



*Via Electronic Filing*

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**RE: AGA’s Comment on Agency Information Collection Proposed Extension, 85 Fed. Reg. 23511 (April 28, 2020)**

Mr. Kopalek:

The American Gas Association (“AGA”) appreciates the opportunity to comment on the U.S. Energy Information Administration’s (“EIA”) Agency Information Collection Extension regarding the surveys in the Natural Gas Data Collection Program (“Notice”).<sup>1</sup>

The American Gas Association, founded in 1918, represents more than 200 local energy companies that deliver clean natural gas throughout the United States. There are more than 75 million residential, commercial and industrial natural gas customers in the U.S., of which 95 percent — more than 71 million customers — receive their gas from AGA members. Today, natural gas meets more than 30 percent of the United States' energy needs. AGA and its members are directly affected by the EIA information collection request because our members respond to EIA natural gas surveys. Furthermore, AGA and its members rely on EIA data issuances for publications and market analyses.

In the Notice, EIA seeks input on whether to extend the use of various forms filed by natural gas industry participants, including AGA members. While EIA’s Notice concerns several forms, these comments provide input on two forms: EIA-176 - Annual Report of Natural and Supplemental Gas Supply & Disposition; and EIA 191L - Monthly Liquefied Natural Gas Storage Report.

## **I. AGA Supports the Proposed Changes to Form EIA-176**

As stated in the Notice, Form EIA-176 collects data on natural, synthetic, and other supplemental gas supplies, their disposition, and certain revenues by state.<sup>2</sup> EIA proposes to modify the survey instructions to include “producers of renewable natural gas or biogas, including landfill collection facilities, agricultural digesters, and wastewater treatment

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<sup>1</sup> *Agency Information Collection Proposed Extension*, 85 Fed. Reg. 23511 (April 28, 2020).

<sup>2</sup> Notice at 23512.

facilities.”<sup>3</sup> Additionally, EIA seeks to add producers of renewable natural gas and biogas as respondents to Form EIA-176 because these facilities produce and consume gas in electric power generation, vehicle fuel, and other applications and are in the scope for the reporting frame.<sup>4</sup>

AGA supports EIA modifying its survey and related instructions to include renewable natural gas. As discussed in more detail below, AGA supports the collection of renewable natural gas data.<sup>5</sup> AGA recommends that EIA consider a separate form specifically for renewable natural gas, but if that is not warranted at this time, EIA should collect the relevant data on Form EIA-176. Due to the increased availability of renewable natural gas over the last few years and the expected growth in the sector, AGA believes a new survey specifically applicable to renewable natural gas is warranted. Over the last several years there has been growing interest in and use of renewable natural gas by natural gas utilities and customers, and these activities are expected to increase over time. While adding renewable natural gas to Form EIA-176 is one method to obtain such information, establishing a separate form to gather information on renewable natural gas will help market participants, policymakers, and other consumers of EIA data better understand changes in the industry over time.

Whether EIA collects the relevant data via a new separate renewable natural gas form or via an updated Form EIA-176, EIA should define what is encompassed by the term “renewable natural gas.” The current instructions for Form EIA-176 include a working definition of synthetic natural gas, but not “renewable natural gas.” To improve the quality, utility, and clarity of the information the agency collects, AGA recommends adding a separate definition for renewable natural gas in the instructions. Specifically, AGA recommends that EIA use the following definition for renewable natural gas for its forms and instructions:

pipeline compatible gaseous fuel derived from biogenic or other renewable sources that has lower lifecycle carbon dioxide equivalent (CO<sub>2</sub>-eq) emissions than geological natural gas.<sup>6</sup>

The foregoing definition is how AGA defines “renewable natural gas” and it was developed by the natural gas utility sector,<sup>7</sup> with the explicit intent to be inclusive of all current and potential renewable natural gas feedstocks and production technologies.<sup>8</sup> Furthermore, the proposed definition broadly encompasses gaseous fuel derived from biomass or other renewable

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<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> In these comments AGA uses the term “renewable natural gas” to include “pipeline compatible gaseous fuel derived from biogenic or other renewable sources that has lower lifecycle carbon dioxide equivalent (CO<sub>2</sub>-eq) emissions than geological natural gas.”

<sup>6</sup> American Gas Foundation, *Renewable Sources of Natural Gas: Supply and Emissions Reduction Assessment* (Dec. 2019), <https://www.gasfoundation.org/wp-content/uploads/2019/12/AGF-2019-RNG-Study-Executive-Summary-Final-12-18-2019-AS-1.pdf>.

<sup>7</sup> The definition proposed was developed by AGA and its members, and other stakeholders as a broad consensus definition. Individual companies may recognize additional specifications or requirements pertaining to gas quality standards on their operating systems.

<sup>8</sup> The definition for “renewable natural gas” should be separate and distinct from the definition for “biogas.” The terms are not interchangeable. Biogas is the raw gas that has not been conditioned and is not pipeline quality. In comparison, and as discussed herein, the term “renewable natural gas” refers to pipeline compatible gas.

sources that is interchangeable with geologic or other traditionally sourced natural gas. Recognizing the significant prospects for growth in the renewable natural gas market, particularly within the commercial, residential, and industrial sectors of the economy, AGA urges EIA to be forward-looking in its development of a new specific renewable natural gas form or updating Form EIA-176. Specifically, EIA should not limit the collection of renewable natural gas data to the proposed three production methods, but rather begin by defining “renewable natural gas” and recognizing the multitude of feedstocks and production technologies that could be used today, and in the future, to produce renewable natural gas. The use of the broad, forward-looking definition of renewable natural gas proposed by AGA will alleviate the need to make ongoing revisions as new renewable natural gas feedstocks and production methods become commercialized.

Today, renewable natural gas can be produced from nine different feedstocks and three production technologies. The feedstocks include landfill gas, animal manure, water resource recovery facilities, food waste, agricultural residues, forestry and forest product residues, energy crops, the use of renewable electricity, and the non-biogenic fraction of municipal solid waste.<sup>9</sup> The feedstocks are assumed to be processed using one of three technologies to produce renewable natural gas, including anaerobic digesters, thermal gasification systems, and power-to-gas in combination with a methanation system.<sup>10</sup> Incorporating an inclusive definition of renewable natural gas in the form instructions will provide flexibility for including technologies in use today, as well as those developed in the future.

Additionally, AGA generally supports the American Biogas Council’s recommendations to EIA to also collect certain additional data regarding renewable natural gas, with some refinements.<sup>11</sup> Specifically, EIA should collect data on: (a) the “end use” of the renewable natural gas, AGA recommends that this information be collected via broad usage sectors, *i.e.*, utilities, transportation, power generation, and industrial; (b) the method of getting the renewable natural gas to market, such as by pipeline, trucking, or transmitted as electricity; and (c) the location of consumption, such as the state or region of consumption.<sup>12</sup> Regarding the source of the renewable natural gas, EIA should consider collecting data on the various renewable natural

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<sup>9</sup> *Id.* at 1.

<sup>10</sup> *Id.*

<sup>11</sup> The American Biogas Council’s comments seek data on renewable natural gas and/or biogas. As discussed above, “renewable natural gas” and “biogas” refer to different commodities; therefore, EIA should differentiate between the two in its forms and instructions. AGA’s comments and requests, discussed herein, relate to “renewable natural gas,” as defined above.

<sup>12</sup> AGA recommends that EIA provide guidance either in the applicable form instructions or in any related “frequently asked questions” that would eliminate any potential for duplication, over-counting or under-counting of renewable natural gas. It may be difficult for some filers to know what entities are consuming the renewable natural gas because customers may or may not wish to provide it and filers may not know with specificity the location of ultimate consumption. Additionally, EIA should understand that for operational reasons when renewable natural gas is added to a inter or intrastate pipeline or delivery system it is mixed with other gas and may displace other gas that would have been consumed in a location. Filers should attempt to provide accurate information; however, the operation of the transportation system and the overall market will need to be understood by EIA and the data viewed in light of the practical reality of how the system operates.

gas feedstocks and production technologies. This data would be important to market participants and policymakers as it will illustrate and track the renewable natural gas market. As production and demand for the commodity grows it will be essential to understand the supply chain and end uses for the product.

## **II. AGA Requests a Modification of the Reporting Frequency for Peak Shaving LNG Facilities**

EIA proposes to add a new survey, Form EIA–191L, Monthly Liquefied Natural Gas Storage Report to collect natural gas inventory storage data from approximately 90 operators of liquefied natural gas (LNG) facilities.<sup>13</sup> AGA recommends that EIA include a definition for the term “LNG storage facility” or otherwise clarify those facilities that are required to file Form EIA–191L. Additionally, AGA requests that EIA modify the reporting frequency for this form or exempt certain facilities from the monthly filing requirement. For example, EIA could collect the data annually from LNG facilities. Alternatively, EIA could exempt certain facilities, such as LNG peak shaving facilities, from the monthly filing requirement and collect the data on an annual basis.

The proposed instructions for Form EIA–191L state that the form must be completed by “all companies that operate underground natural gas storage fields or liquefied natural gas (LNG) storage facilities in the United States.”<sup>14</sup> AGA recommends that EIA further clarify the scope of the LNG storage facilities that will be required to file Form EIA-191L. EIA should clarify if the form is to be filed by facilities certified and operating under the Natural Gas Act and/or state regulated facilities, or if there are any facilities, by virtue of their operational characteristics, that are not required to file the form.

The benefits derived from annual reporting for LNG peak shaving facilities would be the same as monthly reporting, but would be less burdensome for filers. Specifically, with regard to peak shaving facilities, these units are used by natural gas utilities to supplement the normal supply of pipeline gas during periods of high demand.<sup>15</sup> Moreover, peak shaving plants, according to the Pipeline and Hazardous Materials Safety Administration, have significantly less LNG storage capacity than import and export terminals, but are strategically located in the pipeline system to ensure adequate supplies of natural gas when demand is at its peak.<sup>16</sup> Furthermore, for utilities, storage levels are dependent on weather and, therefore, monthly reporting may not be warranted during periods when the facilities are not being utilized, *i.e.*, on a monthly basis there may not be a substantial change. Due to the intended use of such facilities, *i.e.*, to provide the gas that a utility or other customer may need to get through an unexpectedly high-demand period, it is unclear whether there is a significant benefit to reporting monthly as opposed to annually, and if the burden of frequent submissions is merited. Given that EIA has

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<sup>13</sup> Notice at 23512.

<sup>14</sup> EIA Survey Form 191-L Proposed Instructions,

[https://www.eia.gov/survey/form/eia\\_191l/proposed/2020/instructions.pdf](https://www.eia.gov/survey/form/eia_191l/proposed/2020/instructions.pdf).

<sup>15</sup> AGA Glossary, <https://www.aga.org/natural-gas/glossary/p/> (last visited June 18, 2020).

<sup>16</sup> Pipeline and Hazardous Materials Safety Administration, LNG Facility Siting,

<https://www.phmsa.dot.gov/pipeline/liquified-natural-gas/lng-facility-siting> (last visited June 18, 2020).

not stated how the benefit of receiving the monthly information outweighs the burden of providing it, AGA recommends that EIA modify the instructions so that filers submit the form annually instead of monthly or reduce the frequency for filers only reporting LNG peak shaving information.

AGA also requests that EIA ensure that any confidential or sensitive business information related to the LNG storage facilities that submit information is not released. Currently, for underground natural gas storage data, EIA aggregates the information and releases it by region or state, as applicable. However, for LNG storage facilities it may be the case that only one of such facilities, or a limited number of such facilities, is in a state or in a region. AGA's concern is that with one facility in a state (or region), it will be easy to identify that particular facility and its data. Further, if there are only a couple of facilities in a state (or region), the facility specific data will be easily ascertainable. To avoid the release of sensitive information EIA should consider aggregating any released LNG storage facility data by broad geographic area or other pertinent grouping. For example, the data could be aggregated by broad geographic locations such as U.S. Gulf Coast, Eastern U.S. and Western U.S.

The American Gas Association respectfully requests that EIA consider these comments in this proceeding. AGA urges that EIA incorporate the above recommendations in its surveys to assist market participants, policymakers, and filers.

Respectfully submitted,



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