The American Council of Engineering Companies (ACEC) is the oldest and largest representative body of the engineering industry, numbering more than 5,000 firms and representing more than 500,000 employees engaged in every aspect of the energy marketplace, from nuclear, fossil and renewable electricity generation, storage, transmission and distribution to oil and gas production and processing for liquid transportation fuels and chemical feedstocks.

Our primary recommendation is to significantly shorten the time for completion of reviews and permitting for energy projects. In addition, ongoing efforts to address cyber security challenges in the energy supply chain should be undertaken with care to avoid imposing uninsurable liability.

Key recommendations:

- National Environmental Policy Act (NEPA) reviews need to be subject to reasonable time constraints, with no more than 2 years as a goal. Currently NEPA delays average 5 years. CEQ should issue new guidance or regulations, along with other federal agencies of jurisdiction, including DOE, to achieve a 2-year NEPA process limitation. Categorical exclusions for various energy infrastructure should be expanded. It is estimated that a two-year process would add dozens of additional energy infrastructure projects at approximately $70 billion of investment. Legislation may also be needed to effectively assure such limitations.

- Federal Energy Regulatory Commission (FERC) hydroelectric and natural gas infrastructure permitting processes need to be streamlined. Hydro-project reviews take 30 months on average. Natural gas pipeline projects reviews take 18 to 22 months. Federal agencies with jurisdiction need to participate in concurrent reviews and be held accountable for meeting deadlines. DOE could use its authority, such as Section 403 of the Department of Energy Organization Act, to bring FERC attention to this issue. Legislation may also be needed.

- DOE working groups on energy supply chain cyber security technology, standards and guidance should include representatives of the engineering industry (inasmuch as they are ultimately contracted to undertake the energy infrastructure design. Currently owners, operators, manufacturers, national labs are on such working groups). Engagement with engineering firms in the supply chain at the working group level is needed to avoid regulatory confusion and inefficiencies (i.e., FERC Order 829). These working groups typically are managed under the Office of Electricity Delivery and Energy Reliability, or Office of Intelligence and Counterintelligence.