

Federal Hydrogen Pipeline Regulatory Authorities: U.S. Senate Energy & Natural Resources Committee Hearing



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The United States Senate Committee on Energy & Natural Resources held a July 19th hearing titled:

Federal Hydrogen Pipeline Regulatory Authorities (“Hearing”)

The stated purpose of the *Hearing* was to:

... examine federal regulatory authorities governing the development of interstate hydrogen pipelines, storage, import, and export facilities.

Hydrogen is relevant to Arkansas as the state entered into what it described as a “bipartisan three-state partnership” to establish a regional hub for development, production, and use of clean hydrogen as a fuel in manufacturing feedstock. The other states in the partnership are Oklahoma and Louisiana. The three states announced their intention to compete as a unit for funding established in the Infrastructure, Investments and Job Act of 2021 which tasks the United States Department of Energy to select regional clean hydrogen hubs for funding.

The federal legislation specified that the hubs should be selected by the Department of Energy based on:

- Mix of feedstock available to produce hydrogen
- Available users of hydrogen
- Geographic locations
- Potential effects on employment

Governor Hutchinson appointed Arkansas Secretary of Energy & Environment Becky Keogh as his designee to serve in the partnership.

Senate Energy & Natural Resources Committee Chairman Manchin opened the July 19th meeting by noting the Hearing would discuss:

- Interstate infrastructure needed for hydrogen to play a significant role in a cleaner energy future
- Outlook for developing the infrastructure (including repurposing existing infrastructure to transport hydrogen)
- Statutory and regulatory frameworks affecting such projects
- Need to ensure clarity and predictability regarding the laws that apply to interstate energy projects
- Clean hydrogen’s ability to decarbonize energy intense sectors, promote United States economic prosperity and provide energy security whether produced from fossil fuels with carbon capture, renewable energy through electrolysis, or nuclear energy

- Limited options for commercial transportation of hydrogen exist (hydrogen reacts differently with steel than natural gas)
- Potential to adapt some of the natural gas delivery network in the near-term to support a blend of hydrogen and natural gas
- \$8 billion in funds for regional hydrogen hubs in the bi-partisan infrastructure bill will be provided and the term “hub” means that more than one state can be involved
- A compelling argument for the Federal Energy Regulatory Commission to play a role for interstate hydrogen infrastructure similar to its responsibilities for natural gas and pipelines exists
- The Natural Gas Act will play at least some role in the hydrogen economy
- Ensuring the safety of hydrogen pipelines is absolutely critical and the responsibility of the United States Department of Transportation’s Pipeline and Hazardous Materials Safety Administration

Witnesses testifying at the Hearing included:

Dr. Holly Krutka

Executive Director of the School of Energy Resources

The University of Wyoming

Mr. Andy Marsh

President & CEO

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Richard E. Powers, Jr., Esq.

Partner and Head of the Energy Practice Group

Venable LLP

Mr. Chad Zamarin

Senior Vice President, Corporate Strategic Development

Williams

Witnesses' testimony can be found [here](#):