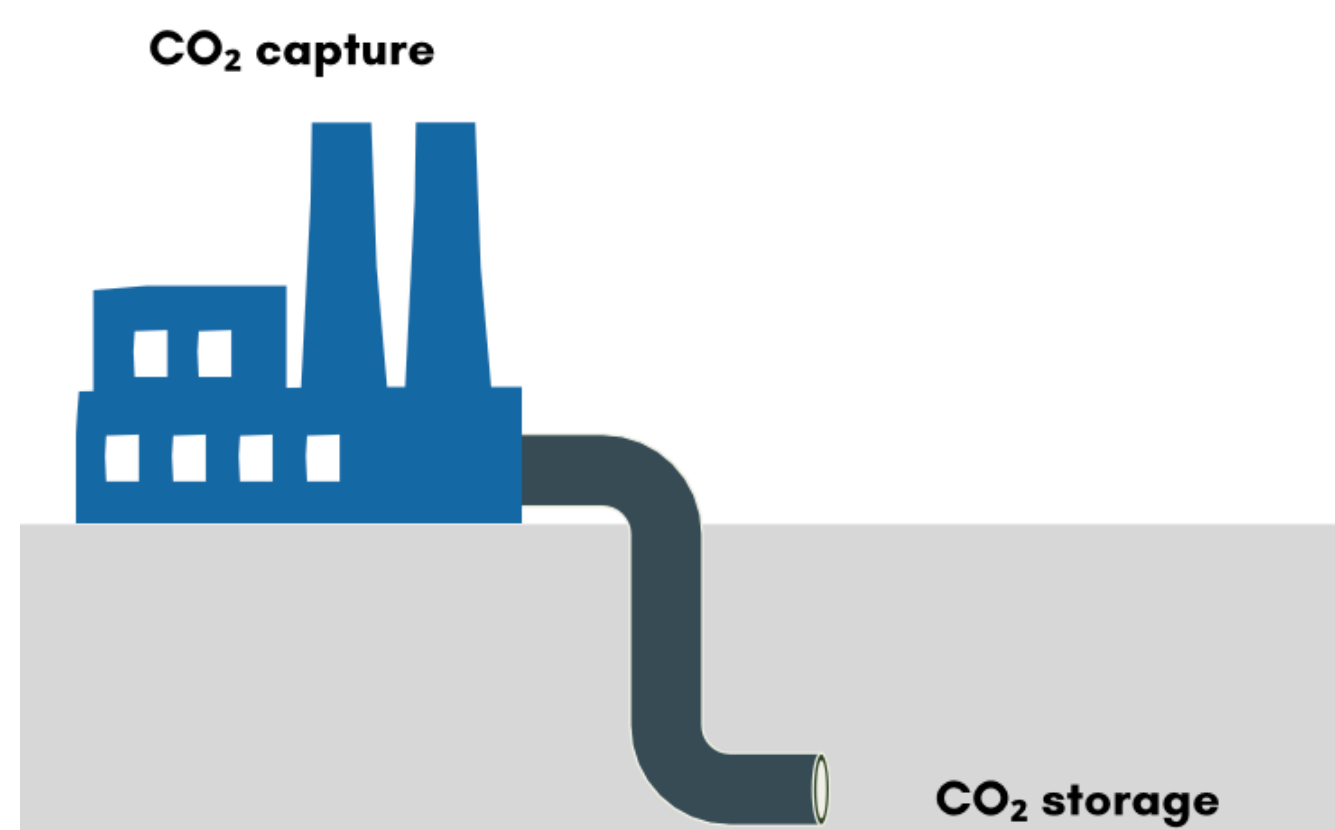
### **Other federal laws with participation opportunities that might be implicated by project construction or operation:**

- Project land may require consultations about endangered or threatened species and their habitats under the Endangered Species Act (ESA), tribal consultations and evaluations of impacts to National Register of Historic Places sites under the National Historic Preservation Act (NHPA), a finding of consistency with the relevant state Coastal Management Plan (CMP) under the Coastal Zone Management Act (CZMA), and/or federal land-use permits if on federal land.
- Construction of any major project may require, if water or wetland crossings are involved, Clean Water Act (CWA) 404 permits for the discharge of dredged or fill material into the waters of the U.S., as well as the corresponding state 401 certification for compliance with Water Quality Standards (WQS). Additionally, construction of any structure in or over any navigable water in the U.S. requires a section 10 permit under the Rivers and Harbors Act, which includes construction of major projects like pipelines.

## **Sources**

- [Carbon Dioxide \(CO<sub>2</sub>\) Pipeline Development: Federal Initiatives, Congressional Research Service \(June 2, 2023\).](#)
- [Judicial Review and the National Environmental Policy Act of 1979, Congressional Research Service \(Aug. 4, 2022\).](#)
- [Martin Lockman, Permitting CO<sub>2</sub> Pipelines, Sabin Center for Climate Change Law 12 \(Sept. 2023\).](#)
- [Scaling up CO<sub>2</sub> Pipeline Deployment in the U.S. – Findings from Listening Sessions Hosted by the Global CCS Institute \(May 18, 2023\).](#)
- [40 C.F.R. §§ 1500–1508.](#)
- [42 U.S.C. §§ 4321–4370h.](#)
- [49 C.F.R. §§ 190–199.](#)
- [49 U.S.C. §§ 60101–60143 \(Pipeline Safety Laws\).](#)

## Carbon Capture and Storage (CCS) - Legal Framework



### Primary Federal Agency:



### State Agencies

- State agencies that regulate CO<sub>2</sub> pipelines include, but are not limited to:



**Carbon Capture and Storage (CCS) technologies include the capture of carbon dioxide (CO<sub>2</sub>) produced by industrial processes or power generation, the transport via ship or pipeline, and its permanent storage underground or its utilization.**

## Governing Laws

### Federal Regulation: Drinking Water

- EPA is authorized by the **Safe Drinking Water Act (SDWA)** (42 U.S.C. §§ 300f-300j) to develop requirements and provisions for the Underground Injection Control (UIC) Program, which is the principal way the federal government regulates CCS.
- The UIC Program regulates the injection of fluids, including CO<sub>2</sub>, into the subsurface of the ground for storage or disposal, and CO<sub>2</sub> wells for purposes of geologic storage are classified as **Class VI** wells.
- General stages of the Class VI permitting process: 1) owner/operator application submission, 2) EPA completeness review, 3) EPA technical review, 4) EPA draft permit preparation, 5) public comment period, 6) EPA final permit decision, 7) well construction and pre-operational testing, and 8) EPA authorization to inject.

### State Regulation: Drinking Water and More

- EPA may grant primary enforcement responsibility ("primacy") to a state, territory, or tribe that demonstrates it has jurisdiction over underground injection, regulations that meet EPA's minimum UIC program requirements, and adequate enforcement penalty remedies.
  - Louisiana, North Dakota and Wyoming are currently the only states with Class VI primacy.
- The SDWA includes a savings clause that allows states and political subdivisions to regulate underground injection as long as SDWA requirements are met.
- Given that federal regulation of CCS is largely limited to the SDWA (except on federal lands), states are left to fill the gaps; state CCS laws vary widely in subject matter and include financial incentives, property rights, liability and stewardship of sequestration sites, and permitting requirements for storage sites and CO<sub>2</sub> pipelines.
  - More information about state-specific regulation can be found here: <https://cdrlaw.org/ccus-tracker/>

## How to Get Involved:

### Under the SDWA

- Federal regulations mandate public participation during the UIC permitting process.
  - 1) Comment on draft permit and/or participate in public hearings (public comment period runs for at least 30 days after draft publication).
  - 2) After EPA's final permitting decision, members of the public who commented during the public comment period can file an appeal with the Environmental Appeals Board within 30 days after the Regional Administrator serves notice of the issuance.



- 3) If the petitioner is dissatisfied with the result, they can then seek judicial review of the final agency action under section 1448 of the SDWA.
- Note that if a state has primacy, participation opportunities may differ from those above. If a state has its own additional permitting regime, there may be separate participation opportunities under state law as well.

#### **National Environmental Policy Act (NEPA) or State-Level NEPA**

- Most federal permits trigger NEPA, which may require the preparation of an Environmental Assessment (EA) or Environmental Impact Statement (EIS) before a permit is issued. (EAs are for lesser environmental impacts.)
  - If an EIS is needed, community members can 1) participate at the scoping stage (the Notice of Intent will provide information about getting involved) and 2) comment on the draft EIS.
  - If an agency is preparing an EA, the regulations of the Council on Environmental Quality (CEQ)—the agency that oversees NEPA implementation—require involvement of the public to the extent practicable. Implementation of this mandate varies by agency.
    - Under EPA's NEPA regulations (40 C.F.R. §§ 6.100–6.406), the EA and preliminary Finding of No Significant Impact (FONSI) must be made available for review and comment at least 30 days before making a decision. The Responsible Official must respond to any substantive comments received and finalize the EA and FONSI before making a decision on the proposed action.
  - After the issuance of a final EA or EIS and a final permitting decision, parties who have commented during the public comment period can challenge agency compliance with NEPA under the Administrative Procedure Act (APA).
- Note that UIC permits are exempt from NEPA.
- Some states have roughly equivalent laws for state and local approvals, so if state or local-level permitting is involved, this presents another opportunity for public involvement.

#### **Other federal laws with participation opportunities that might be implicated by project construction or operation:**

- Project land may require consultations about endangered or threatened species and their habitats under the Endangered Species Act (ESA), tribal consultations and evaluations of impacts to National Register of Historic Places sites under the National Historic Preservation Act (NHPA), a finding of consistency with the relevant state Coastal Management Plan (CMP) under the Coastal Zone Management Act (CZMA), and/or federal land-use permits if on federal land.
- Construction of any major project may require, if water or wetland crossings are involved, Clean Water Act (CWA) 404 permits for the discharge of dredged or fill material into the waters of the U.S., as well as the corresponding state 401 certification for compliance with Water Quality Standards (WQS). Additionally, construction of any structure in or over any navigable water in the U.S. requires a section 10 permit under the Rivers and Harbors Act.
- Depending on the amount and type of air pollution associated with the operation of the project, a variety of Clean Air Act (CAA) plans and permits may be necessary as well.

## **Sources**

- [CDR Law, Carbon Capture, Utilization and Storage \(July 2022\).](#)
- [Comments of the Attorneys General of California et al. on Proposed Review of Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units, \(Mar. 18, 2019\).](#)
- [Judicial Review and the National Environmental Policy Act of 1979, Congressional Research Service \(Aug. 4, 2022\).](#)
- [40 C.F.R. §§ 6.100–6.406.](#)
- [40 C.F.R. §§ 1500–1508.](#)
- [42 U.S.C. §§ 300f–300j \(Safe Drinking Water Act\).](#)
- [42 U.S.C. §§ 4321–4370h.](#)

## Liquified Natural Gas (LNG) Terminals - Legal Framework



### Primary Federal Agencies:



U.S. DEPARTMENT OF  
**ENERGY**



**FERC**

An **LNG terminal** includes 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 from a foreign country, exported to a foreign country from the United States, or transported in interstate commerce by waterborne vessel.

Carbon emissions from all proposed U.S. LNG export projects are estimated to total 3.9 billion tons per year, which exceeds the annual carbon emissions of the European Union.

## Governing Laws

### Federal Regulation

- Through the **Natural Gas Act (NGA)** (15 U.S.C. §§ 717-717w), the Federal Energy Regulatory Commission (FERC) has the exclusive power to approve or deny an application for the siting, construction, expansion, or operation of natural gas import and export terminals.
  - FERC must find terminals to be “consistent with the public interest.”
- The NGA also authorizes the Department of Energy (DOE) to approve or disapprove the import or export of natural gas as a commodity.
  - DOE must make a public interest determination for exportation to countries with which the U.S. does not have a free trade agreement.
- Under the **National Environmental Policy Act (NEPA)** (42 U.S.C. §§ 4321-4370h), federal permits, including those issued under the NGA, trigger environmental review and participation requirements.

### State Regulation

- State and local regulation of LNG terminals is broadly preempted by the NGA.
- But the NGA savings clause provides an opportunity for states to challenge LNG terminals under the Coastal Zone Management Act (CZMA), Clean Air Act (CAA), and Clean Water Act (CWA). If a permit or approval is withheld under one of these three statutes or is struck down in court, the terminal cannot be constructed, notwithstanding FERC approval.

## How to Get Involved

### FERC Approval

- Prior to filing the terminal application with FERC (the “pre-filing” process), applicants hold an open house during which the public can participate.
  - Comments made during an open house are not part of the official public record but attendance provides an opportunity to mobilize the community and gather information that will be relevant to later advocacy.
- After filing, FERC is required to hold a hearing and give reasonable notice of the hearing to “all interested persons.”
- FERC will set a deadline for filing comments and intervening in the FERC proceeding.
  - Intervention allows individuals to become formal participants in the proceeding, and critically, creates the right to request rehearing of FERC’s orders and seek review of FERC’s final agency actions in court later on.
- After FERC certifies a project as in the public interest, an intervenor may file an application for rehearing to FERC within 30 days, and if rehearing is denied, the intervenor may sue in the D.C. Circuit or the Circuit in which the applicant has its principal place of business.



### **DOE Approval**

- DOE must make a public interest determination for exportation to countries with which the U.S. does not have a free trade agreement, although DOE has never denied an LNG export as not in the public interest. The DOE process mirrors the FERC process—parties can:
  - 1) Intervene in the DOE proceeding
  - 2) File comments
  - 3) Apply for rehearing upon DOE approval, and
  - 4) Sue upon denial of rehearing.

### **National Environmental Policy Act (NEPA) or State-Level NEPA**

- The approval of LNG terminals triggers NEPA and requires the preparation of an Environmental Impact Statement (EIS) before a permit is issued.
  - Community members can 1) participate at the scoping stage (the Notice of Intent will provide information about getting involved) and 2) comment on the draft EIS.
  - After the issuance of a final EIS and a final permitting decision, parties who have commented during the public comment period can challenge agency compliance with NEPA under the Administrative Procedure Act (APA).
    - Advocates will have another window to formally intervene as a party to the FERC proceeding upon EIS issuance, because under FERC's NEPA regulations, a motion to intervene may be filed on the basis of a draft EIS.
  - Further details can be found at FERC's NEPA regulations (18 C.F.R. §§ 380.1-380.16).
- Many states have their own versions of NEPA, so if state-level approvals or permits are involved, this presents another opportunity for public involvement. On a site-specific basis, this may include Clean Water Act (CWA) 401 certifications and state water permits, state air permits, Coastal Zone Management Act (CZMA) consistency determinations, and permits required under state coastal zone management plans, such as permits for construction in tidal wetlands.

### **Other federal laws with participation opportunities that might be implicated by project construction or operation:**

- Project land may require consultations about endangered or threatened species and their habitats under the Endangered Species Act (ESA), tribal consultations and evaluations of impacts to National Register of Historic Places sites under the National Historic Preservation Act (NHPA), a finding of consistency with the relevant state Coastal Management Plan (CMP) under the Coastal Zone Management Act (CZMA), and/or federal land-use permits if on federal land.
- Construction of any major project may require, if water or wetland crossings are involved, Clean Water Act (CWA) 404 permits for the discharge of dredged or fill material into the waters of the U.S., as well as the corresponding state 401 certification for compliance with Water Quality Standards (WQS). Additionally, construction of any structure in or over any navigable water in the U.S. requires a section 10 permit under the Rivers and Harbors Act, which includes construction of any LNG terminal.
- Depending on the amount and type of air pollution associated with the operation of the project, a variety of Clean Air Act (CAA) plans and permits may be necessary as well.

## **Sources**

- [Claire Krebs et al., Env't Integrity Project, The Advocate's Guide to Effective Participation in Environmental Permit Proceedings for New and Expanded Liquefied Natural Gas \(LNG\) Export Facilities 75 \(Apr. 2022\).](#)
- [Judicial Review and the National Environmental Policy Act of 1979, Congressional Research Service \(Aug. 4, 2022\).](#)
- [Symons, Status of U.S. LNG Export Permits and Associated Greenhouse Gas Emissions \(Nov. 2023\).](#)
- [15 U.S.C. §§ 717-717w \(Natural Gas Act\).](#)
- [18 C.F.R. §§ 152-158.](#)
- [18 C.F.R. §§ 380.1-380.16.](#)
- [40 C.F.R. §§ 1500-1508.](#)
- [42 U.S.C. §§ 4321-4370h.](#)



## Natural Gas Pipelines - Legal Framework



### Primary Federal Agencies:



**The U.S. natural gas pipeline network is a highly integrated network that moves natural gas throughout the continental United States.**

U.S. natural gas pipelines leak between **1.2 million** and **2.6 million tons** of methane per year.

## Governing Laws

### Federal Regulation

- Section 7 of the **Natural Gas Act (NGA)** (15 U.S.C. §§ 717-717w) grants the Federal Energy Regulatory Commission (FERC) exclusive authority to approve or deny construction of interstate transmission pipelines and the corresponding components like compressor stations, which are facilities that repressurize gas along the pipeline route.
  - Note that this fact sheet focuses on **transmission pipelines**, which are high pressure and large in diameter. States have jurisdiction over smaller pipelines that connect on each end of transmission pipelines: gathering pipelines, which bring gas from wells to processing facilities, and local distribution pipelines, which bring gas from transmission pipelines to utility customers.
- Section 7 of the NGA also permits natural gas companies to exercise the federal eminent domain power to facilitate the land acquisition process for pipelines.
  - The NGA requires that FERC determine pipelines be “required by the present or future public convenience and necessity.”
- Under the **Federal Pipeline Safety Laws** (49 U.S.C. §§ 60101-60143), the Pipeline and Hazardous Materials Safety Administration (PHMSA) within the Department of Transportation (DOT) regulates the safety of the construction, operation, and maintenance of natural gas pipelines.
- Under the **National Environmental Policy Act (NEPA)** (42 U.S.C. §§ 4321-4370h), federal permits, including those issued under the NGA, trigger environmental review and participation requirements.

### State Regulation

- The Pipeline Safety Laws allow for states to assume safety authority over *intrastate* natural gas pipelines through Certifications and Agreements with PHMSA.

### How to Get Involved

#### FERC Approval

- 1) Prior to filing the pipeline application with FERC (the “pre-filing” process), applicants may choose to hold an open house or similar event during which the public can participate.
  - Comments made during an open house are not part of the official public record but attendance provides an opportunity to mobilize the community and gather information that will be relevant to later advocacy.
- 2) After filing, FERC is required to hold a hearing and give reasonable notice of the hearing to “all interested persons.”
- 3) FERC will set a deadline for filing comments and intervening in the FERC proceeding.



- Intervention allows individuals to become formal participants in the proceeding, and critically, creates the right to request rehearing of FERC's orders and seek review of FERC's final agency actions in court later on.
- 4) After FERC certifies a project as required by the present or future public convenience and necessity, an intervenor may file an application for rehearing to FERC within 30 days, and if rehearing is denied, the intervenor may sue in the D.C. Circuit or the Circuit in which the applicant has its principal place of business.

#### **National Environmental Policy Act (NEPA) or State-Level NEPA**

- The approval of natural gas pipelines triggers NEPA and often requires the preparation of an Environmental Impact Statement (EIS) before a permit is issued.
  - Community members can 1) participate at the scoping stage (the Notice of Intent will provide information about getting involved) and 2) comment on the draft EIS.
    - Note that there is extensive litigation about whether EISs for natural gas pipelines must consider the greenhouse gas emissions from the end users of the gas (e.g. power plants).
  - After the issuance of a final EIS and a final permitting decision, parties who have commented during the public comment period can challenge agency compliance with NEPA under the Administrative Procedure Act (APA).
    - Advocates will have another window to formally intervene as a party to the FERC proceeding upon EIS issuance, because under FERC's NEPA regulations, a motion to intervene may be filed on the basis of a draft EIS.
  - Further details can be found at FERC's NEPA regulations (18 C.F.R. §§ 380.1-380.16).
- Many states have their own versions of NEPA, so if state-level approvals or permits are involved, this presents another opportunity for public involvement. On a site-specific basis, this may include Clean Water Act (CWA) 401 certifications and state water permits, state air permits for compressor stations, Coastal Zone Management Act (CZMA) consistency determinations, and permits required under state coastal zone management plans, such as permits for construction in tidal wetlands.

#### **Other federal laws with participation opportunities that might be implicated by project construction or operation:**

- Although natural gas pipelines themselves might not produce significant air pollution, compressor stations often require permits under the Clean Air Act (CAA).
- Project land may require consultations about endangered or threatened species and their habitats under the Endangered Species Act (ESA), tribal consultations and evaluations of impacts to National Register of Historic Places sites under the National Historic Preservation Act (NHPA), a finding of consistency with the relevant state Coastal Management Plan (CMP) under the Coastal Zone Management Act (CZMA), and/or federal land-use permits if on federal land.
- Construction of any major project may require, if water or wetland crossings are involved, Clean Water Act (CWA) 404 permits for the discharge of dredged or fill material into the waters of the U.S., as well as the corresponding state 401 certification for compliance with Water Quality Standards (WQS). Additionally, construction of any structure in or over any navigable water in the U.S. requires a section 10 permit under the Rivers and Harbors Act, which includes construction of major projects like pipelines.

## **Sources**

- [Judicial Review and the National Environmental Policy Act of 1969, Congressional Research Service \(Aug. 4, 2022\).](#)
- [McVay, Methane Emissions from U.S. Gas Pipelines \(Aug. 2023\).](#)
- [Pipeline Permitting, U.S. Government Accountability Office Report to Congressional Committees \(2013\).](#)
- [15 U.S.C. §§ 717-717w \(Natural Gas Act\).](#)
- [18 C.F.R. §§ 152-158.](#)
- [18 C.F.R. §§ 380.1-380.16.](#)
- [40 C.F.R. §§ 1500-1508.](#)
- [42 U.S.C. §§ 4321-4370h.](#)
- [49 C.F.R. §§ 190-199.](#)
- [49 U.S.C. §§ 60101-60143 \(Pipeline Safety Laws\).](#)