

U.S. Department of Energy
Categorical Exclusion Determination
Office of Fossil Energy and Carbon Management



LAKE CHARLES LNG EXPORT COMPANY, LLC
DOCKET NOS. 13-04-LNG and 16-109-LNG

PROPOSED ACTION DESCRIPTION: Lake Charles LNG Export Company, LLC (Lake Charles LNG Export) filed an "Application for an Amendment to Extend the Commencement of Operations Deadline" (Extension Application) with the Office of Fossil Energy and Carbon Management (FECM) (formerly the Office of Fossil Energy)¹ on April 17, 2025, pursuant to section 3 of the Natural Gas Act (NGA)² and 10 CFR Part 590 of the Department of Energy's (DOE) regulations.

In the Extension Application, Lake Charles LNG Export seeks to amend its existing long-term authorizations to export domestically produced liquefied natural gas (LNG) under DOE/FECM Order Nos. 3868³ and 4010,⁴ both as previously amended. Under Order Nos. 3868 and 4010, as amended, Lake Charles LNG Export is currently authorized to export LNG transported by vessel in a total combined volume equivalent to 851 billion cubic feet per year (Bcf/yr) of natural gas⁵ from the Lake Charles Terminal located in Lake Charles, Louisiana, for a term ending on December 31, 2050. As relevant here, Lake Charles LNG Export is authorized to export this LNG to any country with which the United States does not have a free trade agreement (FTA) requiring national treatment for trade in natural gas, and with which trade is not prohibited by U.S. law or policy (non-FTA countries).⁶

In the Extension Application, Lake Charles LNG Export asks DOE to amend Order Nos. 3868 and 4010 to extend its current deadline to commence exports under the orders from December 16, 2025, to December 31, 2031.

Additionally, to align the authorizations with DOE's current practice, DOE is proposing to amend Order Nos. 3868 and 4010 to allow three additional years for Lake Charles LNG Export to export the approved non-FTA

¹ The Office of Fossil Energy (FE) changed its name to the Office of Fossil Energy and Carbon Management (FECM) on July 4, 2021.

² 15 U.S.C. § 717b.

³ *Lake Charles LNG Export Co., LLC*, DOE/FE Order No. 3868, Docket No. 13-04-LNG, Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel From the Lake Charles Terminal in Calcasieu Parish, Louisiana, to Non-Free Trade Agreement Nations (July 29, 2016), *amended by* DOE/FE Order No. 3868-A (Oct. 6, 2020) (extending export commencement deadline to Dec. 16, 2025), *requested amendment denied by* DOE/FECM Order No. 3868-B (Apr. 21, 2023) (denying second commencement extension), *reh'g denied*, DOE/FECM Order No. 3868-C (June 21, 2023), *amended by* DOE/FECM Order No. 3868-D (Nov. 1, 2023) (extending export term).

⁴ *Lake Charles LNG Export Co., LLC*, DOE/FE Order No. 4010, Docket No. 16-109-LNG, Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel From the Lake Charles Terminal in Lake Charles, Louisiana, to Free Trade and Non-Free Trade Agreement Nations (June 29, 2017), *amended by* Order No. 4010-A (Oct. 6, 2020) (amending the term of FTA export authorization and extending export commencement deadline in non-FTA authorization to Dec. 16, 2025), *requested amendment denied by* DOE/FECM Order No. 4010-B (Apr. 21, 2023) (denying second commencement extension), *reh'g denied* DOE/FECM Order No. 4010-C (June 21, 2023), *amended by* DOE/FECM Order No. 4010-D (Nov. 1, 2023) (extending export term).

⁵ Lake Charles LNG Export is authorized to export LNG in a volume equivalent to 730 Bcf/yr of natural gas under Order No. 3868, and 121 Bcf/yr under Order No. 4010, for a total of 851 Bcf/yr of natural gas in authorized exports.

⁶ 15 U.S.C. § 717b(a). Under Order No. 4010, as amended, Lake Charles LNG Export is also authorized to export 121 Bcf/yr of LNG to FTA countries under NGA section 3(c), 15 U.S.C. § 717b(c), on a non-additive basis. Neither the FTA portion of Order No. 4010 nor Lake Charles LNG Export's separate FTA authorization in Docket No. 13-04-LNG is subject to this categorical exclusion determination.

volume of LNG under Order Nos. 3868 and 4010 beyond the export term ending on December 31, 2050.⁷ This three-year period, known as the Make-Up Period, would extend through December 31, 2053. Lake Charles LNG Export would not be permitted to increase its annual non-FTA export volume (a total of 851 Bcf under both orders) over the three-year Make-Up Period absent appropriate authorization by DOE.

DOE's proposed action is to grant the requested amendments to Order Nos. 3868 and 4010 if DOE determines that there is good cause to extend the export commencement deadline and that adding the Make-Up Period is necessary and proper and not inconsistent with the public interest. If granted, the amended authorizations would extend the commencement deadline of the export term under Order Nos. 3868 and 4010 to December 31, 2031, and would include the Make-Up Period, subject to certain terms and conditions set forth in the orders.

CATEGORICAL EXCLUSION APPLIED: B5.7 - Export of natural gas and associated transportation by marine vessel

For DOE procedures regarding categorical exclusions, including the full text of each categorical exclusion, see 10 CFR 1021.102 and Appendix B in 10 CFR Part 1021, as well as Section 5.4 and Appendices B and C of DOE's National Environmental Policy Act (NEPA) Implementing Procedures (June 30, 2025).⁸

Regulatory requirements and guidance in 10 CFR 1021.102 and DOE's NEPA Implementing Procedures, respectively: (See full text in regulation and DOE's NEPA Implementing Procedures)

[✓] The proposal fits within a class of actions that is listed in Appendix B to 10 CFR Part 1021 or Appendix B or C of DOE's NEPA Implementing Procedures.

[✓] There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal.

[✓] The proposal has not been segmented to meet the definition of a categorical exclusion.

Based on my review of the proposed action, as NEPA Compliance Officer, I have determined that the proposed action fits within the specified class(es) of action, the other requirements and guidance set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

Signature: **BRIAN LAVOIE**
 Digitally signed by BRIAN LAVOIE
Date: 2025.08.20 10:17:08 -04'00'

Date Determined: **8/20/25**

Brian Lavoie, NEPA Compliance Officer, Office of Fossil Energy and Carbon Management

⁷ See *Port Arthur LNG Phase II, LLC*, DOE/FECM Order No. 5292-A, Docket No. 20-23-LNG, Order Amending Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (June 30, 2025) (reinstating three-year Make-Up Period).

⁸ DOE's NEPA Implementing Procedures can be viewed at <https://www.energy.gov/nepa/articles/doe-nepa-implementing-procedures-june-2025>.