197 FERC ¶ 61,121
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Laura V. Swett, Chairman;
David Rosner, Lindsay S. See,
Judy W. Chang, and David LaCerte.

Sabine Pass Liquefaction, LLC	Docket Nos.	CP24-75-000
Sabine Pass Liquefaction Stage V, LLC		CP24-75-001
Sabine Crossing Pipeline, LLC		CP25-505-000
Cheniere Creole Trail Pipeline, L.P.		CP25-506-000

ORDER GRANTING AUTHORIZATIONS UNDER SECTIONS 3 AND 7 OF THE NATURAL GAS ACT

(Issued November 19, 2026)

1. On February 29, 2024, and as amended on June 6, 2025, Sabine Pass Liquefaction, LLC and Sabine Pass Liquefaction Stage V, LLC (collectively, Sabine Pass) filed an application in Docket Nos. CP24-75-000 and CP24-75-001, pursuant to section 3 of the Natural Gas Act (NGA)[1] and Part 153 of the Commission's regulations,[2] requesting authorization to site, construct, and operate three new liquefaction trains each with a maximum liquefied natural gas (LNG) production capacity of 300 billion cubic feet per year (Bcf/y),[3] one boil off gas (BOG) re-liquefaction unit with a capacity of 50.0 Bcf/y (or 1 MTPA), and appurtenant facilities at the existing Sabine Pass LNG Terminal in Cameron Parish, Louisiana (Sabine Pass LNG Expansion Project).[4] The Sabine Pass LNG

[1] 15 U.S.C. § 717b.

[2] 18 C.F.R. pt. 153 (2025).

[3] Three hundred Bcf/y is equivalent to approximately six million tonnes per annum (MTPA) depending on the composition and density of the natural gas.

[4] The June 6, 2025 amendment application included the following changes from the February 29, 2024 filing to the Sabine Pass LNG Expansion Project: (1) the addition of three new liquefaction trains instead of two and no new waste heat recovery steam generators; (2) removal of the proposed two new LNG storage tanks; (3) no new building complex; (4) no new detention pond; (5) two new ground flare systems instead of three; (6) four new BOG compressors instead of six; (7) no new marine flare; and (8) no new

Expansion Project would increase the maximum LNG production capacity of the terminal by 950.0 Bcf/y (or 19 MTPA), resulting in a total LNG production capacity at the site of 2,611.94 Bcf/y (or 52.04 MTPA).

2. On June 6, 2025, in the same amended application, Cheniere Creole Trail Pipeline, L.P. (Creole Trail), in Docket No. CP25-506-000, requested authorization under section 7(c) of the NGA[5] and Part 157 of the Commission's regulations[6] to construct and operate the Creole Trail Expansion Project. The project would include: (1) expanding the existing Gillis Compressor Station in Beauregard Parish, Louisiana, by 46,940 horsepower (HP); (2) constructing the new 52,500-HP Tarpon Compressor Station in Cameron Parish, Louisiana; and (3) expanding the existing meter and regulation station located within the Sabine Pass LNG Terminal. The expansion project would allow Creole Trail to provide up to 930,000 dekatherms per day (Dth/d) of incremental transportation service to the Sabine Pass LNG Terminal.

3. Also on June 6, 2025, in the same amended application, Sabine Crossing Pipeline, LLC (Sabine Crossing), in Docket No. CP25-505-000, requested authorization under section 7(c) of the NGA[7] and Parts 157 and 284 of the Commission's regulations[8] to construct and operate a new interstate natural gas pipeline system (Sabine Crossing Pipeline Project).[9] The project would consist of: (1) an approximately 55.6-mile-long, 48-inch-diameter natural gas pipeline beginning in Liberty County, Texas, and terminating at the Sabine Pass LNG Terminal; (2) the new 210,000-HP Hamshire Compressor Station in Jefferson County, Texas; and (3) appurtenant facilities. The project would provide up to 2,764,800 Dth/d of incremental transportation service to the Sabine Pass LNG Terminal. Sabine Crossing also requests a blanket certificate under Part 157, Subpart F of the Commission's regulations to perform certain routine construction activities and operations and a blanket certificate under Part 284, Subpart G of the Commission's regulations to provide open-access natural gas transportation services, with pre-granted abandonment authorization.

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material offloading facility or associated dredging. Sabine Pass, Sabine Crossing, LLC, and Cheniere Creole Trail Pipeline, L.P. June 6, 2025 Amended Application at 29 (Application).

[5] 15 U.S.C. § 717f(c).

[6] 18 C.F.R. pt. 157 (2025).

[7] 15 U.S.C. § 717f(c).

[8] 18 C.F.R. pts. 157, 284 (2025).

[9] Sabine Crossing originally filed an application for the Sabine Crossing Pipeline Project on February 29, 2024, but withdrew that application on March 13, 2024.

4. The proposed Sabine Pass LNG Expansion, Sabine Crossing Pipeline, and Creole Trail Expansion Projects are related projects that are collectively referred to herein as the Stage 5 Expansion Project. For the reasons discussed below, we will grant the requested authorizations, subject to certain conditions.

I. Background and Proposal

5. Sabine Pass Liquefaction, LLC and Sabine Pass Liquefaction Stage V, LLC[10] are Delaware limited liability companies. Sabine Pass Liquefaction, LLC is subject to the Commission's jurisdiction under NGA section 3.[11] Because its operations will not be in interstate commerce, Sabine Pass Liquefaction Stage V, LLC will not be a natural gas company as defined in the NGA but will be subject to the Commission's jurisdiction under NGA section 3.

6. Sabine Crossing, a Delaware limited liability company, does not currently own or operate any natural gas interstate pipeline facilities or provide any services subject to the Commission's jurisdiction. Upon commencing operations of the proposed Sabine Crossing Project, Sabine Crossing will become a natural gas company within the meaning of section 2(6) of the NGA.[12]

7. Creole Trail, a Delaware limited liability company, is a natural gas company as defined by section 2(6) of the NGA,[13] engaged in the transportation of natural gas in interstate commerce and subject to the Commission's jurisdiction. Creole Trail's pipeline system extends from Cameron Parish, Louisiana, to Beauregard Parish, Louisiana.

A. Sabine Pass LNG Expansion Project (Docket Nos. CP24-75-001 and CP24-75-000)

8. The existing Sabine Pass LNG Terminal currently has six fully operational liquefaction trains, with aggregate nominal LNG production capacity of approximately 1,661.94 Bcf/y, five LNG storage tanks that collectively provide 800,000 cubic meters of storage capacity, and three marine berths.

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[10] Sabine Pass Liquefaction, LLC, Sabine Pass Liquefaction Stage V, LLC, Sabine Crossing, and Creole Trail (collectively, Applicants) are indirect subsidiaries of Cheniere Energy Partners, L.P.

[11] 15 U.S.C. § 717b

[12] *Id.* § 717a(6).

[13] *Id.*

9. Sabine Pass proposes to construct and operate three new natural gas liquefaction trains (Trains 7, 8, and 9) and one new BOG re-liquefaction unit that will increase the terminal's aggregate LNG peak production capacity under optimal conditions by 950 Bcf/y, or 19 MTPA, resulting in total LNG production capacity of 2,611.94 Bcf/y at the terminal. The expansion project would receive natural gas via the proposed Sabine Crossing Pipeline Project and Creole Trail Expansion Project. The Sabine Pass LNG Expansion Project would be located adjacent to the existing terminal facilities, and operation of the expansion would be integrated with operation of the existing terminal.

10. Sabine Pass states that it would construct the expansion project in two phases. Phase 1 is projected to take approximately 54 months to complete and includes:

- pre-treatment facilities;
- one liquefaction train (Train 7), with a maximum LNG production capacity of approximately 300 Bcf/y, or 6.0 MTPA;
- tie-ins to existing LNG storage tanks, ship-loading marine facilities, and elevated flare systems;
- one BOG re-liquefaction unit, with a maximum LNG production capacity of approximately 50 Bcf/y;
- one new BOG compressor;
- waste heat recovery equipment; and
- associated utility and support facilities, including an LNG spill collection system, utility systems, fire and gas detection systems, and stormwater drainage systems.[14]

[14] Application at 23. Sabine Pass will remain within its current authorized maximum loading rate of LNG carriers at the existing marine berths for Phase 1. *Id.* at 25-26.

11. If Phase 2 construction follows after start of Phase 1 construction, as anticipated,[15] Phase 2 is projected to take an additional 18 to 30 months to complete and would include:

- pre-treatment facilities;
- two liquefaction trains (Trains 8 and 9), with a maximum LNG production capacity of approximately 300 Bcf/y, or 6.0 MTPA, each;
- tie-ins to existing LNG storage tanks and ship-loading marine facilities;
- modifications to LNG storage in-tank pumps and piping system to facilitate simultaneous LNG loading to two of three existing jetties;[16]
- ground flare system;
- three new BOG compressors;
- waste heat recovery equipment;
- power generation facilities;
- associated utility and support facilities; and
- one new permanent onsite staging area (Staging Area 7) and one new permanent offsite staging area (the Lake Charles Yard).[17]

12. Sabine Pass received authorization from the Department of Energy (DOE) to export annually up to approximately 950.0 Bcf/y, or 19 MTPA, of LNG to countries with

[15] While Applicants intend to commence construction of Phase 2 directly after completing Phase 1, they recognize that all or a portion of Phase 2 may be delayed depending on market conditions when a Final Investment Decision (FID) is required. *Id.* at 7. However, we note that Resource Report 1 of the Application also indicates that construction of Phase 2 may overlap with Phase 1. Application, Resource Report 1 at 1-35 to 1-36, tbl. 1.8-1 n.2.

[16] The modifications would increase the maximum number of marine vessels calling at the Sabine Pass LNG Terminal from 580 to 740 LNG carriers with an average volume of approximately 164,000 cubic meters of LNG. Application at 26.

[17] *Id.* at 24.

which the United States has a Free Trade Agreement (FTA nations).[18] In addition, Sabine Pass has a pending application before DOE to export LNG to other nations without a Free Trade Agreement.[19]

B. Creole Trail Expansion Project (Docket No. CP25-506-000)

13. As part of Phase 1 of construction of the Stage 5 Expansion Project, Creole Trail proposes to expand its existing Creole Trail Pipeline system to supply feed gas to the proposed Sabine Pass LNG Expansion Project, providing up to 930,000 Dth/d of firm natural gas transportation service.[20] Specifically, Creole Trail proposes to:

- construct the new Tarpon Compressor Station in Cameron Parish, Louisiana, that will consist of one 52,500-HP Solar Titan 350 turbine compressor package;
- expand the existing Gillis Compressor Station in Beauregard Parish, Louisiana, by adding two new 23,470-HP Solar Titan 130e turbine compressor packages, for a total of 46,940 HP; and
- expand the existing meter and regulation station located within the Sabine Pass LNG Terminal to accommodate the increased deliveries.[21]

14. Between April 21 and May 2, 2025, Creole Trail held a binding open season for the new firm transportation service created by the project.[22] Creole Trail executed a precedent agreement with Sabine Pass for 100% of the project's capacity for a 20-year term.[23] Creole Trail received no other bids or expressions of interest during the open season.[24]

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[18] *Id.* at 49; *Sabine Pass Liquefaction, LLC & Sabine Pass Liquefaction Stage V, LLC*, FECM Docket No. 24-27-LNG, Order No. 5181-A (Nov. 20, 2025).

[19] Application at 49; *Sabine Pass Liquefaction, LLC & Sabine Pass Liquefaction Stage V, LLC*, March 1, 2024 Application, FECM Docket No. 24-27-LNG.

[20] Application at 4, 31.

[21] *Id.*; *see also* Applicants July 25, 2025 Supplemental Filing: Notice of Erratum (noting that on page 31 of its Application, Applicants mistakenly stated that two new compressor packages at the Gillis Compressor Station would be Solar Titan 350e turbines instead of Solar Titan 130e turbines).

[22] Application at 33.

[23] *Id.*

[24] *Id.* at 13.

15. Creole Trail estimates the total cost of the project to be $390,269,433.[25] It proposes to charge an incremental recourse rate under Rate Schedule FTS.

C. Sabine Crossing Pipeline Project (Docket No. CP25-505-000)

16. As part of Phase 2 of construction of the Stage 5 Expansion Project, Sabine Crossing proposes to construct a new natural gas pipeline system to supply feed gas to the proposed Sabine Pass LNG Expansion Project, providing up to 2,764,800 Dth/d of firm natural gas transportation service.[26] The Sabine Crossing Pipeline would consist of:

- approximately 55.6 miles of 48-inch-diameter pipeline that will begin in Liberty County, Texas, at an interconnection with Moss Bluff Storage, extend through Jefferson County, Texas, and terminate at the Sabine Pass LNG Terminal in Cameron Parish, Louisiana;
- the new Hamshire Compressor Station in Jefferson County, Texas, which will consist of four 52,500-HP Solar Titan 350 turbine compressor units for a total of 210,000 HP; and
- new interconnections and 6 receipt point meter stations, three new mainline valves, and appurtenant facilities.[27]

17. Sabine Crossing also requests: (1) a blanket certificate of public convenience and necessity pursuant to Part 284, Subpart G of the Commission's regulations authorizing it to provide open access transportation service under its proposed FERC Gas Tariff, with pre-granted abandonment authorization; (2) a blanket certificate of public convenience and necessity pursuant to Part 157, Subpart F of the Commission's regulations authorizing certain future facility construction, operation, and abandonment; and (3) approval of its *pro forma* tariff.[28]

18. Between April 21 and May 2, 2025, Sabine Crossing held a binding open season for the new firm transportation service created by the project.[29] As a result, Sabine Crossing executed a precedent agreement with Sabine Pass for 100% of the project's

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[25] *Id.* at 38; Application, Creole Trail Expansion Ex. K at 2.

[26] Application at 5, 30.

[27] *Id.*

[28] *Id.* at 45-46.

[29] *Id.* at 33.

capacity for a 20-year term.[30] Sabine Crossing received no other bids or expressions of interest during the open season.[31]

19. Sabine Crossing estimates the total cost of the project to be approximately $1.626 billion.[32] It proposes to charge initial recourse reservation charges for firm service under Rate Schedule FTS, interruptible service under Rate Schedule ITS, and park and loan service under Rate Schedule PALS.[33]

20. Although Sabine Pass anticipates that LNG exports from the Sabine Pass LNG Expansion Project will commence as soon as 2030, the Applicants request that the Commission allow 10 years to place all the project facilities in service due to the complexity and scale of the project and to allow for potential delays in the planned schedule.[34]

II. Notice, Interventions, Protests, and Comments

21. Notice of the joint application was issued on June 18, 2025, and published in the *Federal Register* on June 24, 2025.[35] The notice established July 9, 2025, as the deadline for filing interventions, comments, and protests. Center for LNG, Golden Pass LNG Terminal LLC, Natural Gas Supply Association, Public Citizen, Inc., Shell NA LNG LLC, Sierra Club, and Texas Connector Pipeline, LLC filed timely, unopposed motions to intervene.[36]

[30] *Id.*

[31] *Id.* at 13.

[32] *Id.* at 38; Application, Sabine Crossing Ex. K at 2.

[33] Application at 36-37.

[34] *Id.* at 7.

[35] 90 Fed. Reg. 26808 (June 24, 2025).

[36] Timely, unopposed motions to intervene are granted by operation of Rule 214 of the Commission's Rules of Practice and Procedure. 18 C.F.R. § 385.214(c) (2025).

22. On July 9, 2025, Sierra Club filed a protest.[37] On July 24, 2025, the Applicants filed an answer to Sierra Club's protest.[38] Because the Commission's Rules of Practice and Procedure prohibit answers to protests, we reject the Applicants' answer.[39] Sierra Club's protest is addressed below.

23. The Louisiana Department of Environmental Quality (Louisiana DEQ); Louisiana Department of Wildlife and Fisheries (Louisiana DWF); the U.S. Environmental Protection Agency (EPA); Restore Explicit Symmetry to Our Ravaged Earth (RESTORE); and the Choctaw Nation of Oklahoma filed comments related to the environmental effects of the proposed project. The concerns are addressed in the draft and final Environmental Impact Statement (EIS) issued for the project and, as appropriate, below.

III. Discussion

A. Sabine Pass LNG Expansion Project (Docket Nos. CP24-75-001 and CP24-75-000)

24. Because Sabine Pass's proposed facilities would be used to export natural gas to foreign countries, the siting, construction, and operation of the proposed facilities require Commission approval under section 3 of the NGA.[40] Section 3 provides that an application shall be approved unless the Commission finds that the proposal "will not be consistent with the public interest," subject to "such terms and conditions as the Commission [may] find necessary or appropriate."[41] As the U.S. Court of Appeals for the District of Columbia Circuit (D.C. Circuit) has explained, the NGA section 3 standard

[37] Sierra Club July 9, 2025 Motion to Intervene and Protest (Sierra Club Protest). In its protest, Sierra Club asserts that the Commission must prepare an Environmental Impact Statement (EIS) instead of an Environmental Assessment (EA) for the Stage 5 Expansion Project. *Id.* at 4-5. Because the Commission issued an EIS for the project, we do not address this comment further.

[38] Applicants July 24, 2025 Answer.

[39] *See* 18 C.F.R. § 385.213(a)(2) (2025).

[40] 15 U.S.C. § 717b (giving the Commission jurisdiction over the siting, construction, and operation of import and export facilities).

[41] 15 U.S.C. § 717b(a), (e)(3). For a discussion of the Commission's authority to condition its approvals of LNG facilities 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).

that a proposal "shall" be authorized unless it "will not be consistent with the public interest[,]"[42] "sets out a general presumption favoring such authorization[s]."[43] To overcome this favorable presumption and support denial of an NGA section 3 application, there must be "an affirmative showing of inconsistency with the public interest."[44]

25. Sierra Club asserts that approving any additional LNG export infrastructure is contrary to the public interest and would represent an overbuild, contending that the Commission has already approved more export capacity than the global markets are predicted to support.[45] It further asserts that Sabine Pass has not provided evidence of market support for the project, so there are no public benefits to offset public and environmental harms caused by the project. Moreover, Sierra Club claims that there is no meaningful public benefit if the project merely takes demand away from other constructed LNG export projects.[46]

26. Even if there were market support for the project, Sierra Club asserts that the project would still be contrary to the public interest because of the project's impact on global greenhouse gas (GHG) emissions.[47] Additionally, it argues that the Commission cannot defer its section 3 public interest analysis to DOE, especially considering that

[42] 15 U.S.C. § 717b(a). In addition, NGA section 3(c) provides that the exportation of gas to FTA nations "shall be deemed to be consistent with the public interest." *Id.* at § 717b(c). As noted above, DOE has authorized Sabine Pass to export to FTA nations.

[43] *Ctr. for Biological Diversity v. FERC*, 67 F.4th 1176, 1188 (D.C. Cir. 2023) (*Alaska LNG*) (quoting *W. Va. Pub. Servs. Comm'n v. U.S. Dep't of Energy*, 681 F.2d 847, 856 (D.C. Cir. 1982)); *see also Sierra Club v. U.S. Dep't of Energy*, 867 F.3d 189, 203 (D.C. Cir. 2017) (*Freeport II*).

[44] *Freeport II*, 867 F.3d at 203 (quoting *Panhandle Producers & Royalty Owners Ass'n v. Econ. Regul. Admin.*, 822 F.2d 1105, 1111 (D.C. Cir. 1987) (*Panhandle Producers*)).

[45] Sierra Club Protest at 5.

[46] *Id.* at 5-6 (citing *Env't Def. Fund v. FERC*, 2 F.4th 953, 973 (D.C. Cir. 2021)).

[47] *Id.* at 6.

DOE has declined to consider export-induced production or other upstream impacts in its analysis under the National Environmental Policy Act of 1969 (NEPA).[48]

27. Although Sierra Club contends that there are no public benefits to offset public and environmental harms, "section 3 of the NGA does not charge the Commission with demonstrating that the benefits of a proposal outweigh its potential harms."[49] Rather, section 3 establishes a "presumption" in favor of authorization, which places the burden on Sierra Club to "do more than simply produce some evidence of harm."[50] Here, Sierra Club merely asserts that there is a lack of market demand for the project and that the project will result in environmental harms from GHG emissions. These allegations do not amount to the affirmative showing of inconsistency with the public interest that is necessary to overcome the presumption in favor of authorization contained in section 3 of the NGA.[51]

28. Sabine Pass' s proposal would have economic and public benefits, including benefits for the local and regional economy through direct job creation, increased economic activity, and additional tax revenues.[52] We decline to address Sierra Club's economic claims (e.g., those regarding market demand for LNG exports) because they are relevant only to the exportation of natural gas, which is outside the Commission's jurisdiction. The Commission's authority under NGA section 3 applies to the siting, construction, expansion, and the operation of an LNG terminal necessary to accomplish the authorized exports[53] while "export decisions [are] squarely and exclusively within the [DOE]'s wheelhouse."[54] Sierra Club's economic claims are relevant only to the exportation of the commodity of natural gas, a matter within DOE's exclusive jurisdiction, and are not implicated by our limited action of reviewing proposed terminal sites and facilities.[55]

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[48] *Id.*

[49] *Alaska Gasline Dev. Corp.*, 172 FERC ¶ 61,214, at P 16 (2020); *see also For a Better Bayou v. FERC*, 188 F.4th 516, 530 (D.C. Cir. 2026).

[50] *For a Better Bayou*, 188 F.4th at 529.

[51] *See, e.g.*, *Freeport II*, 867 F.3d at 203 (finding that the petitioner failed to overcome the presumption even assuming significant environmental effects).

[52] Application at 10.

[53] 15 U.S.C. § 717b(e)(1).

[54] *Sierra Club v. FERC*, 827 F.3d 36, 46 (D.C. Cir. 2016).

[55] *See Jordan Cove Energy Project L.P.*, 170 FERC ¶ 61,202, at P 32 (2020); *Commonwealth LNG, LLC*, 181 FERC ¶ 61,143, at P 13 (2022).

29. With respect to the environmental effects, the Sabine Pass LNG Expansion Project would occur adjacent to the existing terminal and the project's aesthetics would align with existing and planned industrial developments in project area.[56] Moreover, as discussed further below, the final EIS finds that the project would result in some adverse environmental effects across multiple resource areas, including geology, soils, water resources, wetlands, vegetation, wildlife, protected species, land use, cultural resources, air quality, and noise.[57] However, those effects would not be significant or would be reduced to less-than-significant levels with the implementation of avoidance, minimization, and mitigation measures recommended in the EIS and adopted by this order.[58] Issues involving the impacts of natural gas development and production are related to DOE's authorization of the export and not the Commission's siting of the facilities.[59] We have reviewed Sabine Pass's application to determine if the siting, construction, and operation of its facilities as proposed would not be consistent with the public interest.[60]

30. Sabine Pass will operate the Sabine Pass LNG Expansion Project under the terms and conditions mutually agreed to by its customers and will solely bear the responsibility for the recovery of any costs associated with construction and operation of the project. Accordingly, Sabine Pass's proposal does not trigger NGA section 3(e)(4).[61]

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[56] Final EIS at 4-113 to 4-114.

[57] *Id.* at 5-1.

[58] *Id.*

[59] *Sierra Club v. FERC*, 827 F.3d at 46.

[60] *See supra* P 24; *see also Nat'l Steel Corp.*, 45 FERC ¶ 61,100, at 61,332-33 (1988) (observing that DOE, "pursuant to its exclusive jurisdiction, has approved the importation with respect to every aspect of it except the point of importation" and that the "Commission's authority in this matter is limited to consideration of the place of importation, which necessarily includes the technical and environmental aspects of any related facilities").

[61] 15 U.S.C. § 717b(e)(4) (governing orders for LNG terminals offering open access service).

31. In accordance with the Memorandum of Understanding signed on August 31, 2018, by the Commission and the Department of Transportation's (DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA),[62] PHMSA undertook a review of the proposed project's ability to comply with the federal safety standards under Part 193, Subpart B, of Title 49 of the Code of Federal Regulations.[63] On August 21, 2026, PHMSA issued a Letter of Determination (LOD) indicating that Sabine Pass has demonstrated that the siting of the proposed project complies with the safety standards set forth in 49 C.F.R. Part 193, Subpart B. The LOD includes two actions that Sabine Pass must undertake: (1) submission of pressure relief valve testing procedures and a car seal program;[64] and (2) final design documentation on instrumentation used to monitor temperature and pressure of routinely isolated piping segments to warn operators of increasing temperature and pressure.[65]

32. Prior to receiving the LOD from PHMSA, as part of Commission staff's safety and reliability review, Commission staff made similar recommendations regarding the pressure relief valves, operating and maintenance procedures, a car seal program, and instrumentation that may relate to the provisions stipulated by PHMSA. Commission staff will coordinate with PHMSA on any overlapping conditions to reduce conflict or duplication. If the project is subsequently modified, further review would be conducted by PHMSA.

33. On July 21, 2023, Sabine Pass filed a Follow-On Waterway Suitability Assessment (WSA) with the U.S. Coast Guard for vessels up to 266,000 cubic meter nominal capacity and up to 740 LNG carriers per year. On April 17, 2024, the Coast Guard issued a Letter of Recommendation (LOR) stating that the Sabine-Neches Waterway would be considered suitable for accommodating the type and frequency of LNG marine traffic associated with

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[62] *Memorandum of Understanding Between the Department of Transportation and the Federal Energy Regulatory Commission Regarding Liquefied Natural Gas Facilities* (Aug. 31, 2018), https://cms.ferc.gov/media/mou-phmsa-regarding-lng-transportation-facilities-0.

[63] 49 C.F.R. pt. 193, subpt. B (2025).

[64] Physical devices used to lock a valve in a pre-defined position to prevent inadvertent operation of the valve.

[65] Specifically, these LOD provisions stipulate that "Sabine Pass must provide PHMSA with its pressure safety valve testing procedure, car seal program requirements, and final design safeguards intended to alert personnel to temperature and pressure increases in piping segments routinely isolated by an operational procedure." Commission Staff August 24, 2026 Memorandum Providing Record of Correspondence from PHMSA and LOD, attach. at 26.

this project based on the WSA and in accordance with the guidance in Coast Guard's Navigation and Inspection Circular 01-11.[66]

B. Creole Trail Expansion Project (Docket No. CP25-506-000)

34. Because Creole Trail's proposed facilities will be used to transport natural gas in interstate commerce subject to the Commission's jurisdiction, the proposal is subject to the requirements of subsections (c) and (e) of section 7 of the NGA.[67]

1. Certificate Policy Statement

35. The Certificate Policy Statement provides guidance for evaluating proposals to certificate new construction.[68] The Certificate Policy Statement establishes criteria for determining whether there is a need for a proposed project and whether the proposed project will serve the public interest. It explains that, in deciding whether to authorize the construction of new facilities, the Commission balances the public benefits against the potential adverse consequences. The Commission's goal is to appropriately consider the enhancement of competitive transportation alternatives, the possibility of overbuilding, subsidization by existing customers, the applicant's responsibility for unsubscribed capacity, the avoidance of unnecessary disruptions of the environment, and the unneeded exercise of eminent domain in evaluating new construction.

36. Under this policy, the threshold requirement for applicants proposing new projects is that the applicant must be prepared to financially support the project without relying on subsidization from its existing customers. The next step is to determine whether the applicant has made efforts to eliminate or minimize any adverse effects the project might have on the applicant's existing customers, existing pipelines in the market and their captive customers, and landowners and communities affected by the new facilities. If residual adverse effects on these interest groups are identified after efforts have been made to minimize them, the Commission will evaluate the project by balancing the evidence of public benefits to be achieved against the residual adverse effects. This is essentially an economic test. Only when the benefits outweigh the adverse effects on economic interests will the Commission proceed to complete the environmental analysis, where other interests are considered.

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[66] Commission Staff May 16, 2024 Memorandum Providing Correspondence from the Coast Guard and LOR for the Sabine Pass LNG Expansion Project.

[67] 15 U.S.C. §§ 717f(c), (e).

[68] *Certification of New Interstate Nat. Gas Pipeline Facilities*, 88 FERC ¶ 61,227, *corrected*, 89 FERC ¶ 61,040 (1999), *clarified*, 90 FERC ¶ 61,128, *further clarified*, 92 FERC ¶ 61,094 (2000) (Certificate Policy Statement).

a. No Subsidy Requirement and Project Need

37. As discussed above, the threshold requirement for applicants proposing new projects is that the applicant must be prepared to financially support the project without relying on subsidization from its existing customers. The Commission has determined that, generally, where a pipeline proposes to charge incremental rates for new construction that are higher than its existing system rates, the pipeline satisfies the threshold requirement that existing shippers will not subsidize the project.[69] As discussed below, Creole Trail has demonstrated that its proposed incremental charges for the project are higher than its existing system rates.[70] Moreover, Sabine Pass is the sole shipper on the Creole Trail Pipeline and is also the sole shipper for the expansion capacity. Accordingly, we find that Creole Trail's proposal to charge its incremental reservation and usage charges as the initial recourse rates for firm transportation service ensures that existing customers will not subsidize the Creole Trail Expansion Project.

38. Additionally, we find that Creole Trail has demonstrated a need for the project. Creole Trail's proposed project is designed to provide additional firm transportation service to the project shipper, Sabine Pass, for liquefaction and export at the Sabine Pass LNG Terminal.[71] Creole Trail has entered into a long-term precedent agreement for 100% of the project's capacity, which is significant evidence of need for the proposed project.[72]

b. Impacts on Existing Customers, Existing Pipelines and Their Customers, and Landowners and Surrounding Communities

39. As discussed above, Creole Trail only has one shipper, Sabine Pass, which is also the sole shipper for the proposed expansion project. In addition, there is no evidence that

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[69] *See, e.g.*, *Transcon. Gas Pipe Line Co., LLC*, 184 FERC ¶ 61,066, at P 12 (2023).

[70] *See infra* PP 42-43.

[71] Application at 34.

[72] *See, e.g.*, *Transcon. Gas Pipe Line Co., LLC*, 190 FERC ¶ 61,048, at P 29 (2025) (affirming that precedent agreements are the best evidence of project need); *Tex. Gas Transmission, LLC*, 181 FERC ¶ 61,049 (2022) (finding a long-term precedent agreement for almost 100% of the project's capacity is significant evidence of need for the proposed project); *For a Better Bayou*, 188 F.4th at 532 ("'As a general rule,' we have held that the 'FERC may find market need by relying solely on a precedent agreement.'") (quoting *Sierra Club v. FERC*, 153 F.4th 1295, 1309 (D.C. Cir. 2025)).

the Creole Trail Expansion Project will adversely affect other pipelines or their captive customers. The project is designed to provide additional firm capacity on Creole Trail Pipeline to an expanded delivery point at the Sabine Pass LNG Terminal. No pipeline companies or their customers have protested Creole Trail's application. We find that the Creole Trail Expansion Project will not adversely affect existing customers or existing pipelines and their customers.

40. We are also satisfied that Creole Trail has taken appropriate steps to minimize adverse economic impacts on landowners and surrounding communities. Creole Trail proposes to modify a compressor station and a meter and regulation station, and construct one new compressor station. It states that the project's location and design were selected to minimize impacts to landowners, and Creole Trail revised its pipeline route based on conversations with landowners during the pre-filing process to reduce those impacts to the extent practicable.[73] Construction and operation of the project would permanently impact approximately 46.3 acres of land, most of which is industrial land previously disturbed by the Sabine Pass LNG Terminal and the existing Gillis Compressor Station.[74] Accordingly, we find that Creole Trail's proposed project will have minimal adverse economic impacts on landowners and surrounding communities.

c. Certificate Policy Statement Conclusion

41. The Creole Trail Expansion Project will provide up to 930,000 Dth/d of incremental firm transportation service. Creole Trail has entered into a binding agreement for 100% of the project's capacity. Accordingly, we find that Creole Trail has demonstrated a need for the project, and, further, that the project will not have adverse impacts on existing shippers or other pipelines and their existing customers, and that the project will have minimal economic impacts on landowners and surrounding communities. Therefore, we conclude that the project, as conditioned, is consistent with the criteria set forth in the Certificate Policy Statement and analyze the environmental impacts of the project below.[75]

[73] *See* Application at 55.

[74] Final EIS at 2-6, 4-66, 4-72.

[75] *See* Certificate Policy Statement, 88 FERC at 61,745-46 (explaining that only when the project benefits outweigh the adverse effects on the economic interests will the Commission then complete the environmental analysis).

2. Rates

a. Initial Rates

42. Creole Trail proposes an incremental recourse rate under Rate Schedule FTS for service on the project facilities. It proposes an initial incremental recourse reservation charge of $4.7107 per Dth per month based on a first-year reservation cost of service of $52,571,264 and annual billing determinants of 11,160,000 Dth.[76] Creole Trail also proposes an incremental usage charge of $0.0151 per Dth based on a first-year usage cost of service of $4,599,529 and annual billing determinants of 305,505,000 Dth.[77] The proposed incremental charges are based on a 2.50% depreciation rate previously approved by the Commission[78] and an 11.25% return on equity (ROE).[79] In addition, Creole Trail proposes to charge the applicable system interruptible rate for the expansion capacity.

43. We have reviewed Creole Trail's proposed initial recourse rates and cost of service and find that they are consistent with current Commission policy. To satisfy the no-subsidy requirement of the Commission's Certificate Policy Statement, the Commission presumes that a pipeline should charge incremental rates for proposed expansion capacity if the incremental rate exceeds the maximum system recourse rate.[80] Creole Trail's proposed Rate Schedule FTS incremental recourse rate of $4.7258 per Dth ($4.7107 per Dth reservation charge plus $0.0151 per Dth usage charge)[81] is greater than

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[76] Application, at Creole Trail Expansion Ex. N at 3, also reflecting an Overrun Rate of $0.1699 per Dth based on 100% Load Factor Equivalent of FTS Rates.

[77] Annual billing determinants are based on a 90% load factor.

[78] Application, at Creole Trail Expansion Ex. O at 1. *See Cheniere Creole Trail Pipeline, L.P.*, 118 FERC ¶ 61,125, at P 19 (2007).

[79] Creole Trail states that its proposed ROE is consistent with Commission policy because it uses the ROE from the most recently litigated NGA section 4 rate case. Creole Trail states the most recent applicable litigated pipeline ROE is 11.25%. *See Panhandle E. Pipe Line Co., L.P.*, Opinion No. 885, 181 FERC ¶ 61,211 (2022), *order on reh'g*, Opinion No. 885-A, 184 FERC ¶ 61,181 (2023), *order on reh'g*, Opinion No. 885-B, 186 FERC ¶ 61,015 (2024), *pets. for review filed sub nom. Panhandle E. Pipe Line Co. v. FERC*, No. 23-1220 (D.C. Cir.).

[80] *See*, *e.g.*, *Tenn. Gas Pipeline Co., L.L.C.*, 196 FERC ¶ 61,093, at P 68 (2026); *Transcon Gas Pipe Line Co., LLC*, 184 FERC ¶ 61,066 at P 12.

[81] *See* Application at Creole Trail Expansion Ex. N at 3, Line Nos. 9&11.

its existing Rate Schedule FTS system recourse rate of $4.4477 per Dth ($4.4477 per Dth reservation charge plus $0.0000 per Dth usage charge).[82] Therefore, we approve Creole Trail's proposed incremental firm recourse reservation and usage charges under Rate Schedule FTS for the project. In addition, consistent with Commission policy, we accept Creole Trail's proposal to charge its applicable system interruptible rate for the expansion capacity.[83]

b. Fuel

44. Creole Trail states that it recovers its fuel and lost and unaccounted for gas through in-kind reimbursement percentages of shipper receipts, with a tracker and true-up mechanism, under GT&C section 6.15 of its tariff.[84] Creole Trail estimates that an incremental fuel charge for the Creole Trail Expansion Project would be 1.37%, as compared to its existing system fuel retainage of 0.46%.[85] Creole Trail asserts that, given that Sabine Pass is the sole firm shipper on both Creole Trail's existing system and the Creole Trail Expansion Project, and that all the gas transported is delivered to the Sabine Pass LNG Terminal for liquefaction and export, separately calculated retainage rates would add unnecessary complexity for both Creole Trail and its firm shipper. Creole Trail and Sabine Pass request authorization to charge a single, rolled-in retainage rate, which Creole Trail estimates will be 0.80%.[86] Creole Trail states that it will keep separate books and accounting of costs and revenues for the Creole Trail Expansion Project, including with respect to fuel usage,[87] in accordance with section 154.309 of the Commission's regulations.[88]

[82] Cheniere Creole Trail Pipeline, L.P., Baseline Tariff, § 4 (Statement of Currently Effective Rates) (30.0.0).

[83] *See, e.g.*, *Tex. E. Transmission, LP*, 139 FERC ¶ 61,138, at P 31 (2012).

[84] *See* Cheniere Creole Trail Pipeline, L.P., Baseline Tariff, § 6.15 (GTC – Retainage) (7.0.0).

[85] Application, Creole Trail Expansion Ex. N at 12.

[86] *Id.*

[87] In addition, Creole Trail will follow its retainage tracker procedures required under GT&C section 6.15 of its existing tariff.

[88] *See* 18 C.F.R. § 154.309 (2025).

45. We have reviewed Creole Trail's fuel study and find that its proposal to charge a single rolled-in fuel retainage rate, reflecting fuel and lost and unaccounted for gas attributable to the existing Creole Trail Pipeline system and the Creole Trail Expansion Project is reasonable given that Sabine Pass is the sole firm shipper on the current and expanded Creole Trail Pipeline system, all gas transported on Creole Trail Pipeline is delivered to the Sabine Pass LNG Terminal under firm transportation agreements with Sabine Pass, and Sabine Pass has requested that the Commission approve Creole Trail's request to use a single rolled-in fuel retainage rate.[89] In addition, any future third-party shippers contracting for the project capacity would receive the benefit of the lower rolled-in fuel percentage rate compared to the incremental fuel charge for the project. Therefore, we approve Creole Trail's proposal to use a fuel retainage rate of 0.80% for the project capacity.

c. Reporting Incremental Costs

46. Section 154.309 of the Commission's regulations includes bookkeeping and accounting requirements applicable to expansions for which incremental rates are charged.[90] The requirements ensure that costs are properly allocated between the pipelines' existing shippers and the incremental expansion shippers.[91] Therefore, Creole Trail must keep a separate accounting of costs and revenues attributable to the project. The books should be maintained with applicable cross-references, and the information must be in sufficient detail so that the data can be identified in Statements G, I, and J in any future NGA section 4 or 5 rate case, and the information must be provided consistent with Order No. 710.[92]

C. Sabine Crossing Pipeline Project (Docket No. CP25-505-000)

47. Because Sabine Crossing's proposed facilities will be used to transport natural gas in interstate commerce subject to the Commission's jurisdiction, the proposal is subject to the requirements of subsections (c) and (e) of section 7 of the NGA.[93]

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[89] Application at 42.

[90] 18 C.F.R. § 154.309.

[91] *Id.*

[92] *See Revisions to Forms, Statements, & Reporting Requirements for Nat. Gas Pipelines*, Order No. 710, 122 FERC ¶ 61,262 (2008).

[93] 15 U.S.C. §§ 717f(c), (e).

1. Certificate Policy Statement

a. No Subsidy Requirement and Project Need

48. As discussed above, the threshold requirement for applicants proposing new projects is that the applicant must be prepared to financially support the project without relying on subsidization from its existing customers. Sabine Crossing satisfies this requirement because it is a new company with no existing shippers. Thus, there is no potential for subsidization on Sabine Crossing's system.[94]

49. We also find that Sabine Crossing has demonstrated a need for the project. Sabine Crossing asserts that the Sabine Crossing Pipeline Project is needed to transport domestically sourced natural gas to the Sabine Pass LNG Terminal to support the expansion of the terminal, where the gas will be liquified and exported under Sabine Pass's DOE export authorization.[95] Sabine Crossing has entered into a long-term precedent agreement for the entirety of the project's capacity.[96] We find Sabine Crossing's precedent agreement with Sabine Pass for 100% of the pipeline's capacity to be significant evidence of project need.[97]

b. Impacts on Existing Customers, Existing Pipelines and Their Customers, and Landowners and Surrounding Communities

50. As discussed above, Sabine Crossing does not have existing customers. In addition, there is no evidence that the Sabine Crossing Pipeline Project will adversely affect other pipelines or their captive customers. While other pipelines provide transportation services to the Sabine Pass LNG Terminal, no existing pipeline can provide the new transportation service needed for the expansion project; moreover, both the Sabine Crossing Pipeline Project and the Creole Trail Expansion Project will further enhance reliability and competition by providing additional service options.[98] No

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[94] *See Mountain Valley Pipeline, LLC*, 161 FERC ¶ 61,043, at P 32 (2017), *order on reh'g*, 163 FERC ¶ 61,197 (2018); *Atl. Coast Pipeline, LLC*, 161 FERC ¶ 61,042, at P 28 (2017), *order denying reh'g*, 163 FERC ¶ 61,098 (2018); *Sierrita Gas Pipeline, LLC*, 147 FERC ¶ 61,192, at P 23 (2014).

[95] Application at 34.

[96] *Id.* at 33.

[97] *See supra* note 73.

[98] *See* Application at 53-54.

pipeline companies or their customers have protested Sabine Crossing's application. We find that the Sabine Crossing Pipeline Project will not adversely affect existing customers or other pipelines and their customers.

51. We are also satisfied that Sabine Crossing has taken appropriate steps to minimize adverse economic impacts on landowners and surrounding communities. Sabine Crossing states that the project's location and design were selected to minimize impacts to landowners, and Sabine Crossing revised its pipeline route based on conversations with landowners during the pre-filing process to reduce those impacts to the extent practicable.[99] Approximately 64% of the project will be collocated with existing pipelines, power lines, roadways, and canals.[100] Construction of the project would affect 1,209.1 acres of land, 431.4 acres of which would be permanently retained for operation and maintenance of project facilities.[101] Portions of the construction right-of-way that are not retained for operations and maintenance would be restored to preconstruction conditions.[102] Accordingly, we find that Sabine Crossing's proposed project will have minimal adverse economic impacts on landowners and surrounding communities.

c. Certificate Policy Statement Conclusion

52. The Sabine Crossing Pipeline Project will provide up to 2,764,800 Dth/d of incremental firm transportation service. Sabine Crossing has entered into a binding agreement for 100% of the project's capacity. Accordingly, we find that Sabine Crossing has demonstrated a need for the project, and, further, that the project will not have adverse impacts on existing shippers or other pipelines and their existing customers, and that the project will have minimal economic impacts on landowners and surrounding communities. Therefore, we conclude that the project, as conditioned, is consistent with the criteria set forth in the Certificate Policy Statement and analyze the environmental impacts of the project below.[103]

[99] *See* Final EIS at 2-3.

[100] *Id.* at ES-7, 4-63.

[101] *Id.* at 2-6 tbl. 2.5-1.

[102] *Id.* at 2-5.

[103] *See* Certificate Policy Statement, 88 FERC at 61,745-46 (explaining that only when the project benefits outweigh the adverse effects on the economic interests will the Commission then complete the environmental analysis).

2. Blanket Certificates

53. Sabine Crossing requests a Part 284, Subpart G blanket certificate to provide open-access transportation services.[104] Under a Part 284 blanket certificate, Sabine Crossing will not require individual authorizations to provide open-access transportation services to particular customers. Sabine Crossing filed a *pro forma* Part 284 tariff to provide open-access transportation services. Because a Part 284 blanket certificate is required for Sabine Crossing to offer these services, we will grant Sabine Crossing a Part 284 blanket certificate, subject to the conditions imposed herein.

54. Sabine Crossing also requests a Part 157, Subpart F blanket certificate. A Part 157 blanket certificate gives an interstate pipeline NGA section 7 authority to automatically, or after prior notice, perform a restricted number of routine activities related to the construction, acquisition, abandonment, replacement, and operation of existing pipeline facilities, provided that the activities comply with constraints on costs and environmental impacts.[105] Because the Commission has previously determined through a rulemaking that these blanket-certificate eligible activities are in the public convenience and necessity,[106] it is the Commission's practice to grant new natural gas companies a Part 157 blanket certificate if requested.[107] Accordingly, we will grant Sabine Crossing a Part 157 blanket certificate, subject to the conditions imposed herein.

3. Rates and Tariff

a. Initial Rates

55. Sabine Crossing proposes initial recourse reservation charges for firm service under Rate Schedule FTS, interruptible service under Rate Schedule ITS, and park and loan service under Rate Schedule PALS. Sabine Crossing proposes a capital structure of 50% debt and 50% equity, a cost of debt of 6.80%, an ROE of 14%,[108] and an annual depreciation rate of 2.50%. Sabine Crossing states that it calculated its proposed system rates using a straight-fixed-variable rate design. Sabine Crossing proposes an initial

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[104] 18 C.F.R. §§ 284.221-223.

[105] *See* 18 C.F.R. § 157.203.

[106] *Revisions to the Blanket Certificate Reguls. & Clarification Regarding Rates*, Order No. 686, 117 FERC ¶ 61,074, at P 9 (2006), *order on reh'g*, Order No. 686-A, 119 FERC ¶ 61,303, *order on reh'g*, Order No. 686-B, 120 FERC ¶ 61,249 (2007).

[107] *See, e.g.*, *TTC Connector, LLC*, 195 FERC ¶ 61,191, at P 23 (2026).

[108] Application at 39.

monthly recourse reservation charge of $7.8948 per Dth under Rate Schedule FTS based on an adjusted first-year reservation cost of service of $261,929,052[109] and annual billing determinants of 33,177,600 Dth. Sabine Crossing proposes a Rate Schedule FTS usage charge of $0.0060 based on a first-year usage cost of service of $5,411,829 and annual billing determinants of 908,236,800 Dth.[110] In addition, Sabine Crossing proposes an initial Rate Schedule ITS and Rate Schedule PALS charge of $0.2655 per Dth, based on a 100% load factor equivalent of the Rate Schedule FTS recourse rate.

56. We have reviewed Sabine Crossing's proposed cost of service and initial rates and find they are consistent with current Commission policy. Therefore, we approve Sabine Crossing's proposed initial recourse rates.

b. Fuel

57. Sabine Crossing proposes to recover the costs of fuel and lost and unaccounted for gas through in-kind reimbursement percentages of shipper receipts. Sabine Crossing proposes an initial fuel reimbursement percentage of 1.10%, reflecting the required fuel to operate its pipeline on a design day with an assumed 100% load factor, and an initial lost and unaccounted for percentage of 0.25%.[111] Sabine Crossing states the fuel reimbursement percentages will be adjusted annually with monthly adjustments posted on Sabine Crossing's Electronic Bulletin Board and in accordance with the true-up mechanism set forth in GT&C section 6.15 of its *pro forma* tariff.

58. We find that Sabine Crossing's proposed initial fuel and lost and unaccounted for gas reimbursement percentages are reasonable, and that the proposed true-up mechanism is consistent with Commission regulation and policy.[112]

c. *Pro Forma* Tariff

59. Sabine Crossing proposes to offer firm and interruptible transportation services on an open-access basis under the terms and conditions set forth in the *pro forma* tariff attached as Exhibit P to the application. We find that Sabine Crossing's proposed *pro forma* tariff generally complies with Part 284 of the Commission's regulations except for

[109] Sabine Crossing proposes to include an interruptible transportation revenue credit of $500,000 to the system cost of service. Application, Sabine Crossing Ex. N at 3.

[110] Annual billing determinants are based on a 90% load factor.

[111] Application at 40.

[112] 18 C.F.R. § 154.403 (2025); *ANR Pipeline Co*., 108 FERC ¶ 61,050 (2004).

the minimum usage charge for Rate Schedule FTS.[113] We will require Sabine Crossing to file actual tariff records consistent with the directives in this order before the project's in-service date.

60. Section 284.10(c)(5)(i) of the Commission's regulations requires that "[a]ny rate schedule filed under this section must state a maximum rate and a minimum rate."[114] Sabine Crossing's "Statement of Currently Effective Rates for Service" does not state a minimum usage charge for Rate Schedule FTS service. Therefore, we direct Sabine Crossing to revise its tariff accordingly.

d. Three-Year Filing Requirement

61. Consistent with Commission precedent, Sabine Crossing is required to file a cost and revenue study no later than three months after its first three years of actual operation of the project to justify the existing cost-based firm and interruptible recourse rates.[115] In that filing, the projected units of service should be no lower than those upon which Sabine Crossing's approved initial rates are based. The filing must include a cost and revenue study in the form specified in section 154.313 of the Commission's regulations to update cost of service data.[116] Sabine Crossing's cost and revenue study should be filed through the eTariff portal using a Type of Filing Code 585. In addition, Sabine Crossing is advised to include, as part of the eFiling Filing Title or Description, a reference to Docket Nos. CP24-75-001 and CP25-505-000, and the cost and revenue study.[117] After reviewing the data, the Commission will determine whether to exercise its authority under NGA section 5 to investigate whether the rates remain just and reasonable.[118] In the alternative, in lieu of these filings, Sabine Crossing may make an

[113] 18 C.F.R. pt. 284.

[114] *Id.* § 284.10(c)(5)(i).

[115] *Fla. Se. Connection, LLC*, 154 FERC ¶ 61,080, at P 139 (2016); *Bison Pipeline LLC*, 131 FERC ¶ 61,013, at P 29 (2010); *Ruby Pipeline, L.L.C.*, 128 FERC ¶ 61,224, at P 57 (2009); *MarkWest Pioneer, L.L.C.*, 125 FERC ¶ 61,165, at P 34 (2008).

[116] 18 C.F.R. § 154.313 (2025).

[117] *Elec. Tariff Filings*, 130 FERC ¶ 61,047, at P 17 (2010).

[118] *See* 15 U.S.C. § 717d.

NGA general section 4 rate filing to propose alternative rates for transportation to be effective no later than three years after the in-service date for its proposed facilities.[119]

e. Negotiated Rate Authority

62. Sabine Crossing's *pro forma* tariff provides for Sabine Crossing to charge negotiated rates for its proposed services. If Sabine Crossing charges a negotiated rate, it must file either its negotiated rate agreement or tariff record setting forth the essential terms of agreements in accordance with the Commission's Alternative Rate Policy Statement[120] and negotiated rate policies.[121]

D. Request for Pre-Determination of Non-Conforming Provisions

63. Sabine Crossing and Creole Trail state that they conducted binding open seasons from April 21 to May 2, 2025, through which Sabine Pass executed binding precedent agreements[122] for all firm transportation service on both the Sabine Crossing Pipeline and the Creole Trail Expansion Projects.

64. Sabine Crossing and Creole Trail state they have agreed upon certain contractual terms with Sabine Pass as the Foundation Shipper of their pipeline projects, the terms of which were also made available during the open season to any interested entity that would qualify as a Foundation Shipper. They state that these contractual rights may be viewed as a material deviation from the applicable Form of Service Agreement in their respective tariffs.[123] Sabine Crossing and Creole Trail assert that the Commission has

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[119] *See id.* § 717c.

[120] *Alts. to Traditional Cost-of-Serv. Ratemaking for Nat. Gas Pipelines; Regul. of Negotiated Transp. Servs. of Nat. Gas Pipelines*, 74 FERC ¶ 61,076, *clarification granted*, 74 FERC ¶ 61,194, *order on reh'g & clarification*, 75 FERC ¶ 61,024, *reh'g denied*, 75 FERC ¶ 61,066, *reh'g dismissed*, 75 FERC ¶ 61,291 (1996), *petition denied sub nom. Burlington Res. Oil & Gas Co. v. FERC*, 172 F.3d 918 (D.C. Cir. 1998) (Alternative Rate Policy Statement).

[121] *Nat. Gas Pipelines Negotiated Rate Policies & Pracs.; Modification of Negotiated Rate Pol'y*, 104 FERC ¶ 61,134 (2003), *order on reh'g & clarification*, 114 FERC ¶ 61,042, *reh'g dismissed & clarification denied*, 114 FERC ¶ 61,304 (2006).

[122] Application at Ex. I.

[123] In their February 20, 2026 data request response, Applicants submitted a public version of each project shipper's unexecuted service agreement reflecting non-conforming provisions.

repeatedly recognized that non-conforming provisions for major, initial shippers may be necessary to reflect the unique circumstances involved with the construction of new infrastructure and to provide the needed financial security to ensure the viability of a project.[124] They request that the Commission make a pre-determination regarding the following non-conforming provisions:

> (1) the right to match a bid for interim capacity if available prior to the commencement of the contracted long-term firm service, consistent with applicable tariff provisions;[125]
>
> (2) the right to extend the initial 20-year primary term of its service agreement, allowing for up to four successive 5-year extensions;
>
> (3) a right of first refusal, consistent with applicable tariff provisions;
>
> (4) rights to assign rights and obligations to trustees or lenders as security; and
>
> (5) specific credit rights and obligations to support the significant financial investment associated with development of the pipeline project that will remain in place for the duration of the firm service agreement.

65. In *Columbia Gas Transmission Corp.* (*Columbia*), the Commission explained that a material deviation is any provision in a service agreement that (a) goes beyond filling in the blank spaces with the appropriate information allowed by the tariff, and (b) affects the substantive rights of the parties.[126] The Commission prohibits negotiated terms and conditions of service that result in a shipper receiving a different quality of service than

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[124] Application at 43 (citing *e.g.*, *Venture Glob. CP2 LNG, LLC*, 187 FERC ¶ 61,199, at P 61 (2024); *Atl. Coast Pipeline, LLC*, 161 FERC ¶ 61,042 at P 59; *Gulf S. Pipeline Co., LP*, 149 FERC ¶ 61,174, at P 104 (2014); *Sierrita Gas Pipeline, LLC*, 147 FERC ¶ 61,192 at P 104; *Transcon. Gas Pipe Line Co., LLC*, 145 FERC ¶ 61,152, at P 34 (2013); *Tenn. Gas Pipeline Co.*, 144 FERC ¶ 61,219, at P 32 (2013); *Tenn. Gas Pipeline Co.*, 139 FERC ¶ 61,161, at PP 31, 37 (2012); *Tex. E. Transmission, LP*, 139 FERC ¶ 61,138 at PP 55-56; *Midcontinent Express Pipeline LLC*, 124 FERC ¶ 61,089, at P 82 (2008); *Rockies Express Pipeline LLC*, 116 FERC ¶ 61,272, at P 78 (2006); *Ruby Pipeline, L.L.C.*, 128 FERC ¶ 61,224 at PP 75-81; *Midwestern Gas Transmission Co.*, 114 FERC ¶ 61,257, at PP 47-50 (2006); *Gulf S. Pipeline Co., LP*, 115 FERC ¶ 61,123 (2006)).

[125] Applicants state non-conforming provision (1) is not included in the precedent agreement between Creole Trail and Sabine Pass.

[126] *Columbia*, 97 FERC ¶ 61,221, at 62,002 (2001).

that offered to other shippers under the pipeline's generally applicable tariff or that affect the quality of service received by others.[127] However, not all material deviations are impermissible. As we explained in *Columbia*,[128] provisions that materially deviate from the corresponding *pro forma* agreement fall into two general categories: (a) provisions the Commission must prohibit because they present a significant potential for undue discrimination among shippers, and (b) provisions the Commission can permit without a substantial risk of undue discrimination.[129]

66. We find that the non-conforming provisions in Sabine Crossing's and Creole Trail's service agreements constitute material deviations from Sabine Crossing's and Creole Trail's *pro forma* service agreements. However, in other proceedings, the Commission has found that non-conforming provisions may be necessary to reflect the unique circumstances involved with the construction of new infrastructure and to provide the needed security to ensure the viability of a project.[130] In addition, the Commission's policy with regard to creditworthiness, as stated in the Commission's 2005 Policy Statement, allows pipelines to enter into alternative credit arrangements for expansion projects.[131] Here, we find the non-conforming provisions identified by Sabine Crossing and Creole Trail are permissible because they do not present a risk of undue discrimination, do not adversely affect the operational conditions of providing service, and do not result in any customer receiving a different quality of service.[132]

67. Before providing service to any project shipper under a non-conforming agreement, Sabine Crossing and Creole Trail must file an executed copy of the non-conforming service agreements and identify and disclose all non-conforming provisions or agreements affecting the substantive rights of the parties under the tariff or

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[127] *Monroe Gas Storage Co., LLC*, 130 FERC ¶ 61,113, at P 28 (2010).

[128] 97 FERC at 62,003.

[129] *See also Equitrans, LP*, 130 FERC ¶ 61,024, at P 5 (2010).

[130] *See, e.g.*, *Tenn. Gas Pipeline Co.*, 144 FERC ¶ 61,219; *Midcontinent Express Pipeline LLC*, 124 FERC ¶ 61,089.

[131] *Pol'y Statement on Creditworthiness for Interstate Nat. Gas Pipelines & Order Withdrawing Rulemaking Proc.*, 111 FERC ¶ 61,412 (2005) (2005 Policy Statement).

[132] *See, e.g.*, *Calpine Energy Servs., LP v. S. Nat. Gas Co.*, 103 FERC ¶ 61,273, at P 32 (2003) (upholding a 30-month collateral requirement); 2005 Policy Statement, 111 FERC ¶ 61,412 at P 17.

service agreement. Consistent with section 154.112 of the Commission's regulations,[133] Sabine Crossing and Creole Trail must also file a tariff record identifying the agreements as non-conforming agreements. In addition, the Commission emphasizes that the above determination relates only to those items described by Sabine Crossing and Creole Trail in their application and not to the entirety of the precedent agreements or the language contained in the precedent agreements.[134]

E. Environmental Analysis

68. On May 30, 2023, Commission staff began its environmental review of the Stage 5 Expansion Project by granting Sabine Pass's request to use the pre-filing process, assigning Docket No. PF23-2-000.[135] As part of the pre-filing review, staff participated in four in-person applicant-sponsored open houses in the project area between August 2023 and July 2024 to explain the Commission's environmental review process to interested stakeholders.[136]

69. On October 6, 2023, and August 1, 2024, the Commission issued two *Notices of Scoping Period Requesting Comments on Environmental Issues for the Planned Sabine Pass Stage 5 Expansion Project, and Notice of Public Scoping Session*. The notices were

[133] 18 C.F.R. § 154.112 (2025).

[134] A Commission ruling on non-conforming provisions in a certificate proceeding does not waive any future review of such provisions when the executed copy of the non-conforming agreement(s) and a tariff record identifying the agreement(s) as non-conforming are filed with the Commission, consistent with section 154.112 of the Commission's regulations. *See, e.g.*, *Tenn. Gas Pipeline Co., L.L.C.*, 150 FERC ¶ 61,160, at P 44 n.33 (2015).

[135] *Sabine Pass Liquefaction, LLC*, Docket No. PF23-2-000 (May 30, 2023) (delegated order); *see also* 18 C.F.R. § 157.21(a) (requiring LNG terminals and other related jurisdictional natural gas facilities to comply with the Commission's pre-filing procedures and review process). On August 11, 2023, Sabine Crossing requested to be added as a joint applicant for the project, which staff approved on September 5, 2023. *Sabine Pass Liquefaction, LLC*, Sabine Crossing Request, Docket No. PF23-2-000 (filed Aug. 11, 2023); *Sabine Pass Liquefaction, LLC*, Docket No. PF23-2-000 (Sep. 5, 2023) (delegated order). On December 19, 2024, Sabine Crossing notified staff that Creole Trail would be added to the pre-filing process. *Sabine Pass Liquefaction, LLC*, Sabine Cross Notification, Docket No. PF23-2-000 (filed Dec. 19, 2024).

[136] The four open houses occurred on August 3, 2023, in Sabine Pass, Texas; on August 8, 2023, in Port Arthur, Texas; on August 9, 2023, in Johnson Bayou, Louisiana; and on July 30, 2024, in Winnie, Texas.

published in the *Federal Register* and mailed to interested parties including federal, state, and local officials; agency representatives; environmental and public interest groups; Native American Tribes; local libraries and newspapers; and potentially affected property owners.[137] Commission staff held three public scoping sessions in the project vicinity, two in October 2023 and one in August 2024.[138] The pre-filing process ended on June 6, 2025, when the Applicants filed their joint application for the Stage 5 Expansion Project.[139]

70. On August 8, 2025, the Commission issued a *Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Sabine Pass Stage 5 Expansion Project, Request for Comments on Environmental Issues, and Schedule for Environmental Review*. The notice was published in the *Federal Register* and mailed to project stakeholders and provided a 30-day scoping period, which expired on September 8, 2025.[140]

71. During the scoping periods, we received 26 comments from individuals; environmental and public interest organizations; federal, state, and local agencies; and Native American Tribes both in support of and in opposition to the project.[141] The primary issues raised during the scoping process concerned effects from the project on waterbodies and wetlands, wildlife and fisheries, public safety, air quality, noise, public health, visual resources, property values, soil and erosion, recreation, and traffic. We also received comments regarding alternative routes and facility sites.

72. Pursuant to the NEPA,[142] Commission staff prepared a draft EIS for the Applicants' proposal. The U.S. Army Corps of Engineers Galveston and New Orleans Districts, DOT, U.S. Coast Guard, the National Oceanic and Atmospheric

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[137] 88 Fed. Reg. 70972 (Oct. 13, 2023); 89 Fed. Reg. 64910 (Aug. 8, 2024).

[138] The three public scoping sessions occurred on October 24, 2023, in Cameron, Louisiana; on October 25, 2023, in Port Arthur, Texas; and on August 28, 2024, in Winnie, Texas.

[139] We consolidate the complete record of the pre-filing proceeding in Docket No. PF23-2-000 with the record of these dockets.

[140] 90 Fed. Reg. 38971 (Aug. 13, 2025).

[141] Some organizations submitted multiple comments or joint comments with other organizations, such as Sierra Club and RESTORE.

[142] 42 U.S.C. §§ 4321 *et seq.*, *see also* 18 C.F.R. pt. 380 (2025) (Commission's regulations implementing NEPA).

Administration-National Marine Fisheries Service (NMFS), and DOE participated as cooperating agencies. The analysis in the draft EIS addressed geology, soils, water resources, wetlands, fisheries, vegetation, wildlife and special status species, socioeconomics, land use, recreation, visual resources, cultural resources, air quality, noise, safety, cumulative effects,[143] and alternatives. The draft EIS addressed all substantive environmental comments received prior to its issuance.

73. The draft EIS was issued on April 3, 2026,[144] and notice was published in the *Federal Register* on April 8, 2026, establishing a 45-day comment period that ended on May 26, 2026.[145] The draft EIS was filed with the EPA, and the Commission mailed a *Notice of Availability of the Draft Environmental Impact Statement for the Proposed Sabine Pass Stage 5 Expansion Project* to federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; local libraries and newspapers; and potentially affected landowners and other interested individuals and groups.

74. In response to the draft EIS, the Commission received 25 written comments from landowners, public officials, environmental organizations, and government agencies, including EPA, NMFS, and the U.S. Fish and Wildlife Service (FWS). The Applicants also filed comments. Commission staff conducted a public comment session in Sabine Pass, Texas, on April 21, 2026. Two individuals provided oral comments during the meeting, which were transcribed and placed into the record.[146] The written and oral comments concerned the project's effect on wetlands and waterbodies, aquatic species and essential fish habitat, safety and local emergency response, air quality, noise, public

[143] We note that NEPA does not require agencies "to delineate or analyze a conceptually separate category of 'cumulative' effects," *E. Gas Transmission & Storage, Inc.*, 195 FERC ¶ 61,218, at P 26 (2026) (*Eastern Gas*), and therefore staff's analysis in the EIS exceeded NEPA's requirements. *Cf. Seven Cnty. Infrastructure Coal. v. Eagle Cnty.*, 605 U.S. 168, 186 n.5 (2025) (*Seven County*) (explaining that agencies have discretion to include additional analysis "not mandated by NEPA" in an EA or EIS). Nevertheless, we find no fault with the substance of staff's analysis in this case, regardless of whether it may have gone beyond NEPA's requirements. *Eastern Gas*, 195 FERC ¶ 61,218 at P 26 n.57 (citing *Seven County*, 605 U.S. at 186 n.5).

[144] For tracking purposes under NEPA, the unique identification number for documents relating to this environmental review is FERC/EISX-019-20-000-1751972136.

[145] 91 Fed. Reg. 17803 (Apr. 8, 2026).

[146] *See* Commission Staff April 21, 2026 Transcript of Public Scoping Meeting at 2-3.

health, visual resources, property values, and ship traffic. We also received comments regarding alternative facility sites.

75. Commission staff issued the final EIS on September 25, 2026. A *Notice of Availability of the Final Environmental Impact Statement for the Proposed Sabine Pass Stage 5 Expansion Project* was published in the *Federal Register* on September 30, 2026,[147] and mailed to federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; potentially affected landowners and other interested individuals and groups; and newspapers and libraries in the project area. The final EIS addressed the same topics as the draft EIS and responded to all substantive environmental comments received on the draft EIS prior to September 25, 2026.

76. In response to the final EIS, the Commission received three comments. EPA states that it did not have any additional comments.[148] The Louisiana DWF filed a letter identical to its comments on the draft EIS.[149] Those comments were addressed in the final EIS.[150]

77. The Choctaw Nation of Oklahoma comments that only the portions of the project in Cameron and Beauregard Parishes, Louisiana, lie within their area of historic interest but that based on surveys currently in the record, they concur with the finding of "no effect."[151] The Choctaw Nation also requests that work be stopped and they be contacted if Native American artifacts or human remains are encountered.[152] As noted in the final EIS, Applicants would follow their Unanticipated Discoveries Plan, which outlines the steps Applicants would follow should previously unidentified cultural resources be discovered during project construction, including stopping construction activities and notifying interested Tribes if necessary.[153] Environmental Condition 1 of this order requires Applicants to follow the construction procedures and mitigation measures described in the application and supplements, including the Unanticipated Discoveries Plan.

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[147] 91 Fed. Reg. 61844 (Sep. 30, 2026).

[148] EPA October 13, 2026 Comment at 1.

[149] Louisiana DWF October 14, 2026 Comment at 1.

[150] Final EIS at 4-47, 4-49, 4-51, app. M at M-7.

[151] The Choctaw Nation of Oklahoma November 10, 2026 Comment at 1.

[152] *Id.*

[153] Final EIS at 4-76; *see also* Application Ex. 4J at 2-3.

78. The final EIS concluded that construction and operation of the project would result in some adverse environmental effects across multiple resource areas, including geology, soils, water resources, wetlands, vegetation, wildlife, protected species, land use, cultural resources, air quality, and noise.[154] Most effects would be temporary or short-term during construction, while long-term and permanent environmental effects would be limited primarily to localized conversion of vegetated areas and wetlands to industrial land and maintained open land.[155]

79. The final EIS concluded that project effects would be reduced to less than significant levels through implementation of the Applicants' proposed avoidance, minimization, and mitigation measures and Commission staff recommendations, which we have adopted, as modified, as conditions in the appendix of this order.[156]

1. Summary of Environmental Effects to Affected Local Communities

80. Under NEPA, the Commission considers effects on all potentially affected communities. The final EIS found that project activities that would affect local communities include the construction and operation of portions of the Sabine Pass LNG Terminal Expansion, the Creole Trail Expansion Project, and the new Sabine Crossing Pipeline Project. These activities would result in temporary or permanent effects on land use, visual aesthetics, traffic, air emissions, and noise.

a. Land Use

81. The Stage 5 Expansion Project would disturb a total of 2,428.7 acres of land during construction and 1,637.5 acres would be maintained for project operation. The

[154] Final EIS at 5-1.

[155] *Id.* at 4-41 to 4-42.

[156] *See id.* at 5-1. Commission staff did not determine whether the effects from GHG emissions attributable to the project would be significant or insignificant. *Id.* at 4-119; *see* 42 U.S.C. § 4336(b)(2) ("An agency shall prepare an environmental assessment with respect to a proposed agency action that does not have a reasonably foreseeable significant effect on the quality of the human environment, or if the significance of such effect is unknown . . . ."). We note that NEPA does not require that the Commission formally label project-related GHG emissions as significant or insignificant. *See Citizens Action Coal. of Ind., Inc. v. FERC*, 125 F.4th 229, 241-42 (D.C. Cir. 2025) (holding that "the absence of a 'significance' label does not violate NEPA, CEQ guidance, or FERC regulations") (citing *Food & Water Watch v. FERC*, 104 F.4th 336, 346 (D.C. Cir. 2024)).

Stage 5 Expansion Project will primarily affect forest lands and open land as well as industrial or commercial areas, agricultural lands, open water, and wetlands.[157] To limit tree clearing and land use effects, the Sabine Pass LNG Terminal Expansion would be located adjacent to the existing terminal, and the delivery and meter stations for the Sabine Crossing Pipeline and Creole Trail Expansion Projects would be located within the footprint of the Sabine Pass LNG Terminal Expansion Project.[158] Additionally, approximately 64% of the Sabine Crossing Pipeline Project would be collocated with existing pipeline rights-of-way.[159]

82. Land within temporary construction easements would be returned to the landowners following construction, in accordance with the terms of landowner agreements; that land would be allowed to revert to prior uses, although the temporary construction easements would remain in place until completion of the restoration and post-construction monitoring periods. Land retained as permanent right-of-way for the Sabine Crossing Pipeline Project would generally be allowed to revert to its former use, and landowners would have use of the permanent right-of-way.[160] Temporary effects on residential and industrial properties would be managed through access maintenance, safety fencing, and landowner coordination. Although there are no residences or buildings within 50 feet of project facilities, Sabine Crossing prepared site-specific plans for two residences that are within 140 and 270 feet of the construction workspace, which would further reduce effects on residents during construction.[161]

83. Applicants will restore affected agricultural lands in accordance with the Commission's *Upland Erosion Control, Revegetation and Maintenance Plan*, so that the rights-of-way could be used for crop production following restoration.[162] They will also compensate landowners for any production losses in accordance with the terms of individual landowner agreements.[163]

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[157] Final EIS at 4-63.

[158] *Id.*

[159] *Id.* at 4-42.

[160] *Id.* at 4-63.

[161] *Id.* at 4-68 to 4-69.

[162] *Id.* at 4-63 to 4-64, 4-67.

[163] *Id.* at 4-63.

84. The Sabine Crossing Pipeline Project would cross about 1.5 miles of the J.D. Murphree Wildlife Management Area and would cross Sabine Lake from Jefferson County, Texas, to Cameron Parish, Louisiana.[164] Sabine Crossing would use Horizontal Directional Drilling (HDD) and limited open-cut installation methods to minimize surface disturbance in these areas.[165]

85. The final EIS concludes that with implementation of the proposed avoidance and minimization measures (including use of existing corridors, restoring temporary workspaces, and implementation of erosion control measures) the project would not result in significant long-term land use effects.[166] We agree.

b. Visual Effects

86. Construction would have temporary visual effects attributable to vegetation removal, exposed soil, the presence of construction equipment, and lighting.[167] Construction and operation of the Sabine Pass LNG Terminal Expansion would be visible from the Sabine Pass Battleground State Historic Park, from the Sabine Neches Waterway, and from Louisiana State Highway 82. Most aboveground facilities associated with the Sabine Crossing Pipeline and Creole Trail Expansion Projects would be in rural, undeveloped areas and would be collocated with existing industrial facilities where possible to minimize visual effects. Mitigation measures would include downward-directed lighting at aboveground facilities and a visual screening plan for the Hamshire Compressor Station to mitigate visual impacts on nearby residences and adjacent roadways.[168] Additionally, where practicable, the Applicants would limit permanent land conversion, maintain compatibility with existing land uses, and preserve the visual integrity of the project corridors. With these design and restoration efforts, the final EIS concludes that visual effects would be localized, not substantially alter the overall character or use of the affected areas, and be less than significant.[169] We agree.

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[164] *Id.* at 4-69.

[165] *Id.*

[166] *Id.* at ES-8.

[167] *Id.* at 4-72.

[168] *Id.*

[169] *Id.*

c. Traffic

87. The final EIS estimates that project construction would result in temporary effects on land and marine transportation due to construction workforce commuting, equipment and material deliveries, road crossings, and barge deliveries.[170] Traffic effects would be greatest during peak construction of the Sabine Pass LNG Terminal Expansion and at the Lake Charles Yard, where some intersections are projected to operate at lower levels of service without mitigation.[171] Marine traffic would increase during construction and project operation, but the Sabine-Neches Waterway is suitable for the additional LNG carrier traffic.[172] The Applicants would implement traffic mitigation measures, including park-and-ride facilities and shuttle buses, shared rides, off-peak truck deliveries, police flaggers, traffic control signage, roadway striping or lane-use changes, and selected roadway or intersection improvements.[173] With implementation of the proposed traffic management and mitigation measures, the final EIS concludes that transportation effects would be temporary during construction, minor during operation, and less than significant.[174] We agree.

d. Air Quality

88. The final EIS explains that construction of the Stage 5 Expansion Project would result in temporary, localized air quality effects in the immediate vicinity of project facilities, including emissions from construction equipment and fugitive dust.[175] These effects would be minimized by using construction equipment and vehicle engines that meet federal design standards and comply with emission regulations, minimizing engine idling, and implementing fugitive dust control measures.[176] Based on the temporary nature of construction activities and the Applicants' proposed measures, the final EIS concludes that project construction would not result in significant effects on air quality for the surrounding community.[177] We agree.

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[170] *Id.* at 4-57 to 4-58.

[171] *Id.* at 4-59 to 4-60.

[172] *Id.* at 4-62.

[173] *Id.* at 4-61, 4-112 to 4-113.

[174] *Id.* at 4-58 to 4-62.

[175] *Id.* at ES-8, 4-77.

[176] *Id.* at 4-78.

[177] *Id.* at ES-8, 4-79

89. The final EIS also describes air quality effects associated with project operation. For all aboveground facilities associated with the Stage 5 Expansion Project, the final EIS quantified the expected emission rates of criteria pollutants, GHGs, and Hazardous Air Pollutants (HAP).[178] The final EIS also described the Clean Air Act permitting programs applicable to the project's aboveground facilities.[179] With respect to the Prevention of Significant Deterioration (PSD) permitting program, the final EIS noted that the Sabine Pass LNG Expansion Project would exceed the thresholds for a major modification of an existing major source and would require the source to obtain a modified PSD permit.[180] PSD permitting would not be required for the aboveground facilities associated with the Creole Trail Expansion Project and Sabine Crossing Pipeline Project, due to their more limited emissions.[181]

90. With respect to the Sabine Pass LNG Terminal Expansion, Sabine Pass would minimize combustion emissions by using selective catalytic reduction and oxidation catalysts on turbines, low-nitrogen oxides burners on thermal oxidizers, good combustion practices, flare monitoring and controls, ultra-low sulfur diesel fuel for limited-use engines, and work practices to minimize fugitive emissions.[182] Air dispersion modeling analysis for the terminal expansion indicates that the maximum effects for all pollutants and averaging times would not result in an exceedance of the National Ambient Air Quality Standards (NAAQS).[183]

91. The final EIS also describes air quality effects associated with operation of the Sabine Crossing and Creole Trail aboveground facilities. Operational emissions from filter separators, gas compressor blowdown stacks, maintenance/startup/shutdown for turbines, station discharge blowdown header, and station suction blowdown headers would be minimized by limiting the frequency and extent of these operations to when they are required.[184] Air dispersion modeling analysis for the new and modified

[178] *Id.* at app. H at H-28 to H-31 (tbl. 4.10.3-1).

[179] *Id.* at app. G at G-7 to G-9.

[180] *Id.* at app. G at G-7.

[181] *Id.*

[182] *Id.* at 4-84 to 4-85.

[183] *Id.* at 4-90.

[184] *Id.* at 4-86 to 4-87.

compressor stations indicates that the maximum effects for all pollutants and averaging times would not result in an exceedance of the NAAQS.[185]

92. The Applicants would obtain any necessary air quality permits prior to construction or operation of the terminal expansion and compressor stations.[186] Given Applicants' minimization and mitigation measures, air quality permitting requirements, operational and maintenance controls, and results of the air dispersion modeling, the final EIS concludes that operational emissions would not have a significant effect on air quality.[187] We agree.

e. Noise

93. The final EIS states that project construction would result in increases to the existing ambient sound levels and may result in noise effects at nearby noise-sensitive areas (NSA).[188] At the Sabine Pass LNG Terminal Expansion, general construction would occur using day and night shifts, while pile driving would be restricted to daytime hours. Sabine Pass commits to conducting noise surveys in response to substantiated noise complaints to verify compliance with applicable noise criteria and to evaluate whether additional mitigation measures are necessary. The final EIS concludes that noise effects during the Sabine Pass LNG Terminal Expansion construction would not be significant.[189] We agree.

94. For the Sabine Crossing Pipeline Project, noise effects due to pipeline construction are expected to have minimal effect at any one location due to the nature of pipeline construction continuously moving down the pipeline right-of-way.[190] Most construction would occur during daytime hours, but HDD pullbacks may require 24-hour activity for one to three days at each crossing.[191] Construction of the aboveground facilities for the Sabine Crossing Pipeline and Creole Trail Expansion Projects would generally occur

[185] *Id.* at 4-87.

[186] *Id.* at 4-85, app. G at G-7 to G-9 (outlining the air permitting programs applicable to project facilities).

[187] *Id.* at ES-9.

[188] *Id.* at 4-93.

[189] *Id.* at 4-94.

[190] *Id.* at 4-93, 4-95.

[191] *Id.* at 4-95.

during daytime hours, although discrete activities such as hydrostatic testing and radiographic testing may require activity outside daytime hours.[192] While residents in the project area would be affected by noise from construction of aboveground facilities, based on the daytime construction hours of the project and the short-term nature of construction, the final EIS concludes that construction noise effects would be temporary and less than significant.[193] We agree.

95. Once construction is complete and the areas are returned to pre-construction conditions, noise levels would return to ambient conditions except at the noise-emitting aboveground facilities, including the LNG terminal, compressor stations, and meter stations. Operational noise modeling for the Sabine Pass LNG Terminal Expansion, Sabine Crossing Pipeline meter stations, Hamshire Compressor Station, Gillis Compressor Station, and Tarpon Compressor Station indicates that sound attributable to operation would remain below 55 decibels on the A-weighted scale for the day-night sound level at all NSAs.[194] To ensure sound levels are in compliance with applicable noise requirements, the final EIS recommends, and we require in environmental conditions 18, 19, and 20 of the appendix to this order, that the Applicants provide the Commission with operational noise surveys after the facilities are in-service, and that the Applicants install additional noise controls if sound levels are exceeded. The final EIS concludes that project operation would not result in significant noise effects on nearby NSAs and the surrounding communities.[195] We agree.

2. Coastal Zone Management Act

96. The Coastal Zone Management Act (CZMA) requires that all federally licensed and permitted activities be consistent with approved state Coastal Zone Management Act Programs.[196] Portions of the Stage 5 Expansion Project are located within the coastal zone boundary for both Texas and Louisiana, which requires the Applicants to apply for Coastal Use Permits with both states.[197] The final EIS contained a recommendation that the Applicants not begin construction of the project until they file a copy of the Texas consistency determination, which was issued on August 12, 2025, and the Louisiana permit when

[192] *Id.* at 4-94 to 4-97.

[193] *Id.*

[194] *Id.* at 4-97 to 4-100.

[195] *Id.* at 4-98 to 4-100.

[196] 16 U.S.C. § 1456(c)(3)(A).

[197] Final EIS at 4-70.

received.[198] Because the Applicants filed a copy of the Texas permit, we modify environmental condition 15 to remove the requirement that Applicants file a copy of the Texas permit.[199] Environmental condition 15 still requires the Applicants to file a copy of the Louisiana permit once received.

3. Environmental Analysis Conclusion

97. We have reviewed the information and analysis contained in the EIS, as well as the other information in the record, regarding potential environmental effects of the project. We accept the environmental recommendations in the final EIS, and we are including them, as modified, as conditions in an appendix to this order. Based on the analysis in the final EIS, as supplemented or clarified herein, we agree with the conclusions presented in the final EIS and find that the proposed project, if implemented as described in the application and in compliance with the environmental conditions to this order, is an environmentally acceptable action.

98. Compliance with the environmental conditions appended to our orders is integral to ensuring that the environmental effects of approved projects are consistent with those anticipated by our environmental analyses. Thus, Commission staff carefully reviews all information submitted. Only when satisfied that the applicant has complied with all applicable conditions will a notice to proceed with the activity to which the conditions are relevant be issued. We also note that the Commission has the authority to take whatever steps are necessary to ensure the protection of environmental resources during construction and operation of the project, including authority to impose any additional measures deemed necessary to ensure continued compliance with the intent of the conditions of the order, as well as the avoidance or mitigation of unforeseen adverse environmental effects resulting from project construction and operation.

IV. Conclusion

99. For the reasons discussed above, we find that the Sabine Pass LNG Terminal Expansion Project is not inconsistent with the public interest, and we will grant Sabine Pass's request for authorization under section 3 of the NGA to site, construct, and operate the project, subject to the conditions in this order.

100. We also find that Sabine Crossing and Creole Trail have demonstrated a need for the proposed Sabine Crossing Pipeline Project and the Creole Trail Expansion Project, which will provide 2,764,800 and 930,000 Dth/d of firm transportation service,

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[198] *Id.*

[199] *See* Applicants October 2, 2025 Response to Environmental Information Request, attach. 17 at 575.

respectively. Further, the projects will not have adverse impacts on Sabine Crossing's or Creole Trail's existing shippers or other pipelines and their existing customers, and the projects' benefits will outweigh any adverse effects on landowners and surrounding communities. The Commission recognizes that the proposed projects would impact the environment and individuals living in the vicinity of the project facilities. However, as noted above, we find that, as conditioned, the projects are environmentally acceptable actions. Based on the discussion above, we conclude that, under NGA section 7, the public convenience and necessity requires approval of the Sabine Crossing Pipeline and Creole Trail Expansion Projects, subject to the conditions in this order.

101. Any state or local permits issued with respect to the jurisdictional facilities authorized herein must be consistent with the conditions of this authorization. The Commission encourages cooperation between applicants and local authorities. However, this does not mean that state and local agencies, through application of state or local laws, may prohibit or unreasonably delay the construction or operation of facilities approved by this Commission.[200]

102. The Commission on its own motion, received and made a part of the record in this proceeding all evidence, including the application, as supplemented, and exhibits thereto, and all comments, and upon consideration of the record,

The Commission orders:

(A) In Docket Nos. CP24-75-000 and CP24-75-001, Sabine Pass is authorized under section 3 of the NGA to site, construct, and operate the Sabine Pass LNG Expansion Project, as described and conditioned herein, and as more fully described in Sabine Pass's application and subsequent filings by the applicant, including any commitments made therein.

(B) The authorizations in Ordering Paragraph (A) are conditioned on:

(1) Sabine Pass's facilities being fully constructed and made available for service within ten years of the date of this order; and

[200] *See* 15 U.S.C. § 717r(d) (state or federal agency's failure to act on a permit considered to be inconsistent with Federal law); *see also Schneidewind v. ANR Pipeline Co*., 485 U.S. 293, 310 (1988) (state regulation that interferes with the Commission's regulatory authority over the transportation of natural gas is preempted); *Dominion Transmission, Inc. v. Summers*, 723 F.3d 238, 245 (D.C. Cir. 2013) (noting that state and local regulation is preempted by the NGA to the extent it conflicts with federal regulation, or would delay the construction and operation of facilities approved by the Commission).

(2) Sabine Pass's compliance with the environmental conditions contained in the appendix to this order.

(C) In Docket No. CP25-505-000, a certificate of public convenience and necessity is issued to Sabine Crossing, authorizing it to construct and operate the Sabine Crossing Pipeline Project, as described and conditioned herein, and as more fully described in the application and subsequent filings by the applicant, including any commitments made therein.

(D) In Docket No. CP25-506-000, a certificate of public convenience and necessity is issued to Creole Trail, authorizing it to construct and operate the Creole Trail Expansion Project, as described and conditioned herein, and as more fully described in the application and subsequent filings by the applicant, including any commitments made therein.

(E) The certificate authorities issued in ordering paragraphs (C) and (D) are conditioned on Sabine Crossing and Creole Trail:

(1) completing construction of the proposed facilities and making them available for service within ten years of the date of this order pursuant to section 157.20(b) of the Commission's regulations;

(2) complying with all applicable Commission regulations under the NGA including, but not limited to, Parts 154, 157, and 284, and paragraphs (a), (c), (e), and (f) of section 157.20 of the Commission's regulations;

(3) complying with the environmental conditions listed in the appendix to this order; and

(4) making a filing affirming that they have executed firm service agreements for volumes and service terms equivalent to those in the precedent agreements before commencing construction.

(F) A blanket transportation certificate is issued to Sabine Crossing under Subpart G of Part 284 of the Commission's regulations.

(G) A blanket construction certificate is issued to Sabine Crossing under Subpart F of Part 157 of the Commission's regulations.

(H) Sabine Crossing's and Creole Trail's initial recourse rates, retainage percentages, and Sabine Crossing's *pro forma* tariff records are approved, as conditioned above.

(I) Sabine Crossing shall file actual tariff records that comply with the requirements contained in the body of this order at least 30 days but not more than 60 days before the in-service date of the proposed facilities.

(J) Sabine Crossing must file at least 30 days but not more than 60 days before the in-service date of the proposed facilities an executed copy of any non-conforming agreements reflecting the non-conforming language and a tariff record identifying these agreements as non-conforming agreements consistent with section 154.112 of the Commission's regulations.

(K) Within three months after its first three years of actual operation, Sabine Crossing must file a cost and revenue study to justify its existing cost-based firm and interruptible recourse rates. The study should be filed through the eTariff portal using Filing Code 585. In addition, Sabine Crossing is advised to include as part of the eFiling description a reference to Docket Nos. CP24-75-001 and CP25-505-000.

(L) Sabine Pass, Sabine Crossing, and Creole Trail shall notify the Commission's environmental staff by telephone or e-mail of any environmental noncompliance identified by other federal, state, or local agencies on the same day that such agency notifies Sabine Pass, Sabine Crossing, and/or Creole Trail. Sabine Pass, Sabine Crossing, and Creole Trail shall file written confirmation of such notification with the Secretary of the Commission within 24 hours.

By the Commission.

(S E A L)

Carlos D. Clay,
Deputy Secretary.

Appendix

Environmental Conditions

As recommended in the Environmental Impact Statement (EIS), and modified herein, this authorization includes the following conditions:

1. The Applicants shall follow the construction procedures and mitigation measures described in the application and supplements, including responses to staff data requests and as identified in the EIS. The Applicants must:

    a. request any modification to these procedures, measures, or conditions in a filing with the Secretary of the Commission (Secretary);
    b. justify each modification relative to site-specific conditions;
    c. explain how that modification provides an equal or greater level of environmental protection than the original measure; and
    d. receive approval in writing from the Director of the Office of Energy Projects (OEP), or the Director's designee, **before using that modification**.

2. The Director of OEP, or the Director's designee, has delegated authority to address any requests for approvals or authorizations necessary to carry out the conditions of the Order, and take whatever steps are necessary to ensure the protection of life, health, property, and the environment during construction and operation of the Project. This authority shall allow:

    a. the modification of conditions of the Order;
    b. stop-work authority and authority to cease operation; and
    c. the imposition of any additional measures deemed necessary to ensure continued compliance with the intent of the conditions of the Order as well as the avoidance or mitigation of unforeseen adverse environmental effects resulting from Project construction and operation.

3. **Prior to any construction**, the Applicants shall file an affirmative statement with the Secretary, certified by a senior company official, that all company personnel, Environmental Inspectors (EI), and contractor personnel would be informed of the EI's authority and have been or would be trained on the implementation of the environmental mitigation measures appropriate to their jobs **before** becoming involved with construction, abandonment, and restoration activities.

4. The authorized facility locations shall be as shown in the EIS, as supplemented by filed plot plans, alignment sheets, and facility diagrams. **As soon as they are available, and before the start of construction**, the Applicants shall file with the Secretary any revised detailed survey alignment maps/sheets at a scale not smaller than 1:6,000 with station positions for all facilities approved by the Order. All

requests for modifications of environmental conditions of the Order or site-specific clearances must be written and must reference locations designated on these alignment maps/sheets.

Sabine Crossing's and Creole Trail's exercise of eminent domain authority granted under the Natural Gas Act (NGA) section 7(h) in any condemnation proceedings related to the Order must be consistent with these authorized facilities and locations. The Applicants' right of eminent domain granted under NGA section 7(h) does not authorize it to increase the size of its natural gas facilities to accommodate future needs or to acquire a right-of-way for a pipeline to transport a commodity other than natural gas.

5. The Applicants shall file with the Secretary detailed alignment maps/sheets and aerial photographs at a scale not smaller than 1:6,000 identifying all route realignments or facility relocations, and staging areas, pipe storage yards, new access roads, and other areas that would be used or disturbed and have not been previously identified in filings with the Secretary. Approval for each of these areas must be explicitly requested in writing. For each area, the request must include a description of the existing land use/cover type, documentation of landowner approval, whether any cultural resources or federally listed threatened or endangered species would be affected, and whether any other environmentally sensitive areas are within or abutting the area. All areas shall be clearly identified on the maps/sheets/aerial photographs. Each area must be approved in writing by the Director of OEP, or the Director's designee, **before construction in or near that area**.

   This requirement does not apply to extra workspace allowed by the Commission's *Upland Erosion Control, Revegetation, and Maintenance Plan* and/or minor field realignments per landowner needs and requirements which do not affect other landowners or sensitive environmental areas such as wetlands.

   Examples of alterations requiring approval include all route realignments and facility location changes resulting from:

   a. implementation of cultural resources mitigation measures;
   b. implementation of endangered, threatened, or special concern species mitigation measures;
   c. recommendations by state regulatory authorities; and
   d. agreements with individual landowners that affect other landowners or could affect sensitive environmental areas.

6. **Within 60 days of the Order and before construction begins**, the Applicants shall each file an Implementation Plan with the Secretary for review and written approval

by the Director of OEP, or the Director's designee. The Applicants must file revisions to the plan as schedules change. The plan shall identify:

a. how the Applicants would implement the construction procedures and mitigation measures described in the application and supplements (including responses to staff data requests), identified in the EIS, and required by the Order;
b. how the Applicants would incorporate these requirements into the contract bid documents, construction contracts (especially penalty clauses and specifications), and construction drawings so that the mitigation required at each site is clear to on- site construction and inspection personnel;
c. the number of EIs assigned, and how the company would ensure that sufficient personnel are available to implement the environmental mitigation;
d. company personnel, including EIs and contractors, who would receive copies of the appropriate material;
e. the location and dates of the environmental compliance training and instructions the Applicants would give to all personnel involved with construction and restoration (initial and refresher training as the Project progresses and personnel change), with the opportunity for OEP staff to participate in the training session(s);
f. the company personnel (if known) and specific portion of the Applicants' organization having responsibility for compliance;
g. the procedures (including use of contract penalties) the Applicants would follow if noncompliance occurs; and
h. for each discrete facility, a Gantt or PERT chart (or similar project scheduling diagram), and dates for:

    i. the completion of all required surveys and reports;
    ii. the environmental compliance training of onsite personnel;
    iii. the start of construction; and
    iv. the start and completion of restoration.

7. The Applicants shall employ at least one EI per construction spread. The EIs shall be:

a. responsible for monitoring and ensuring compliance with all mitigation measures required by the Order and other grants, permits, certificates, or other authorizing documents;
b. responsible for evaluating the construction contractor's implementation of the environmental mitigation measures required in the contract (see condition 6 above) and any other authorizing document;
c. empowered to order correction of acts that violate the environmental conditions of the Order, and any other authorizing document;
d. a full-time position, separate from all other activity inspectors;

e. responsible for documenting compliance with the environmental conditions of the Order, as well as any environmental conditions/permit requirements imposed by other federal, state, or local agencies; and
f. responsible for maintaining status reports.

8. Beginning with the filing of its Implementation Plan, the Applicants shall file updated status reports with the Secretary on a **monthly** basis for the Sabine Pass Liquefied Natural Gas (SPLNG) Terminal Expansion facilities, and a **biweekly** basis for the pipeline facilities, until all construction and restoration activities are complete. Problems of a significant magnitude shall be reported to the FERC **within 24 hours.** On request, these status reports would also be provided to other federal and state agencies with permitting responsibilities. Status reports shall include:

a. an update on the Applicants' efforts to obtain the necessary federal authorizations;
b. Project schedule, including current construction status of the Project and work planned for the following reporting period, and any schedule changes for stream crossings or work in other environmentally sensitive areas;
c. a listing of all problems encountered, contractor nonconformance/deficiency logs, and each instance of noncompliance observed by the EIs during the reporting period (both for the conditions imposed by the Commission and any environmental conditions/permit requirements imposed by other federal, state, or local agencies);
d. a description of the corrective and remedial actions implemented in response to all instances of noncompliance, nonconformance, or deficiency;
e. the effectiveness of all corrective and remedial actions implemented;
f. a description of any landowner/resident complaints which may relate to compliance with the requirements of the Order, and the measures taken to satisfy their concerns; and
g. copies of any correspondence received by the Applicants from other federal, state, or local permitting agencies concerning instances of noncompliance, and the Applicants' response.

9. The Applicants must receive written authorization from the Director of OEP, or the Director's designee, **before commencing construction of any Project facilities**. To obtain such authorization, the Applicants must file with the Secretary documentation that it has received all applicable authorizations required under federal law (or evidence of waiver thereof).

10. The Applicants must receive written authorization from the Director of OEP, or the Director's designee, **prior to introducing hazardous fluids into the SPLNG Terminal Expansion facilities**. Instrumentation and controls, hazard detection,

hazard control, and security components/systems necessary for the safe introduction of such fluids shall be installed and functional.

11. The Applicants must receive written authorization from the Director of OEP, or the Director's designee, **before placing the Project into service**. Such authorization would only be granted for the pipeline facilities following a determination that rehabilitation and restoration of the right-of-way and other areas affected by the Project are proceeding satisfactorily. Such authorization will only be granted for the SPLNG Terminal Expansion facilities following a determination that the facilities have been constructed in accordance with FERC approval, can be expected to operate safely as designed, and the rehabilitation and restoration of areas affected by the Project are proceeding satisfactorily.

12. **Within 30 days of placing the authorized facilities in service**, the Applicants shall file an affirmative statement with the Secretary, certified by a senior company official:

    a. that the facilities have been constructed in compliance with all applicable conditions, and that continuing activities would be consistent with all applicable conditions; or
    b. identifying which of the conditions in the Order the Applicants have complied with or would comply with. This statement shall also identify any areas affected by the Project where compliance measures were not properly implemented, if not previously identified in filed status reports, and the reason for noncompliance.

13. All conditions attached to the water quality certifications issued by the Louisiana Department of Environmental Quality and Railroad Commission of Texas (RRC) constitute mandatory conditions of the Certificate Order. **Prior to construction**, the Applicants shall file, for review and written approval by the Director of OEP, or the Director's designee, any revisions to its Project design necessary to comply with the water quality certification conditions.

14. **Prior to construction**, the Applicants shall file with the Secretary, for review and written approval by the Director of OEP, or the Director's designee, a description of how they would adhere to and implement all non-discretionary terms and conditions as well as monitoring and reporting requirements as stipulated in the U.S. Fish and Wildlife Service's Biological Opinion and Incidental Take Statement issued August 14, 2026.

15. The Applicants shall **not begin** construction of the Project **until** they file with the Secretary a copy of the determination of consistency with the Coastal Zone Management Plan issued by the Louisiana Department of Conservation and Energy when received.

16. **Prior to construction of the Hamshire Compressor Station**, Sabine Crossing shall file with the Secretary, for review and written approval by the Director of OEP, or the Director's designee, a visual screening plan that mitigates visual impacts on nearby residences and the public using adjacent roadways.

17. The Applicants shall **not begin** construction of facilities and/or use of all staging, storage, or temporary work areas and new or to-be-improved access roads **until:**

    a. the Applicants file with the Secretary:

        i. any remaining cultural resources survey report(s), site evaluation report(s), and avoidance/treatment plan(s), as required;
        ii. comments on the cultural resources report(s) and plans from the Texas Historical Commission or Louisiana Office of Cultural Development, and any interested Native American tribes;
        iii. a final list of mileposts and areas where landowners have denied survey access;

    b. the Advisory Council on Historic Preservation is afforded an opportunity to comment if historic properties would be adversely affected; and
    c. FERC staff reviews and the Director of OEP, or the Director's designee, approves the cultural resources reports and plans, and notifies the Applicants in writing that treatment plans/mitigation measures may be implemented and/or construction may proceed.

    All materials filed with the Commission containing location, character, and ownership information about cultural resources must have the cover and any relevant pages therein clearly labeled in bold lettering: **"CUI//PRIV - DO NOT RELEASE."**

18. Sabine Pass shall file with the Secretary a full power load noise survey for the SPLNG Terminal **no later than 60 days** after each phase of Terminal Expansion liquefaction trains are placed into service. If the noise attributable to operation of the equipment at the SPLNG Terminal exceeds an L_{dn} of 55 dBA at any nearby Noise Sensitive Area (NSA), **within 60 days** Sabine Pass shall modify operation of the liquefaction facilities or install additional noise controls until a noise level below an L_{dn} of 55 dBA at the NSAs is achieved. Sabine Pass should confirm compliance with the above requirement by filing a second noise survey with the Secretary **no later than 60 days** after it installs the additional noise controls.

19. Sabine Crossing shall file with the Secretary noise surveys for the Moss Bluff Meter Station, Winnie Meter Station, Kinder Morgan Tejas Meter Station, and the Hamshire Compressor Station **no later than 60 days** after placing each station into service. If full flow rate/power load condition noise surveys are not possible, Sabine Crossing shall file an interim survey at the maximum possible flow rate/power load

within 60 days of placing the stations into service and file the full flow rate/power load survey **within 1 year**. If the noise attributable to operation of all equipment at any station under interim or full power load conditions exceeds an L_{dn} of 55 dBA at any nearby NSA, Sabine Crossing shall file a report on what changes are needed and should install the additional noise controls to meet the level **within 18 months** of the in-service date. Sabine Crossing should confirm compliance with the above requirement by filing an additional noise survey with the Secretary, **no later than 60 days** after it installs the additional noise controls.

20. Creole Trail shall file with the Secretary noise surveys for the Gillis Compressor Station and the Tarpon Compressor Station **no later than 60 days** after placing each station into service. If full power load condition noise surveys are not possible, Creole Trail shall file an interim survey at the maximum possible power load **within 60 days** of placing the stations into service and file the full power load survey **within 1 year**. If the noise attributable to operation of all equipment at any station under interim or full power load conditions exceeds an L_{dn} of 55 dBA at any nearby NSA, Creole Trail shall file a report on what changes are needed and should install the additional noise controls to meet the level **within 18 months** of the in-service date. Creole Trail should confirm compliance with the above requirement by filing an additional noise survey with the Secretary, **no later than 60 days** after it installs the additional noise controls.

21. **Prior to construction of final design**, Sabine Pass shall file with the Secretary the following information, stamped and sealed by the professional engineer-of-record, registered in the State of Louisiana:

    a. site preparation drawings and specifications;
    b. finalized site specific geotechnical design basis report and calculation of geotechnical properties;
    c. finalized civil and structural design basis, criteria, specifications;
    d. finalized wind and seismic design basis;
    e. issued for Construction of Liquefied Natural Gas (LNG) terminal structures and foundations design drawings and calculations (including prefabricated and field constructed structures);
    f. quality control procedures to be used for civil/structural design and construction;
    g. finalized soil/ground improvement procedures and specifications for the proposed Project site;
    h. the finalized corrosion control and prevention plan for any underground piping, structures, foundations, equipment, and components;
    i. the total and differential settlement of final designed foundations for structures, systems, and components for the Project site;
    j. the finalized foundation design criteria for the Project and the associated quality assurance and quality control procedures;

k. the finalized list of Seismic Categories (I, II, or III) of structures, systems, and components for the proposed Project; and

l. in addition, Sabine Pass shall file, in its Implementation Plan, the schedule for producing this information.

22. **Prior to construction of final design**, Sabine Pass shall file with Secretary the following information, stamped and sealed by the professional engineer-of-record, registered in the State of Louisiana:

a. an update to the current flood hazard mitigation and prevention program to include the proposed Project, or alternatively, establish a new, equivalent program for the Project. The mitigation and prevention program shall implement comprehensive strategies for effectively addressing both 100-year and 500-year mean occurrence interval flood hazard events in consideration of relative sea level rise, local subsidence, site settlement, shoreline recession, erosion and scour effect, and wind-driven wave effects. The sea level rise and vertical land movement shall be consistent with a minimum intermediate curve corresponding to the design life of the facility in Global and Regional Sea Level Rise Scenarios for the United States, National Aeronautics and Space Administration (NASA) Interagency Sea Level Rise Scenario Tool or approved equivalent.

b. a list of finalized foundation elevations for all planned structures, systems and components (SSCs). The elevations shall account for relative sea level rise, total settlements, both regional and local subsidence throughout the design life of Project.

Information pertaining to the following specific conditions, shall be filed with the Secretary for review and written approval by the Director of OEP, or the Director's designee, prior to implementation and within the timeframe indicated by each condition. All information shall be filed a minimum of 30 days before approval to proceed is requested. Specific engineering, vulnerability, or detailed design information meeting the criteria specified in Order No. 833 (Docket No. RM16-15-000), including security information, shall be submitted as critical energy infrastructure information pursuant to 18 CFR § 388.113. See Critical Electric Infrastructure Security and Amending Critical Energy Infrastructure Information, Order No. 833, 81 Fed. Reg. 93,732 (December 21, 2016), FERC Stats. & Regs. 31,389 (2016). Pursuant to 18 CFR § 388.112, some or all of the information contained in a particular document may be requested to be treated as privileged that is claimed to be exempt from the mandatory public disclosure requirements of the Freedom of Information Act, and shall be withheld from public disclosure. Records exempt from public disclosure are listed under 18 CFR § 388.107, including, but not limited to trade secrets, commercial or financial information, and privileged or confidential information. Monthly construction, weekly commissioning, and semi-annual

operating, and incident investigation reporting requirements shall include public versions. Information pertaining to items such as offsite emergency response procedures for public notification, sheltering in place, and evacuation shall be filed publicly.

23. **Prior to initial site preparation,** Sabine Pass shall file an overall Project schedule, which includes the proposed stages of initial site preparation, final design, procurement, construction, commissioning, introduction of hazardous fluids, and commencement of service.

24. **Prior to initial site preparation,** Sabine Pass shall file procedures for controlling access during construction. The procedures shall address how unauthorized construction personnel would be restricted from entering the operational areas of the plant.

25. **Prior to initial site preparation,** Sabine Pass shall file quality assurance and quality control procedures for construction activities, including initial equipment laydown, receipt, and preservation.

26. **Prior to initial site preparation,** Sabine Pass shall file an analysis demonstrating that the anticipated traffic loads on buried pipelines and utilities at temporary and permanent crossings would be adequately distributed during construction and operation of the Project. The analysis shall consider anticipated traffic loads along the terminal entrance/exit roads during construction and operation to determine whether provisions are needed to dissipate the loads on the active buried natural gas and hydrocarbon pipelines situated along the terminal entrance/exit roads. If provisions are required, the analysis shall demonstrate the effectiveness of such provisions. The analysis shall be based on API RP 1102 (2007 edition, reaffirmed 2024) or other approved equivalent.

27. **Prior to initial site preparation,** Sabine Pass shall file an updated Emergency Response Plan (ERP) (including evacuation and any sheltering) developed in consultation with the Coast Guard; state, county, and local emergency planning groups; fire departments; state and local law enforcement; and other appropriate federal agencies. This plan shall be consistent with recommended and good engineering practices, as defined in relevant portions of National Fire Protection Association (NFPA) 1660, NFPA 470, NFPA 475, or equivalents, and based on potential impacts and onsets of hazards from accidental and intentional events along the LNG marine vessel route and potential impacts and onset of hazards from accidental and intentional events and natural hazard events at the LNG terminal. The plan shall also address any special considerations and pre-incident planning for infrastructure and for public with access and functional needs and shall include at a minimum:

a. materials and plans for periodic dissemination of public education and training materials for potential hazards and impacts, identification of potential hazards, and steps for notification, evacuation and/or shelter in place of the public within any transient hazard areas along the marine vessel route and within LNG terminal hazard areas in the event of an incident;
b. identification of any training, that is existing or needed by emergency responders to effectively and safely respond to hazardous material incidents including, but not limited to, initial and periodic exercises, drills, and training on LNG fires and dispersion;
c. identification of any training existing or needed by emergency responders to effectively and safely evacuate or shelter public within transient hazard areas along the LNG marine vessel route and within hazard areas from the LNG terminal including, but not limited to initial and periodic exercises, drills, and training on mass evacuation or sheltering;
d. designated contacts with federal, state, and local emergency response agencies responsible for emergency management and response within any transient hazard areas along the marine vessel route and within hazard areas from LNG terminal;
e. scalable procedures by applicant for the prompt notification of appropriate local officials and emergency response agencies based on the level and severity of potential incidents;
f. scalable procedures by applicant, emergency response planning groups, or emergency responders for mobilizing response and establishing a unified command. The procedures shall identify the location, design, and use of existing or proposed emergency operations centers and emergency response equipment that would potentially be required or used by emergency response planning groups or emergency responders to effectively and safely respond to hazardous material incidents and evacuate and/or shelter public within transient hazard areas along the LNG marine vessel route and within LNG terminal hazard areas;
g. scalable procedures for communicating potential onset of hazards and potential consequences to the Unified Command by applicant, as well as notification of any incidents to the public by the company, emergency response planning groups, emergency responders, or other entities. The procedures shall identify the location, design, and use of existing or proposed public emergency notification systems, including any permanent sirens, mass notification systems, or other warning devices, that would potentially be required or used by emergency response planning groups and emergency responders to effectively communicate and warn the public prior to onset of debilitating hazards for scalable scenarios within any transient hazard areas along the LNG marine vessel route and within hazard areas from LNG terminal;

h. scalable procedures by emergency response planning groups, or emergency responders for any evacuation of the public. The procedures shall identify the location, design, and use of any evacuation routes/methods and any mustering locations, that would potentially be required or used by emergency response planning groups and emergency responders to effectively and safely evacuate the public based on the potential onset of hazards and potential consequences of scalable scenarios within any transient hazard areas along the LNG marine transit route and within hazard areas from LNG terminal;

i. scalable procedures by emergency response planning groups, or emergency responders for any sheltering of the public, including any sheltering-in-place. The procedures shall identify the location, design, and use of any shelters or areas of refuge, that would potentially be required or used by emergency response planning groups and emergency responders to effectively and safely shelter the public prior to onset of debilitating hazards for scalable scenarios within transient hazard areas along the route of the LNG marine vessel and within hazard areas of the LNG terminal.

Sabine Pass shall notify FERC staff of all planning meetings in advance and shall file progress reports, including meeting minutes, on the updates to their ERP at 3-month intervals. Sabine Pass shall file public versions of offsite emergency response procedures for the possible steps that an Incident Commander may take regarding public notification, evacuation and sheltering.

28. **Prior to initial site preparation,** Sabine Pass shall file any updates to its Cost-Sharing Plan, identifying any mechanisms from Sabine Pass for funding Project-specific security/emergency management costs that would be imposed on state and local agencies. This comprehensive plan shall include consideration of funding mechanisms for the capital costs associated with any necessary security/emergency management equipment and personnel base. This plan shall include consideration of sustained funding of any requirement or resource gap(s) identified to effectively and safely evacuate and shelter the public and to effectively and safely respond to hazardous material incidents, which may include training, consistent with recommended and good engineering practices. Sabine Pass shall notify FERC staff of all planning meetings in advance and shall report progress on the development of its Cost-Sharing Plan **at 3-month intervals.**

29. **Prior to construction of final design,** Sabine Pass shall file change logs that list and explain any changes made from the Front End Engineering Design (FEED) provided in Sabine Pass's application and filings. A list of all changes with an explanation for the design alteration shall be filed and all changes shall be clearly indicated on all diagrams and drawings.

30. **Prior to construction of final design,** Sabine Pass shall file drawings of vehicle protections internal to the plant, such as guard rails, barriers, and bollards to protect

transfer piping, pumps, compressors, hydrants, monitors, firewater post indicator valves per NFPA 24 (2022 edition) or approved equivalent to ensure that the facilities would be protected from inadvertent damage from vehicles, unless the facilities are located sufficiently away from in-plant roadways and areas accessed by vehicles.

31. **Prior to construction of final design,** Sabine Pass shall file responses to the Road Safety and Reliability Impact Study recommendations and for any of the recommendations that would not be implemented at the terminal, provide justification for why it would not be needed.

32. **Prior to construction of final design,** Sabine Pass shall file photometric analyses or equivalent and associated lighting drawings. The lighting drawings shall show the location, elevation, type of light fixture, and lux levels of the lighting system and shall depict illumination coverage along the perimeter of the terminal, process equipment, and along paths/roads of access and egress to facilitate security monitoring and emergency response operations in accordance with federal regulations and consistent with API 540 (1999 edition, reaffirmed 2004) or approved equivalent.

33. **Prior to construction of final design,** Sabine Pass shall file updated drawings of the security enclosure that show the new Project facilities. The security enclosure drawings shall provide details of the enclosure(s) that demonstrate it is consistent with NFPA 59A (2023 edition) or approved equivalent and would restrict and deter access around all of the new Project facilities and have a setback or additional impediments (e.g., barbed- or razor-wire) from or at exterior features (e.g., power lines, trees) and from or at interior features (e.g., piping, equipment, buildings, etc.) that would not allow any part of the enclosure to be overcome and would protect interior equipment from outside security threats (e.g., explosives placed outside security enclosure) consistent with a security vulnerability assessment. The security vulnerability assessment shall be consistent with the Facility Security Assessment in 33 CFR 105 and take into account the potential target attractiveness, threats, vulnerabilities, consequences, and mitigation effectiveness consistent with American Institute of Chemical Engineers, *Guidelines for Analyzing and Managing the Security Vulnerabilities of Fixed Chemical Sites*, or approved equivalent.

34. **Prior to construction of final design,** Sabine Pass shall file updated closed-circuit television (CCTV) and intrusion detection drawings. The CCTV drawings shall show the locations, mounting elevation, areas covered, and features of each camera (e.g., fixed, tilt/pan/zoom, motion detection alerts, low light, etc.) and shall provide camera coverage at access points and along the entire perimeter of the terminal with redundancies and CCTV coverage interior of the facilities to enable rapid monitoring of the terminal, including coverage within new Project areas and buildings. The drawings shall show or note the location and type of intrusion

detection and shall demonstrate coverage of the entire perimeter surrounding the Project facilities.

35. **Prior to construction of final design,** Sabine Pass shall file up-to-date Process Flow Diagrams (PFD), Heat and Material Balance (HMB), and Piping and Instrument Diagrams (P&ID) including vendor P&IDs. The HMBs shall demonstrate a peak export rate of 19.0 million metric tonnes per annum. The P&IDs shall include the following information:

    a. equipment tag number, name, size, duty, capacity, and design conditions;
    b. equipment insulation type and thickness;
    c. storage tank pipe penetration size and nozzle schedule;
    d. valve high pressure side and internal and external vent locations;
    e. piping with line number, piping class specification, size, and insulation type and thickness;
    f. piping specification breaks and insulation limits;
    g. all control and manual valves numbered;
    h. relief valves with size, design basis (scenario), and set pressures; and
    i. drawing revision number and date.

36. **Prior to construction of final design,** Sabine Pass shall file P&IDs, specifications, and procedures that clearly show and specify the tie-in details required to safely connect subsequently constructed facilities with the operational facilities.

37. **Prior to construction of final design,** Sabine Pass shall file an updated car seal program to include the new Project facilities

38. **Prior to construction of final design,** Sabine Pass shall file information to verify how the Engineering, Procurement, and Construction contractor has addressed all FEED hazard identification recommendations.

39. **Prior to construction of final design,** Sabine Pass shall file a Hazard and Operability Study, and any Layer of Protection Analysis (LOPA) or safety integrity level (SIL) verification studies on the final design, a list of the resulting recommendations, and actions taken on the recommendations. The issued for construction P&IDs shall incorporate the recommendations and justification shall be provided for any recommendations that are not implemented.

40. **Prior to construction of final design,** Sabine Pass shall provide a check valve upstream of the Acid Gas Removal Column to prevent backflow or provide a dynamic simulation that shows that upon plant shutdown, the vertical piping segment would be sufficient for this purpose.

41. **Prior to construction of final design,** Sabine Pass shall file an instrumentation index/list and an alarm and trip (shutdown) index/list, or other approved equivalent

documentation, providing any applicable safe operating limits (upper and lower) and any applicable controller, alarm, and shutdown set points for all applicable instrumentation (e.g., temperature, pressures, flows, and compositions).

42. **Prior to construction of final design,** Sabine Pass shall file cause-and-effect matrices or other approved equivalent documentation for the process instrumentation, fire and gas detection system, and Emergency Shutdown (ESD) system that include the alarm and shutdown functions, and any details of the voting and shutdown logic.

43. **Prior to construction of final design,** Sabine Pass shall file the details of the new or expanded ESD system with proper sequencing and reliability or another system that is demonstrated through a human reliability analysis to provide a means to quickly and reliably shut down the entire plant.

44. **Prior to construction of final design,** Sabine Pass shall specify that all ESD valves are to be equipped with open and closed position switches connected to the Distributed Control System (DCS)/Safety Instrumented System (SIS).

45. **Prior to construction of final design,** Sabine Pass shall file an up-to-date equipment list, process and mechanical data sheets, and specifications. The specifications shall include:

    a. building specifications (e.g., control buildings, electrical buildings, compressor buildings, storage buildings, pressurized buildings, ventilated buildings, blast resistant buildings);
    b. mechanical specifications (e.g., piping, valve, insulation, rotating equipment, heat exchanger, storage tank and vessel, other specialized equipment);
    c. electrical and instrumentation specifications (e.g., power system, control system, SIS, cable, other electrical and instrumentation); and
    d. security and fire safety specifications (e.g., security, passive protection, hazard detection, hazard control, firewater).

46. **Prior to construction of final design,** Sabine Pass shall file a final list of all applicable codes and standards that would be used in the final design, fabrication, construction, commissioning, inspection and testing of the Project facilities, systems, and components that cross references the final specifications and document numbers.

47. **Prior to construction of final design,** Sabine Pass shall file an evaluation of flow induced vibration (FIV) effects from pump operations that demonstrate that FIV effects would not exceed piping and piping support design loads for the LNG tank withdrawal piping for tanks S-104 and S-105. Alternatively, Sabine Pass shall file calculations that demonstrate the increase in flow rates in the LNG storage tank

withdrawal piping would not result in flow induced vibration that could exceed piping design loads or provide visual inspection documentation or measurements that demonstrate there would not be any flow induced vibration that could exceed piping design loads.

48. **Prior to construction of final design,** Sabine Pass shall file an evaluation of ESD valve closure times. The evaluation shall account for the time to detect an upset or hazardous condition, notify plant personnel, and close the ESD valve(s).

49. **Prior to construction of final design,** Sabine Pass shall file an evaluation of dynamic pressure surge effects from valve opening, sudden closure, and pump operations that demonstrate that the surge effects would not exceed the design pressures of the LNG rundown piping, LNG storage tank withdrawal headers, and LNG marine loading lines beyond allowances in ASME B31.3 (2010 edition) or approved equivalent, and that the loads emanated from the pressure surge would not exceed the pipe support design loads.

50. **Prior to construction of final design,** Sabine Pass shall file the finalized basis of design for pipe stress and pipe support design criteria for the Project site. In addition, Sabine Pass shall file pipe stress and pipe support analyses for critical or higher consequence hazardous fluid lines that evaluates all loads in ASME B31.3 (2010 edition) or approved equivalent, including but not limited to external/accidental loads (e.g., vibration near rotating equipment), cryogenic and high-temperature service, slug flow and two phase flow, and other applicable dynamic effects.

51. **Prior to construction of final design**, Sabine Pass shall file an evaluation of the vacuum relieving system on the LNG storage tanks to indicate whether it would be able to handle the vacuum flow effected by this Project.

52. **Prior to construction of final design,** Sabine Pass shall file the sizing basis, relieving capacity, data sheets, and design calculations for the final design of the pressure and vacuum relief valves for major process equipment, vessels, and storage containers and for any vent stacks and flare. The calculations shall be in accordance with NFPA 59A (2001 edition), ASME B31.3 (2010 edition), and ASME BPVC (2025 edition) or approved equivalents and consistent with API 520 (2020 edition) and API 521 (2020 edition), or approved equivalents and the vent stack and flare calculations shall include flammable vapor dispersion and radiant heat at ground levels.

53. **Prior to construction of final design,** Sabine Pass shall file a final fire protection evaluation of the proposed facilities. A copy of the evaluation, a list of recommendations and supporting justifications, and actions taken on the recommendations shall be filed. The evaluation shall justify the type, quantity, and

location of hazard detection and hazard control, passive fire protection, ESD and depressurizing systems, firewater, and emergency response equipment, training, and qualifications in accordance with NFPA 59A (2001 edition). The justification for the flammable and combustible gas detection and flame and heat detection systems shall be consistent with ISA TR84.00.07 (2018 edition) or approved equivalent methodologies and would need to demonstrate 90 percent or more of releases (unignited and ignited) that could result in an off-site or cascading impact would be detected by two or more detectors and result in isolation and de-inventory within 10 minutes. The analysis shall take into account the set points, voting logic, wind speeds, and wind directions. The justification for firewater shall provide calculations for all firewater demands based on design densities, surface area, and throw distance as well as specifications for the corresponding hydrant and monitors needed to reach and cool equipment.

54. **Prior to construction of final design,** Sabine Pass shall file spill containment system drawings with dimensions and slopes of curbing, trenches, impoundments and capacity calculations considering any foundations and equipment within these impoundments. The spill containment drawings shall show containment for all hazardous fluids including all liquids handled above their flashpoint, from the largest flow from a single line for 10 minutes, including de-inventory and 10 minutes of firewater, or the maximum liquid from the largest vessel (or total of impounded vessels) or otherwise demonstrate that providing spill containment would not significantly reduce the flammable vapor dispersion or radiant heat consequences of a spill.

55. **Prior to construction of final design,** Sabine Pass shall file final design drawings and spill sizing calculations for the spill collection and conveyance system, considering vapor formation rates, that demonstrates the existing spill conveyance systems, including their downcomers, would be adequately sized to convey a spill from the increased capacity of the LNG pumps in S-104 and S-105 LNG tanks.

56. **Prior to construction of final design,** Sabine Pass shall file the valve sequencing map for all the LNG loading modes. In addition, Sabine Pass shall file the verification calculations of the probability of failure on demand of the LNG loading valve sequencing interlock designed to avoid the two LNG loading lines from feeding a common segment.

57. **Prior to construction of final design,** Sabine Pass shall file a plot plan of the final design showing all major equipment, structures, buildings, and impoundment systems.

58. **Prior to construction of final design,** Sabine Pass shall file three-dimensional plant drawings that verify the congestion in the three-dimensional plant drawings are consistent with the extent and density of congested areas assumed in the vapor cloud

explosion overpressure modeling, as well as to confirm the plant layout for maintenance, access and egress.

59. **Prior to construction of final design,** Sabine Pass shall file electrical hazardous area classification drawings, including elevation or cross-sectional drawings. The drawings shall demonstrate compliance with NFPA 59A (2001 edition), NFPA 70 (2020 edition), NFPA 497 (2008 edition), and API RP 500 (1997 or 2012 edition) or NFPA 59A (2026 edition), or approved equivalents. Alternatively, in lieu of prescriptive methods consistent with codes and standards above, Sabine Pass shall file technical justification that supports the drawings. The justification shall be performance-based hazard modeling of various release rates from equivalent hole sizes and wind speeds using NFPA 497 (2024 edition) release rate of 1 lb mole per minute, or risk-based methods using EI 15 (2015 edition) Level II or III releases, or approved equivalent.

60. **Prior to construction of final design,** Sabine Pass shall file an analysis of the buildings containing hazardous fluids and the ventilation calculations that limit concentrations below the LFLs, including an analysis of off gassing of hydrogen in battery rooms, and shall also provide hydrogen detectors that alarm (e.g., 20- to 25-percent LFL) and initiate mitigative actions (e.g., 40- to 50-percent LFL) or alarms in the event the ventilation is not functioning as designed, in accordance with NFPA 59A (2001 edition) and NFPA 70 (1999 or 2020 edition, as applicable) or approved equivalents.

61. **Prior to construction of final design,** Sabine Pass shall file final design drawings and details that show process seals or isolations installed at the interface between a flammable fluid system and an electrical conduit or wiring system that meet the requirements of NFPA 59A (2001 edition) and NFPA 70 (1999 or 2020 edition, as applicable).

62. **Prior to construction of final design,** Sabine Pass shall file details of an air gap or vent installed downstream of process seals or isolations installed at the interface between a flammable fluid system and an electrical conduit or wiring. Each air gap shall vent to a safe location and be equipped with a leak detection device that shall continuously monitor for the presence of a flammable fluid, alarm the hazardous condition, and shut down the appropriate systems. Alternatively, Sabine Pass shall file details on a system providing equivalent protection, consistent with NFPA 59A (2026 edition) or approved equivalent, from the migration of flammable fluid through the electrical conduit or wiring.

63. **Prior to construction of final design,** Sabine Pass shall file complete drawings and a list of the hazard detection equipment. The drawings shall clearly show the location and elevation of all detection equipment as well as their coverage area. The list shall include the instrument tag number, type, manufacturer, model, location,

alarm indication locations, and shutdown functions of the hazard detection equipment.

64. **Prior to construction of final design,** Sabine Pass shall file the layout of the low temperature and any other hazard detectors relied upon, along with calculations, confirming that the time to detect and stop a spill would be less than the time for the spill to exceed the capacity of the intended impoundment basin.

65. **Prior to construction of final design,** Sabine Pass shall file a technical review of each facility design that:

    a. identifies all combustion/ventilation air intake equipment;
    b. demonstrates that these areas are adequately covered by flammable or toxic gas detection devices; and
    c. indicates how these hazard detection devices would isolate or shut down any combustion or ventilation equipment whose continued operation could add to or sustain an emergency.

66. **Prior to construction of final design,** Sabine Pass shall file a design that includes hazard detection suitable to detect high temperatures and smoldering combustion products in electrical buildings.

67. **Prior to construction of final design,** Sabine Pass shall file an evaluation of the voting logic and voting degradation for hazard detectors.

68. **Prior to construction of final design,** Sabine Pass shall file a list of alarm and shutdown set points for all hazard detectors that account for the design and calibration gas of the hazard detectors when determining the set points for any flammable and/or toxic components.

69. **Prior to construction of final design,** Sabine Pass shall file facility plan drawings and a list of the fixed, wheeled, and hand-held fire extinguishers, carbon dioxide systems, clean agent systems, and other hazard control equipment. Plan drawings shall clearly show the location and elevation by tag number of all fixed, wheeled, and hand-held extinguishers, carbon dioxide systems, clean agent systems, and other hazard control equipment, and shall demonstrate the spacing of extinguishers meets the prescribed travel distances in NFPA 10 (2022 edition) or approved equivalent, and the basic minimum extinguisher rating, agent capacity, and discharge rate shall meet NFPA 59A (2023 edition) and NFPA 10 (2022 edition) or approved equivalents. The carbon dioxide systems shall meet NFPA 12 (2025 edition) or approved equivalent, and the clean agent systems shall meet NFPA 2001 (2022 edition) or approved equivalent. The hazard control list shall include the equipment tag number, type, manufacturer and model, capacity, equipment covered, discharge rate, and automatic and manual remote signals initiating discharge of the units and

shall demonstrate the agent type, agent capacity, and discharge rates meet NFPA 59A (2023 edition) or approved equivalent.

70. **Prior to construction of final design,** Sabine Pass shall file drawings showing the locations of all ESD buttons. ESD buttons shall be easily accessible, conspicuously labeled, and located in an area which would be accessible during an emergency.

71. **Prior to construction of the final design,** Sabine Pass shall file drawings and specifications for the structural passive cold protection systems, demonstrating that equipment and supports would be adequately protected from low temperature releases below minimum design metal temperatures that may exacerbate the initial hazard, as well as calculations and/or test results, per ISO 20088 (2016 edition, reconfirmed 2022) or approved equivalent. Alternatively, Sabine Pass shall file an analysis demonstrating unignited jetting releases and cold vapor exposure would not cause cascading impacts to piping supports, equipment supports, or other equipment or structures that could exacerbate the initial hazard and result in offsite impacts or provide other mitigation to prevent these cascading impacts.

72. **Prior to construction of final design,** Sabine Pass shall file drawings and specifications for the structural passive fire protection systems to protect equipment and supports from pool fires that may exacerbate the initial hazard and from jet fires of design spills that may exacerbate the initial hazard, where those jet fires are not otherwise mitigated by firewater exposure cooling or other approved equivalents, to preclude failure within burn duration up to 1.5 hours.

73. **Prior to construction of final design,** Sabine Pass shall file ESD valve and cable specifications for electrical, instrument, and control equipment, which would activate emergency systems relied upon for isolation to limit LNG spill volumes into the impoundment system, demonstrating that these ESD system components near spill conveyance areas would withstand a minimum 20-minute fire exposure, per Underwriters Laboratories (UL) 1709 (2024 edition) or approved equivalent, and that these ESD system components near spill impoundments would withstand the potential impoundment fire impacts for up to 1.5 hours. Alternatively, Sabine Pass shall file analyses or test data that demonstrate the ESD system would not fail from LNG fire exposures in any part of the spill conveyance system for at least 10 minutes and in areas near spill impoundments for the burn duration up to 1.5 hours or shall file risk analyses demonstrating the risk of failure would not invalidate the safety integrity level (SIL) 2 rating of these ESD systems.

74. **Prior to construction of final design,** Sabine Pass shall file a detailed quantitative analysis, for Project facility areas and relevant existing and authorized facility areas, demonstrating that adequate mitigation would be provided for each pressure vessel that could fail within the 4,000 BTU/ft^2-hr zone from a pool or jet fire; each critical structural component and emergency equipment item that could fail within the 4,900

BTU/ft^2-hr zone from a pool or jet fire; and each occupied building that could expose unprotected personnel within the 1,600 BTU/ft^2-hr zone from a pool or jet fire. Trucks at truck transfer stations shall be included in the analysis of potential pressure vessel failures. A combination of passive and active protection for pool fires and passive and/or active protection for jet fires shall be provided and demonstrate the effectiveness and reliability. Effectiveness of passive mitigation shall be supported by calculations or test results for the thickness limiting temperature rise over the fire duration, and active mitigation shall be supported by reliability information by calculations or test results, such as demonstrating flow rates and durations of any cooling water would mitigate the heat absorbed by the component to prevent its failure. The total firewater demand shall account for all components that could fail due to a pool or jet fire.

75. **Prior to construction of final design,** Sabine Pass shall file an evaluation and associated specifications, drawings, and datasheets for transformers and transformer fluid demonstrating prevention of cascading damage from transformers (e.g., fire walls or spacing) consistent with NFPA 850 (2026 edition) or approved equivalent.

76. **Prior to construction of final design,** Sabine Pass shall file facility plan drawings showing the proposed location of the firewater systems. Plan drawings shall clearly show the location of firewater piping, post indicator and sectional valves, and the location and area covered by, each monitor, hydrant, hose, water curtain, deluge system, water-mist system, and sprinkler. The drawings shall demonstrate that each process area, fire zone, or other sections of piping with several users can be isolated with post indicator or sectional valves in accordance with NFPA 24 (2022 edition) or approved equivalent. The drawings shall also demonstrate that firewater coverage is provided by at least two monitors or hydrants with sufficient firewater flow to cool exposed surfaces subjected to a fire, with obstructions to firewater flow path and throw distance taken into account. The drawings shall also demonstrate firewater coverage in areas inaccessible or difficult to access in the event of an emergency by automatic or remotely operated monitors, or fixed fire suppression systems. The drawings shall also include piping and instrumentation diagrams of the firewater systems. Drawings of the sprinkler system design shall show coverage in applicable buildings per NFPA 850 (2026 edition) and in applicable closed roofed buildings around the site, per NFPA 13 (2016 edition), or approved equivalents.

77. **Prior to commissioning,** Sabine Pass shall file a detailed schedule for commissioning through equipment startup. The schedule shall include milestones for all procedures and tests to be completed: prior to introduction of hazardous fluids and during commissioning and startup. Sabine Pass shall file documentation certifying that each of these milestones has been completed before authorization to commence the next phase of commissioning and startup will be issued.

78. **Prior to commissioning,** Sabine Pass shall file the operational testing and maintenance procedures for fire protection components prepared consistent with NFPA 59A (2026 edition) or approved equivalent.

79. **Prior to commissioning,** Sabine Pass shall file detailed plans and procedures for: testing the integrity of on-site mechanical installation; functional tests; introduction of hazardous fluids; operational tests; and placing the equipment into service.

80. **Prior to commissioning,** Sabine Pass shall file updated operation and maintenance procedures and manuals, as well as safety procedures, hot work procedures and permits, abnormal operating conditions procedures, simultaneous operations procedures, and management of change procedures and forms.

81. **Prior to commissioning,** Sabine Pass shall file a plan for clean-out, dry-out, purging, and tightness testing. This plan shall address the requirements of the American Gas Association's Purging Manual (2024 edition) or approved equivalent and be consistent with NFPA 59A (2026 edition) section 18.7.5 and subsections or approved equivalents.

82. **Prior to commissioning,** Sabine Pass shall tag all equipment, instrumentation, and valves in the field, including drain valves, vent valves, main valves, and car-sealed or locked valves.

83. **Prior to commissioning,** Sabine Pass shall file a plan to maintain a detailed training log to demonstrate that operating, maintenance, safety, security, and emergency response staff have completed the required training. In addition, Sabine Pass shall file signed documentation that demonstrates training has been conducted, including ESD and emergency response procedures, prior to the respective operation.

84. **Prior to commissioning,** Sabine Pass shall file an Organizational Chart that denotes the operations and maintenance structure and number of operation and maintenance personnel, including support staff. Sabine Pass shall also conduct periodic monitoring and assessments of the staffing levels that include plans to reduce human error caused by periods of overtime, address any identified causes of fatigue, and any related lessons learned and deficiencies consistent with API 755 (2019 edition) or approved equivalent.

85. **Prior to commissioning,** Sabine Pass shall file the procedures for pressure/leak tests of piping which address the requirements of ASME B31.3 (2010 edition) or approved equivalent. In addition, Sabine Pass shall file a line list of pneumatic and hydrostatic test pressures.

86. **Prior to commissioning,** Sabine Pass shall file procedures for pressure/leak tests of pressure vessels, which address the requirements of ASME BPVC Section VIII

(2025 edition) or approved equivalent. In addition, Sabine Pass shall file a list of pneumatic and hydrostatic test pressure. Sabine Pass shall demonstrate that the test pressures consistent with ASME BPVC Section VIII (1992 edition) do not exceed the yield strength of pressure vessels designed to ASME BPVC (1999 or later editions).

87. **Prior to introduction of hazardous fluids,** Sabine Pass shall file pre-startup safety review (PSSR) procedures consistent with AIChE CCPS, *Guidelines for Performing Effective Pre-Startup Safety Reviews* (2007 edition) or approved equivalent, to ensure that installed equipment meets the design and operating intent of the facilities prior to starting up the facilities. Sabine Pass shall complete and document the PSSRs to ensure that installed equipment meets the design and operating intent of the facilities. The PSSRs shall include any changes since the last hazard review have been reviewed and mitigations implemented, operating procedures are in place, and operator training is complete.

88. **Prior to introduction of hazardous fluids,** Sabine Pass shall file complete and document all pertinent tests (Factory Acceptance Tests, Site Acceptance Tests, Site Integration Tests) associated with the DCS and SIS that demonstrates full functionality and operability of the system.

89. **Prior to introduction of hazardous fluids,** Sabine Pass shall file an updated alarm management program to maximize the effectiveness of operator response to alarms in accordance with ISA 18.2 (2016 edition) or approved equivalent.

90. **Prior to introduction of hazardous fluids,** Sabine Pass shall file documentation demonstrating it has completed carbon dioxide system tests in accordance with NFPA 12 (2025 edition) and clean agent acceptance tests in accordance with NFPA 2001 (2022 edition), or approved equivalents.

91. **Prior to introduction of hazardous fluids,** Sabine Pass shall file documentation demonstrating it completed firewater monitor and hydrant coverage tests that verify the firewater coverage of the final design. The actual coverage area from each monitor and hydrant test shall be shown on facility plot plan(s).

92. **After production of first LNG,** Sabine Pass shall file weekly reports on the commissioning of the proposed systems that detail the progress toward demonstrating the facilities can safely and reliably operate at or near the design production rate. The reports shall include a summary of activities, problems encountered, and remedial actions taken. The weekly reports shall also include the latest commissioning schedule, including projected and actual LNG production by each liquefaction train (7, 8, and 9). Further, the weekly reports shall include a status and list of all planned and completed safety and reliability tests, work

authorizations, and punch list items. Problems of significant magnitude shall be reported to FERC within 24 hours.

93. **Prior to commencement of service,** Sabine Pass shall file a request for written authorization from the Director of OEP. Such authorization would only be granted following a determination by the Coast Guard, under its authorities under the Ports and Waterways Safety Act, the Magnuson Act, the Maritime Transportation Security Act of 2002, and the Security and Accountability For Every Port Act, that appropriate measures to ensure the safety and security of the terminal and the waterway have been put into place by Sabine Pass or other appropriate parties. The safety and security of the terminal can be verified through current plan review and examination or approval processes outlined in 33 CFR 127.019 and 33 CFR 105.115.

94. **Prior to commencement of service,** Sabine Pass shall file any proposed revisions to the security plan and physical security of the plant.

95. **Prior to commencement of service,** Sabine Pass shall label piping with fluid service and direction of flow in the field in addition to the pipe labeling requirements of NFPA 59A (2001).

96. **Prior to commencement of service,** Sabine Pass shall file a written management system that it would implement to document and track process safety metrics consistent with API RP 754 (2021 edition) or approved equivalent, including site-specific Tier 4 metrics that include, but are not limited to, whether personnel are trained on or involved in the development of procedures they are assigned, whether supervisors are using only qualified personnel for carrying out procedures, whether personnel are adhering to procedures, whether deviations from procedures are investigated, whether procedural and organizational changes are subjected to management of change requirements, or approved equivalents.

97. **Prior to commencement of service,** Sabine Pass shall file updated plans for any preventative and predictive maintenance program that performs periodic or continuous equipment condition monitoring.

98. **Prior to commencement of service,** Sabine Pass shall file procedures for offsite contractors' responsibilities, restrictions, monitoring, training, and limitations and

for supervision of these contractors and their tasks by Sabine Pass staff Specifically, the procedures shall address:

a. selecting a contractor, including obtaining and evaluating information regarding the contract employer's safety performance and programs;
b. informing contractors of the known potential hazards, including flammable; and toxic release, explosion, and fire, related to the contractor's work and systems they are working on;
c. developing and implementing provisions to control and monitor the entrance, presence, and exit of contract employers and contract employees from process areas, buildings, and the plant;
d. developing and implementing safe work practices for control of personnel safety hazards, including lockout/tagout, confined space entry, work permits, hot work, and opening process equipment or piping;
e. developing and implementing safe work practices for control of process safety hazards, including identification of layers of protection in systems being worked on, recognizing abnormal conditions on systems they are working on, and re-instatement of layers of protection, including ensuring bypass, isolation valve, and car-seal programs and procedures are being followed;
f. developing and implementing provisions to ensure contractors are trained on the emergency action plans and that they are accounted for in the event of an emergency; and
g. monitoring and periodically evaluating the performance of contract employers in fulfilling their obligations above, including successful and safe completion of work and re-instatement of all layers of protection.

In addition, the following measures shall apply throughout the life of the Sabine Pass Terminal Expansion Project.

99. **Throughout the life of the facilities,** the facilities shall be subject to regular FERC staff technical reviews and site inspections on at least an annual basis or more frequently as circumstances indicate. Prior to each FERC staff technical review and site inspection, Sabine Pass shall respond to a specific data request including information relating to possible design and operating conditions that may have been imposed by other agencies or organizations. Up-to-date detailed P&IDs reflecting facility modifications and provision of other pertinent information not included in the semi-annual reports, including facility events that have taken place since the previously submitted semi-annual report, shall be submitted.

100. **Throughout the life of the Project,** Sabine Pass shall file semi-annual operational reports that identify changes in facility design and operating conditions; abnormal operating experiences; activities (e.g., ship arrivals, quantity and composition of imported and exported LNG, liquefied and vaporized quantities, boil off/flash gas);

and plant modifications, including future plans and progress thereof. We recommend abnormalities to be reported include, but not be limited to:

a. unloading/loading/shipping problems;
b. potential hazardous conditions from offsite vessels;
c. storage tank stratification or rollover;
d. geysering;
e. higher than predicted boil off rates;
f. storage tank pressure excursions (high or low);
g. negative pressure (vacuum) within a storage tank;
h. relative movement of storage tank inner vessels;
i. cold spots on the storage tanks;
j. storage tank vibrations and/or vibrations in associated cryogenic piping;
k. storage tank settlement;
l. significant equipment or instrumentation malfunctions or failures;
m. non-scheduled maintenance or repair (and reasons therefore);
n. hazardous fluids releases;
o. fires involving hazardous fluids and/or from other sources; and
p. adverse weather conditions and the effect on the terminal.

We recommend these reports be submitted within 45 days after each period ending June 30 and December 31. In addition to the above items, a section entitled "Significant Plant Modifications Proposed for the Next 12 Months (dates)" shall be included in the semi-annual operational reports. Such information would provide the FERC staff with early notice of anticipated future construction/maintenance at the LNG facilities.

101. **Throughout the life of the Project,** significant non-scheduled events, including safety-related incidents (e.g., LNG, condensate, refrigerant, or natural gas releases; fires; explosions; mechanical failures; unusual over pressurization; and major injuries) and security-related incidents (e.g., attempts to enter site, suspicious activities) shall be reported to the FERC staff. In the event that an abnormality is of significant magnitude to threaten public or employee safety, cause significant property damage, or interrupt service, notification shall be made immediately, without unduly interfering with any necessary or appropriate emergency repair, alarm, or other emergency procedure. In all instances, notification shall be made to the FERC staff within 24 hours. This notification practice shall be incorporated into the liquefaction facility's emergency plan. Examples of reportable hazardous fluids-related incidents include:

a. fire;
b. explosion;
c. estimated property damage of $50,000 or more;
d. death or personal injury necessitating in-patient hospitalization;

e. release of hazardous fluids for 5 minutes or more;
f. unintended movement or abnormal loading by environmental causes, such as an earthquake, landslide, or flood, that impairs the serviceability, structural integrity, or reliability of an LNG facility that contains, controls, or processes hazardous fluids;
g. any crack or other material defect that impairs the structural integrity or reliability of an LNG facility that contains, controls, or processes hazardous fluids;
h. any malfunction or operating error that causes the pressure of a pipeline or LNG facility that contains or processes hazardous fluids to rise above its maximum allowable operating pressure (or working pressure for LNG facilities) plus the build-up allowed for operation of pressure-limiting or control devices;
i. a leak in an LNG facility that contains or processes hazardous fluids that constitutes an emergency;
j. inner tank leakage, ineffective insulation, or frost heave that impairs the structural integrity of an LNG storage tank;
k. any safety-related condition that could lead to an imminent hazard and cause (either directly or indirectly by remedial action of the operator), for purposes other than abandonment, a 20 percent reduction in operating pressure or shutdown of operation of a pipeline or an LNG facility that contains or processes hazardous fluids;
l. safety-related incidents from hazardous fluids transportation occurring at or en route to and from the LNG terminal; or
m. an event that is significant in the judgment of the operator and/or management even though it did not meet the above criteria or the guidelines set forth in an LNG facility's incident management plan.

In the event of an incident, the Director of OEP has delegated authority to take whatever steps are necessary to ensure operational reliability and to protect human life, health, property, or the environment, including authority to direct the LNG terminal to cease operations. Following the initial company notification, FERC staff would determine the need for a separate follow-up report or follow up in the upcoming semi-annual operational report. All company follow-up reports shall include investigation results and recommendations to minimize recurrence of the incident.