

Legislative Work Group

January 28, 2026



CARBON CAPTURE
IMPACT

Agenda

2026 Political and Congressional Outlook

- Permitting Reform
- FY2027 Appropriations
- Potential Budget Resolution and Budget Reconciliation Process

Upcoming Hearings

EPA GHGRP Repeal / Treasury Safe Harbor Updates

FY2027 Appropriations Planning

Legislative Proposal: CO2 Pipeline Permitting

Congressional / Political Outlook



FY26 Appropriations (January 30th
deadline)

Permitting Reform

FY27 Appropriations

Updates on Budget Reconciliation 2.0

Congressional Hearings

- Senate EPW: Hearing to Examine the Federal Environmental Review and Permitting Processes, Part II
 - (Today) Wednesday, January 28
- House E&C Energy Subcommittee: Oversight of FERC: Advancing Affordable and Reliable Energy for All Americans
 - Tuesday, February 3



Updates on EPA GHGRP / Treasury Safe Harbor

- **Next Steps on Safe Harbor Guidance:**
 - CCC/CURC drafting supplemental letter to thank Treasury for acting quickly while identifying gaps in the guidance to send in early February
 - The letter will be accompanied by a redline of the guidance notice that addresses the gaps in accordance with the Coalition's/CURC's initial model guidance submitted in December
 - Regulatory & Guidance Work Group meeting: Wednesday, February 4 at 2pm ET

GHGRP Update:

- **Timing:** EPA likely to turn to GHGRP after final endangerment finding rule
- Working with Rep. Carol Miller (R-WV) on House-counterpart to the Sens. Cramer/Whitehouse letter to EPA; staff are reviewing and revising a letter drafted by Impact staff
- Conversations continue regarding codifying parts, or the entirety of GHGRP in statute; More to share at next meeting

Appropriations Planning

FY2026 Flags:

- Bipartisan PROVE IT Act language included in final Energy & Water Development bill
- The Committee directs NETL to conduct a study to determine the average emissions intensity of certain goods produced in the United States compared to those from other countries.
- Report to include:
 - List of covered products
 - Description of the methodology used
 - Record of all data sources used

Fiscal Year 2027:

- Impact staff gathering priorities from Impact members for FY27 appropriations over the next few weeks
 - Impact will send a survey to members to share initial thoughts and organizational priorities for the upcoming appropriations cycle
- Based on responses and supplemental conversations, Impact staff will develop potential appropriations requests for discussion during our second February legislative work group meeting

Proposal Overview

Optional Federal Permitting Pathway

- Provides developers of interstate pipelines that transport captured carbon dioxide the **option** to obtain a certificate from the **Federal Energy Regulatory Commission (FERC)** to site, construct, and operate such facilities.
- The FERC certificate would confer on a pipeline the **same rights and benefits enjoyed by an interstate natural gas pipeline** that obtains a certificate from FERC under the Natural Gas Act (NGA).

Rate Regulation

- Pipelines that choose to obtain FERC siting authority would be **subject to regulation of rates and services**.
- *(Modification)* Certificated pipelines may only charge rates that they have posted publicly, unless granted an exemption by FERC. FERC can **only order rate changes in response to complaint** and after finding that a tariff provision or practice is unjust, unreasonable, or unduly discriminatory.

NGA Processes

- Incorporates NGA mechanisms for coordination, hearings, rehearings, and judicial review.