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President Trump Signs Two Executive Orders to Enhance Pipeline Production

ENERGY & RESOURCES

BY SCHNEIDER DOWNS PROFESSIONAL

On April 10, 2019, President Donald Trump signed two executive orders that seek to make it simpler for energy companies to build oil and gas pipelines and enhance domestic energy production. The first order allows the Environmental Protection Agency (EPA) to analyze guidance associated with pipeline production in order to make it more difficult for states to intervene in pipeline production. The second order clarifies that the president is exclusively responsible for approvals on cross-border pipeline and infrastructure projects. Previously, this was the responsibility of the secretary of state.

The first of the two orders, which was signed by President Trump in Crosby, Texas at the International Union of Operating Engineers' International Training and Education Center, aims to make it harder for states to block new pipeline projects for environmental concerns. This order requests that the EPA meet with the states and local tribes before creating new rules for complying with the Clean Water Act. Currently, Under Section 401 of the Clean Water Act, companies must obtain certifications for each state in which they are building federally approved infrastructure.

The purpose of the second order is to speed up the production of energy projects that cross international borders. As it currently stands, the secretary of state is responsible for issuing permits for such projects. This order will shift that power to the president. When speaking at a large rally in Texas, President Trump pledged to eliminate the bureaucratic burdens around obtaining approvals for these projects, and reiterated that pipeline approvals will take no longer than 60 days.

These executive orders were not met without criticism from both sides of the aisle after they were executed. Many state government officials fear that through these orders the federal government is infringing upon their rights. Environmental organizations also voiced their concerns over these orders, fearing that the possible damage from these pipelines will have an adverse effect on water quality and the environment. Legal battles are sure to arise in the near future. Please visit us for more updates on energy legislation, which will be monitored closely here by the experts at Schneider Downs.

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