

**UNITED STATES OF AMERICA
BEFORE THE
DEPARTMENT OF ENERGY**

Argent LNG, LLC

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FECM Docket No. 26-28-LNG

**ANSWER OF ARGENT LNG, LLC IN OPPOSITION TO MOTION TO INTERVENE
AND PROTEST OF THE CENTER FOR BIOLOGICAL DIVERSITY**

I. Introduction

Pursuant to Sections 590.303(e) and 590.304(f) of the Rules of Practice and Procedure of the Department of Energy (“DOE”),¹ Argent LNG, LLC (“Argent”) respectfully offers this timely answer in opposition (“Answer”) to the May 25, 2026 Motion to Intervene and Protest of the Center for Biological Diversity (“Center”).² The Center’s Protest expresses opposition to Argent’s March 10, 2026 application³ for authorization from the DOE Hydrocarbons & Geothermal Energy Office (“HGEO”) to export LNG from the Argent LNG Project (the “Project” or “Terminal”) to countries with which the United States has a free trade agreement, as well as countries with which the United States does not have a free trade agreement, but trade is not prohibited (“non-FTA” countries). For the reasons discussed below, Argent respectfully requests that DOE/HGEO deny the Center’s motion to intervene and dismiss their arguments raised in the Protest.

In support of this Answer, Argent states the following:

¹ 10 C.F.R. §§ 590.303(e) & 590.304(f) (2024).

² *Argent LNG, LLC*, Request to Intervene and Protest of Center for Biological Diversity, DOE/FECM Docket No. 26-28-LNG (May 26, 2026) (“Protest”).

³ *Argent LNG, LLC*, Application of Argent LNG, LLC for Long-Term Authorization to Export Liquefied Natural Gas to Free Trade and Non-Free Trade Agreement Countries, DOE/FECM Docket No. 26-28-LNG (Mar. 10, 2026) (“Application”).

II. Background

Argent incorporates by reference the background discussion of the Project provided in the Application.⁴ On May 26, 2026, the Center filed the Protest, which largely offered comments in opposition to the Project.

III. Procedural Issues

A. The Center Fails to Confirm to DOE Regulations Regarding Intervention

To the extent that the Center’s filing seeks to be a formal motion to intervene in Argent’s proceeding, the Center has failed entirely to adhere to DOE’s requirements for intervention, and its motion should therefore be denied. Specifically, Section 590.303 of DOE’s regulations provides that “[a]ny...person who seeks to become a party to a proceeding shall file a motion to intervene, which *sets out clearly and concisely the facts upon which the petitioner’s claim of interest is based.*”⁵ In seeking to intervene, however, the Center does not attempt to demonstrate how the proposal in front of DOE — specifically Argent’s request for authorization to export LNG as a commodity — harms the Center or their members. Regarding intervention, the Center only states that they “file[] this request to Intervene and Protest on behalf of our hundreds of members who live in Louisiana.” The Center does not provide *any* additional information regarding their interest in this proceeding, or how Argent’s proposed exports would impact their members. Moreover, the vast majority of the Center’s comments in opposition to the Project raise issues germane to the siting, construction, and operation of the Project.⁶ As Argent touches on in greater detail below, it is well settled that issues related to the construction and operation of an LNG export terminal such as Argent’s is strictly within the jurisdiction of the Federal Energy

⁴ Application at 3-5.

⁵ 10 C.F.R. §590.303(b) (emphasis added).

⁶ See Protest at 2-9.

Regulatory Commission (“FERC”); whereas DOE’s authority is limited to the export of LNG as a commodity. The Center’s concerns regarding the physical impacts siting, constructing, and operating the Project cannot serve as legitimate justification for an intervention in a DOE proceeding statutorily limited to considering the export of LNG as a commodity. Accordingly, the Center has failed to meet DOE’s simple requirements for intervention, and Argent respectfully requests DOE deny the Center’s motion to intervene.

B. The Center Fails to Justify Their Request for an Extended Comment Period and Public Hearing

Additionally, the Center asserts that “[t]he potential health, economic, and environmental impacts of Argent LNG...warrant an extension of the public comment period for this docket, and for an opportunity for the public to submit testimony as part of a public hearing.”⁷ The Center does not, however, explain how DOE’s 60-day comment period was insufficient or otherwise prevented their active participation in this proceeding. Similarly, no other commenter or interested party has shared the Center’s view that an extension of the comment period is necessary.

Regarding the Center’s request for a public hearing to discuss the Application, the Center similarly ignores DOE’s procedural rules for seeking a formal hearing. Under DOE regulations, you must formally request the use of “additional procedures” and provide DOE specific information justifying the need for such procedures in order to be granted a formal hearing.⁸ While the information required depends on the type of additional procedure requested (not that the Center identified what additional procedures it felt was necessary), generally DOE requires the movant seeking additional procedures identify the issues of material fact to be addressed

⁷ Protest at 2-3.

⁸ 10 C.F.R. § 590.310.

during these procedures, and how the additional procedures will advance the proceeding or otherwise resolve the issue.⁹ The Center failed to comply with any of these requirements, and therefore DOE/HGEO should dismiss these requests summarily.

IV. **Answer**

The Center’s substantive comments offer DOE/HGEO nothing more than concerns regarding the physical impacts of the Project – which are solely within the jurisdiction of FERC to consider – or unsupported assertions regarding purported negative economic impacts of LNG exports in general. For the reasons discussed below, DOE/HGEO should have little trouble rejecting these arguments.

A. **Concerns Regarding Impacts from the Siting, Construction, and Operation of the Project are Entirely Outside the Scope of this Proceeding**

As noted above, the bulk of the Center’s comments focus on concerns over the physical impacts of the Project. Specifically, the Center raises concerns regarding the proposed location of the Project, safety considerations, and impacts to threatened and endangered species.¹⁰ The Center, as a frequent litigant of FERC and DOE orders regarding the liquefaction and export of natural gas, is no doubt aware that DOE and FERC have shared—though distinct—authority over the liquefaction and export of domestically produced LNG. The D.C. Circuit explained this sharing of authority succinctly in *Sierra Club v. FERC*, providing that “[DOE] maintains exclusive authority over the export of natural gas as a commodity” but that FERC has authority to “approve or disapprove the construction and operation” of LNG export terminals.¹¹

⁹ See generally 10 C.F.R. § 590.311-.313.

¹⁰ Protest at 1-8.

¹¹ 827 F.3d 36, 40-41 (D.C. Cir. 2016) (“*Freeport I*”).

Thus, the Center’s concerns regarding impacts from the siting, construction, and operation of the Project will appropriately be addressed by FERC and other state and federal agencies as appropriate, and are far outside the scope of this proceeding. To the extent that the Center expressed concerns regarding the impacts of the marine transportation of LNG by vessel, DOE has already concluded that “transport of natural gas by marine vessel normally does not pose the potential for significant environmental impacts” and appropriately categorically excluded the transport of natural gas by marine vessel from environmental review under the National Environmental Policy Act.¹² The Center expressed no opposition to the categorical exclusion in the Protest.

B. There is no Evidence that Increased U.S. LNG Exports Negatively Impact Domestic Natural Gas Prices

Finally, the Center briefly expresses concern that increased exports of natural gas will then increase domestic natural gas prices.¹³ In making this argument, the Center provides not even an iota of empirical data supporting its position or otherwise connecting LNG exports to domestic natural gas prices.¹⁴ Instead, the Center simply urges DOE/HGEO to deny Argent’s application because of their generalized concerns about energy prices.¹⁵

It goes without saying that DOE/HGEO should dismiss these comments summarily. As DOE has explained in its Response to Comments on the 2024 LNG Export Study¹⁶ “U.S.

¹² See 10 C.F.R. Part 1021, Subpt. D, App. B, Categorical Exclusion B5.7. This categorical exclusion amended the prior B5.7 categorical exclusion. See U.S. Dep’t of Energy, National Environmental Policy Act Implementing Procedures; Final Rule, 85 Fed. Reg. 78,197 (Dec. 4, 2020); *see also Commonwealth LNG, LLC*, Final Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations, DOE/FECM Order No. 5238-A at pp. 39-41 (Docket No. 19-134-LNG) (Aug. 29, 2025) (“Commonwealth Authorization”).

¹³ Protest at 8-9.

¹⁴ *Id.*

¹⁵ *Id.* at 9.

¹⁶ U.S. Dep’t of Energy, Office of Fossil Energy & Carbon Management, Energy, Economic, and Environmental Assessment of U.S. LNG Exports: Response to Comments (May 19, 2025),

domestic natural gas supply is sufficient to meet domestic and market-based global demand for U.S. natural gas, including LNG, in all scenarios.”¹⁷ Given the size of our domestic natural gas supply, DOE concluded that any impacts on domestic natural gas prices from LNG exports – including increased LNG exports through 2050 – would be “relatively modest.”¹⁸ The Center does not provide any information to refute DOE’s findings, or even make reference to DOE’s Response to Comments in its Protest. For these reasons, DOE should reject the Center’s comments on this issue.

V. Conclusion

WHEREFORE, for the foregoing reasons, DOE should deny the Center’s motion to intervene and reject their comments, and find that Argent’s Application is not inconsistent with the public interest.

Respectfully submitted,

/s/ Timothy J. Furdyna

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Dated: June 10, 2026

https://www.energy.gov/sites/default/files/2025-05/2024%20LNG%20Export%20Study_Response%20to%20Comments_Final_05.19.2025.pdf (“Response to Comments”).

¹⁷ Response to Comments at 47.

¹⁸ Response to Comments at 46, 48.

CERTIFICATE OF SERVICE

I certify that I have this 10th day of June, 2026, serviced copies of the foregoing document filed with DOE/HGEO on the designated representatives of all of the parties to this proceeding, in accordance with 10 C.F.R. § 590,107(a).

Dated: June 10, 2026

/s/ Timothy J. Furdyna
Timothy J. Furdyna
Counsel for Argent LNG, LLC

**UNITED STATES OF AMERICA
BEFORE THE DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY AND CARBON MANAGEMENT**

In the Matter of

Argent LNG, LLC

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VERIFICATION

I, Jonathan Bass, declare that I am the Chairman and Chief Executive Officer for Argent LNG, LLC and am duly authorized to make this Verification; that I have read the foregoing instrument and that the facts therein stated are true and correct to the best of my knowledge, information, and belief.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed in New York, NY on June 10, 2026.

/s/ Jonathan Bass
Jonathan Bass
Chairman and CEO
Argent LNG, LLC