

## Energy Tracker Quick Reference Guide: Policy and Regulatory Reforms<sup>1</sup>

(Updated through May 29, 2019. Highlighted text indicates new entry or status change from previous edition)

As of March 2019, the Tracker included information on more than **140** different federal energy-related issues. These include **12** Executive Orders, **6** Presidential Memoranda, **7** Public Laws, and more than **60** different regulatory/policy *reforms*, of which **11** are under review, **16** are at the formal proposal stage, and **37** have been completed.

<u>Agency</u>	<u>Issue/Reg</u>	<u>Order/Action</u>	<u>Most Recent Action</u>	<u>Status</u>
Army Corps	CWA Section 404 Permitting	Permit Reform	8/9/18	Complete
CEQ	NEPA Regulations	Reconsideration	6/20/18	Under Review (ANPR Released)
CEQ/POTUS	NEPA Climate Guidance	Executive Repeal	3/28/17	Complete
DOT	LNG Rail Transport	Regulatory Reform	4/10/19	Under Review
DOT	LNG Safety Rules	Regulatory Reform	4/10/19	Under Review
Energy	GSL Light Bulb Standards	Reconsideration	2/11/19	Formal Proposal Released
Energy	Small Scale LNG Exports	Permitting Reform	7/25/18	Complete
Energy/FERC	Grid Resiliency Pricing Rule	Proposed Regulation	1/8/18	Proposal rejected
EPA	Regulatory Cost-Benefit Calculations	Reconsideration	5/13/19	Under Review
EPA	Startup, Shutdown, Malfunction	Reconsideration	4/29/19	Under Review (Litigation in abeyance) (Texas revisions proposed)
EPA	CAA Sec 112: Once-in, Always-in	Repeal	4/14/19	Complete (Litigation underway)

<sup>1</sup> NOTE: this quick reference sheet includes only policy and regulatory *reforms*. Other non-reform actions such as tax credit extensions and ongoing policy issues (i.e. RFS volumetric requirements) are included in the Energy Tracker but are not part of this document.

				(Oral argument held)
EPA	Power Plant Effluent Limitation Guidelines (ELGs)	Reconsideration	4/12/19	Under Review (2015 rule partially vacated)
EPA	CWA Section 401 Permitting	Permit Reform	4/10/19	Under Review
EPA	Year-Round E15 / RIN Transparency	New Rule	3/21/19	Formal Proposal Released
EPA	New Source Review	Project Emissions Acct	3/21/19	Under Review
EPA	Heavy-duty truck mileage standards	Reconsideration	2/8/19	Formal Proposal (Litigation in abeyance)
EPA	MATS Supplemental Findings	Reconsideration	2/7/19	Formal Proposal Released (Litigation in abeyance)
EPA	ACE/111(d) Guidelines (CPP replacement)	Reconsideration	2/7/19	Formal Proposal Released
EPA	2015 Ozone Standard	Implementation Rule	2/4/19	Complete (Litigation underway)
EPA	Refinery MACT	Amendments	1/25/19	Complete (Litigation Underway)
EPA	Power Plant CO2 NSPS	Reconsideration	12/19/18	Formal Proposal Released (Litigation in abeyance)
EPA	Risk Management Program	Reconsideration	12/3/18	Complete (RMP amendments now in effect)
EPA	New Source Review Project Aggregation	Guidance Memo	11/15/18	Complete
EPA	Cleaner Trucks Initiative	Reconsideration	11/13/18	Under Review
EPA	Coal Combustion Residuals	Reconsideration	10/22/18	Complete (Litigation filed)
EPA	Methane NSPS	Reconsideration	9/11/18	Formal Proposal Released (Implementation underway per court order)
EPA	2015 Ozone Standard	Reconsideration	8/1/18	Complete (No reform pursued) (Abeyance lifted)

EPA	Clean Power Plan (ESPS)	Repeal and Reconsideration	6/26/18	Formal repeal proposal released (Litigation in abeyance)
EPA	Clean Water Act 404(c)	Multiple Reforms	6/26/18	Under Review
EPA	NAAQS Standards Setting Principles	Guidance Memo	5/9/18	Complete
EPA	Regulatory Transparency	New Rule	4/30/18	Formal Proposal Released
EPA	Sue and Settle	Agency Directive	10/16/17	Complete
EPA	Methane ICR	Executive Withdrawal	3/2/17	Complete
EPA/Army Corps	Waters of the U.S.	Repeal and Reconsideration	5/29/19	Formal repeal proposed Formal replacement proposed (Litigation ongoing; district court invalidated 2015 rule)
EPA/DOT	CAFE Standards Mid-Term Review	Repeal and Reconsideration	8/2/18	Formal Proposal Released (Litigation ongoing)
EPA/POTUS	Air Quality/NAAQS Implementation	Executive Memo	4/12/18	Complete
FERC	Electricity Transmission Incentives	Notice of Inquiry	3/21/19	Under Review
FERC	Ratemaking re: Tax Cut and Jobs Act	Formal Proposal	11/23/18	Formal Proposal Released
FERC	Hydroelectric permitting	Expedited licensing	4/18/19	Complete
FERC	Energy storage in wholesale markets	Order 841	2/15/18	Complete
FERC	Pipeline Permitting Process	Notice of Inquiry	4/25/18	Under Review
FERC/DOT	LNG Permitting Coordination	MOU	8/31/18	Complete
Interior	Coal Leasing Moratorium	Executive Repeal	5/22/19	Complete (Repeal vacated; revised EIS proposed)
Interior	Well Control Rule	Reconsideration	5/15/19	Complete
Interior	ESA Sage Grouse Review	Reconsideration	3/27/19	Complete Litigation Underway
Interior	Grand Staircase Escalante Monument	Reconsideration	2/15/19	Formal Proposal Released (Litigation ongoing) (draft EIS released)
Interior	Alaska National Wildlife Reserve	Leasing Program	12/19/18	Formal Proposal Released

Interior	Venting and Flaring	Reconsideration	9/28/18	Complete (Litigation ongoing)
Interior	Bears Ears Monument	Reconsideration	8/31/18	Formal Proposal Released (Litigation ongoing) (draft EIS released)
Interior	NEPA Streamlining	Secretarial Order	8/31/18	Complete
Interior	Compensatory Mitigation (inc. ESA)	Withdrawal	7/30/18	Complete
Interior	Endangered Species Act	Multiple Reforms	7/20/18	Formal Proposal Released
Interior	NEPA Process Efficiency	Information Bulletin	6/6/18	Complete
Interior	Nat'l Petroleum Reserve-Alaska	New Plan	3/1/18	Under Review (EIS Scoping Stage) (Litigation filed)
Interior	BLM Oil and Gas Leasing Reforms	Guidance (IM2018-34)	1/31/18	Complete
Interior	5-year OCS O&G Leasing Plan	New Plan	1/8/18	Formal Proposal Released
Interior	BLM Hydraulic Fracturing	Repeal	1/3/18	Complete
Interior	2017 ONRR Royalty Valuation Rule	Regulatory Repeal	12/29/17	Complete (Implementation stay overturned per court order)
Interior	Offshore drilling regulations	Regulatory Repeal	12/29/17	Formal Proposal Released
Interior	Alaska National Wildlife Reserve	Legislative Reform (leasing authorized)	12/22/17	Complete
Interior	Reduced royalty rates in OCS lease sales	New Action	7/13/17	Complete
Interior	Order directing quarterly O&G lease sales	New Action	7/6/17	Complete
Interior	Obama Admin Offshore Energy Restrictions	Executive Repeal	4/28/17	Complete
Interior	Review of Monuments	Reconsideration	4/26/17	Under Review
Interior	Resource Management Planning	Legislative Repeal	3/27/17	Complete
Interior	Stream Buffer Rule	Legislative Repeal	2/16/17	Complete

Nuclear Regulatory Commission	Nuclear Energy Innovation and Modernization Act	Legislative Reform	12/21/18	Complete
POTUS	Ocean Policy	Executive Order	6/19/18	Complete
POTUS	Energy Efficiency of Federal Buildings	Executive Order	5/17/18	Complete
POTUS	"2-for-1" Regulations EO	Executive Order	8/10/17	Complete (Litigation ongoing)
POTUS	Social Cost of Carbon	Executive Repeal	3/28/17	Complete
SEC/POTUS	Extractive Industries Payment Disclosure	Legislative Repeal	2/14/17	Complete
State/POTUS	Cross-border Permitting	Executive Order	4/10/19	Complete
Treasury	Carbon Capture tax credit reform (45Q)	Legislative Reform	5/2/19	Complete (Imp. guidance proposed)
Treasury	Prohibition on U.S. financing support for international coal plants	Executive Repeal	7/17/17	Complete
USDA Forest Service	Oil & Gas leasing procedures	Permitting Reform	9/13/18	Under Review (ANPR Released)

## Energy Tracker Quick Reference Guide: Notable State- and Project-specific Actions

<u>Agency</u>	<u>Issue/Project</u>	<u>Order/Action</u>	<u>Most Recent Action</u>	<u>Status</u>
Army Corps	Dakota Access Pipeline	Permit Approval	1/7/19	Complete Pipeline Operating (Litigation Ongoing)
Energy/FERC	Calcasieu Pass LNG Exports	Permit Approval	3/5/19	Complete
Energy/FERC	Lake Charles LNG Exports	Permit Approval	6/26/17	Complete
Energy/FERC	Freeport LNG Exports	Permit Approval	5/29/19	Complete
Energy/FERC	Driftwood LNG Exports	Permit Approval	5/2/19	Complete
Energy/FERC	Port Arthur LNG Exports	Permit Approval	5/2/19	Complete
Energy/FERC	Texas LNG Exports	Permit Approval	3/19/19	Under DOE Review (FERC approval received)
EPA	Regional Haze FIP (Texas)	Reconsideration of State/Federal Implementation Plan	2/12/19	Repeal complete Revised FIP Proposed
EPA	Regional Haze (Arkansas)	Reconsideration of State/Federal Implementation Plan	1/10/19	Complete (Approval of Revised SIP Proposed)
EPA	Regional Haze (Utah)	Reconsideration of State/Federal Implementation Plan	12/10/18	Complete (Litigation in abeyance)
EPA	Regional Haze (Wyoming)	Reconsideration of State/Federal Implementation Plan	10/11/18	Revised FIP Proposed
EPA	Coal Combustion Residuals (Oklahoma)	Approval of State Permit Program	6/19/18	Complete
FERC	Atlantic Coast Pipeline	Permit Approval	2/20/19	Complete (Litigation ongoing)

FERC	Mountain Valley Pipeline	Permit Approval	2/19/19	Complete (Litigation ongoing) (DC Circuit Dismisses Challenge)
FERC	PennEast Pipeline	Permit Approval	3/19/19	Complete (Litigation Ongoing) Stay Granted
FERC	Northern Access Pipeline	Permit Approval	2/6/19	Complete (DC Circuit rules against NYDEC)
FERC	Atlantic Sunrise Pipeline	Permit Approval	10/4/18	Complete Pipeline operating (Litigation ongoing)
FERC	Valley Lateral Pipeline	Permit Approval	3/12/18	Complete Pipeline Operating (Litigation complete)
FERC	Sabal Trail Pipeline	Permit Approval	3/7/18	Complete Litigation ongoing
Interior	Gulf of Mexico lease sale 252	Lease Sale	3/20/19	Complete
Interior	ANWR Leasing	Lease Program	12/19/18	Draft EIS Proposed
Interior	New Mexico Q3 lease sale	Lease Sale	9/6/18	Complete (Record revenue raised)
Interior	Gulf of Mexico lease sale 250	Lease Sale	3/21/18	Complete
Interior	NPR-A lease sale	Lease Sale	12/7/17	Complete
Interior	Gulf of Mexico lease sale 249	Lease Sale	8/16/17	Complete
State	Keystone XL Pipeline	Permit approval	4/8/19	Complete (Litigation ongoing) (Presidential Permit Signed)