



DOE-SPR-EIS-0075-SA-04

**OPERATIONAL AND ENGINEERING
MODIFICATIONS AND REGULATORY REVIEW**

**SUPPLEMENT ANALYSIS OF SITE-SPECIFIC AND
PROGRAMMATIC ENVIRONMENTAL
IMPACT STATEMENTS**

U.S. Department of Energy
Strategic Petroleum Reserve
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Strategic Petroleum Reserve Project Management Office

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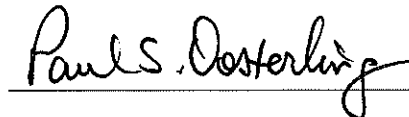
DETERMINATION

In accordance with the National Environmental Policy Act (NEPA) and Council on Environmental Quality's (CEQ) and Department of Energy's (DOE) implementing NEPA regulations, the DOE Strategic Petroleum Reserve Project Management Office (SPRPMO) prepared this Supplement Analysis (SA) to evaluate whether the programmatic (including site-wide) Environmental Impact Statements (EISs) and Environmental Assessments (EAs) adequately address the current project operations or if supplementing the existing or preparing new NEPA documents is required.

This SA was prepared in accordance with CEQ regulation 40 CFR 1502.9(c) and DOE regulation 10 CFR 1021.330(c) that require the reevaluation of site-wide EISs at least every five years.

DOE has determined that the current configurations and processes of the SPR sites do not constitute a significant change from those evaluated in the original site-wide and programmatic EISs and EA, and thus, do not affect the existing Records of Decision (RODs). As well, the current regulatory environment does not constitute new information and represents no significant un-assessed impacts. Therefore, no further NEPA documentation is required.

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Acronyms

APD – Air Permits Division
Bbls – Barrels
BC – Bayou Choctaw
BH – Big Hill
BM – Bryan Mound
CEQ- Council for Environmental Quality
CFR – Code of Federal Regulations
CUP – Coastal Use Permit
CX – Categorical Exclusion
CZMA – Coastal Zone Management Act
CZMP – Coastal Zone Management Plan
Degas - oil degasification
DES – Draft Environmental Statement
DOE – Department of Energy
E&C – Engineering and Construction
EA – Environmental Assessment
ECPs – Engineering Change Proposals
EEZ – Exclusive Economic Zone
EFH – Essential Fish Habitat
EIS – Environmental Impact Statement
EMS – Environmental Management System
EO – Executive Order
EPA – Environmental Protection Agency
ES&H – Environmental Safety and Health
ESA – Endangered Species Act
ESR – Early Storage Reserve
F&WS – Fish and Wildlife Service
FEA – Federal Energy Administration
FES – Final Environmental Statement
FMP – Fisheries Management Plan
FONSI – Finding of No Significant Impact
GOM – Gulf of Mexico
ICF – ICF Consulting
ISO – International Organization for Standardization
LA – Louisiana
LAC – Louisiana Administrative Code
LAELP – Louisiana Environmental Leadership Program
LCRP – Louisiana Coastal Resources Program
LE – Life Extension
µg - Micrograms

M3 – Cubic Meters
M&O – Management and Operations
MMB – Million Barrels
MOC – Management and Operations Contractor
MS - Mississippi
NEPA – National Environmental Policy Act
nmi – nautical mile(s)
NOAA – National Oceanic and Atmospheric Administration
O&E – Operations and Engineering
OPA – Oil Pollution Act
OSHA – Occupational Safety and Health Administration
P-Track – Performance Track Program
P2 – Pollution Prevention
PTSA – Port and Tanker Safety Act
RCRA – Resource Conservation and Recovery Act
RCT – Railroad Commission of Texas
ROD – Record of Decision
RONR – Record of NEPA Review
RWIS – Raw Water Intake Structure
SA – Supplement Analysis
SDWA – Safe Drinking Water Act
SEIS – Supplemental EIS
Shell – Shell Pipeline Company
SIA – Socioeconomic Impact Assessment
SM - Sulphur Mines
SME – Subject Matter Expert
SPR – Strategic Petroleum Reserve
SPRPMO - Strategic Petroleum Reserve Project Management Office
SJ – Oil Distribution River Terminal at St. James, LA
SWAP – Source Water Assessment Program
TAC – Texas Administrative Code
TCEQ – Texas Commission on Environmental Quality, formerly TNRCC – Texas
Natural Resources Conservation Commission
TX – Texas
UIC – Underground Injection Control
URL – Uniform Resource Locator
USACE – U.S. Army Corps of Engineers
USCG – U.S. Coast Guard
VPP – Voluntary Participation Program
VTSS – Vessel Traffic Service/Separation
WH – West Hackberry
WI – Weeks Island

I. Introduction

The Department of Energy (DOE) Strategic Petroleum Reserve Project Management Office (SPRPMO) has prepared this Supplement Analysis (SA) to evaluate site-wide National Environmental Policy Act (NEPA) documents prepared under the Code of Federal Regulations (10 CFR §1021.330. This section regulates Environmental Impact Statements (EISs) prepared for large, multiple facility DOE sites, of which the Strategic Petroleum Reserve (SPR) has four. Title 10 further stipulates that DOE shall evaluate these site-wide NEPA documents by means of a SA. The SA shall determine whether the existing EIS and Record of Decision (ROD) remain adequate, or whether a new site-wide EIS or a supplement to the existing EIS is appropriate. No time constraints are given for document preparation. Final determination shall be made available in DOE public reading rooms or other suitable location(s) for a reasonable time. Site-wide EISs and Environmental Assessments (EAs) must be evaluated every five years.

The SPR does not have site-wide EAs for active sites. The SPR does have programmatic EAs. One of these programmatic EAs was assessed and included in this document. Additionally, due to reliance on inter-and intrastate pipelines to distribute oil receipts, programmatic EISs prepared for the SPR are also evaluated in this document. Site-wide and programmatic reports are both broad in scope and cover individual and cumulative impacts of DOE sites. Therefore, this document evaluates site-wide and programmatic EISs and one programmatic EA.

SPR sites are utilized for oil storage and/or distribution. Two criteria have been identified to accurately assess site's current state relative to NEPA compliance with the existing EISs and EAs. The criteria were selected based on the interpretation of DOE's NEPA policies, SPR history and the best professional judgment of the Management and Operations Contractor (MOC) environmental staff. The criteria are:

1. Operational and Engineering (O&E) modifications including process changes and capacity; and
2. Regulatory amendments and enactments including but not limited to state and Federal Statutes and Regulations, Federal Executive Orders (EOs), agency guidance, amendments to 10 CFR or 40 CFR, etc.

DOE applies the NEPA review process early in the planning stages for DOE proposals. DOE adopted 10 CFR §1021 (NEPA Implementing Procedures), that requires through local DOE Order, SPRMO O 451.1D, and MOC procedure ASI5400.15, a review of all SPR projects in their early stages to ensure that environmental impacts and requirements are adequately evaluated. This includes the evaluation of conceptual design reports, definitive engineering scopes, statements of work, design reviews, purchase requisitions, work or service orders, and engineering change proposals (ECPs). Most SPR projects are addressed in an existing NEPA document, or fall into the Categorical Exclusion (CX)

category that suggests the NEPA document be a Record of NEPA Review (RONR). For a few projects, if not addressed by a RONR, a higher level of NEPA review may be required. This will impact the planning process by triggering an EA and/or an EIS.

II. Strategic Petroleum Reserve Project Background

The creation of the SPR was mandated by Congress as part of the Energy Policy and Conservation Act on December 22, 1975. The objective of the SPR is to provide the United States with petroleum should a supply disruption occur. At its inception, the DOE (then the Federal Energy Administration [FEA]) evaluated the potential impacts of its mission. The evaluation resulted in a programmatic EIS (FES-76-2) that addressed the potential environmental impacts of the SPR. This EIS identified 32 potential crude oil storage sites throughout the contiguous United States. This number was reduced to eight with consideration of the timely application of the Early Storage Reserve (ESR).

Five sites were chosen based on their immediate availability for the ESR and because they could be used or developed for permanent storage. The sites were then evaluated for the purpose and needs of the ESR and the SPR, the potential impacts of the initial implementation of the SPR program, and the long-term operation of the sites. The initial site-specific evaluations resulted in five draft EISs (DES 76-4 through DES-76-8) that were subsequently finalized (FES 76/77-4 through FES 76/77-8). After the development of the initial sites, significant changes occurred that resulted in the current locations and configuration of the SPR. A list of EISs and EAs since the last SA is provided as Attachment A, as evidence of the SPR's continuous compliance with NEPA. Additional references are included as Attachment B.

The crude oil currently stored by the SPR in salt caverns along the Louisiana (LA) and Texas (TX) Gulf Coast serves to mitigate the effects of a significant oil supply interruption. Due to the location of the reserves, oil can be distributed through interstate pipelines, shipping tankers or transported via barge to more remote refineries. Currently, the SPR consists of four Gulf Coast underground salt dome oil storage facilities. Two are in LA: Bayou Choctaw and West Hackberry. Two are in TX: Bryan Mound and Big Hill. The SPR operates a project management facility and a warehouse in LA and a warehouse facility within the Stennis Space Center (Stennis) in Mississippi.

Four DOE storage sites will be evaluated for NEPA compliance in this document. The Weeks Island (WI) site, St. James (SJ) site, and DOE-occupied facilities that are leased from third parties (such as the SPR Headquarters and warehouse in New Orleans and the Stennis warehouse) will not be addressed in this document. These sites are not DOE-owned/operated and are not covered by the ongoing DOE NEPA process.

III. New Information

Changes evaluated and considered in the preparation of this SA are from calendar years 2014 through 2018. During this timeframe, there were 208 assessed actions under NEPA; of these actions, 204 were CXs, and four were EAs, all of which resulted in Findings of No Significant Impact (FONSIIs). Additionally, two large endeavors were initiated by the SPR within this timeframe: (1) congressionally mandated oil sales and (2) the Life Extension 2 (LE 2) project.

The United States Congress mandated that the SPR sell oil from FY 2017 through FY 2028. During this timeframe, it is anticipated that approximately 296 million barrels of oil will be sold from three of the SPR sites. While oil sales affect the operation of the SPR, they do not affect the impacts assessed under NEPA.

In August 2016, the DOE published a Long-Term Strategic Review (LTSR) of SPR capabilities and infrastructure. The LTSR compared current operational capability to Level 1 Technical and Performance Criteria in order to identify gaps within the storage site's infrastructure and distribution system necessary to provide the published delivery rate, now and for the next 25 years. The results indicated that a significant investment in infrastructure and process equipment is critical to ensure the SPR can maintain readiness, meet mission requirements, and operate in an environmentally responsible manner. The SPR LE 2 Project was developed to address these requirements. Completion of the SPR LE 2 Project will extend SPR key equipment and infrastructure capabilities for an additional 25 years and ensure the ability to meet the required drawdown rate. The SPR LE 2 Project involves work at all four SPR Sites. The components of the LE 2 project were evaluated in an EA (DOE-EA-2073 Final SPR LE-II EA).

Analysis of Significance

Determination of significance under the Council on Environmental Quality (CEQ) guidelines is a function of both the context and intensity (40 CFR §1508.27) of the effects of the modifications and is dependent on best professional judgment. In support of this SA, the determination of significance was focused on eight of the ten criteria identified in the CEQ guidelines as indicative of the potential intensity of the modification relative to significance. These specifications are:

- The degree to which the proposed action affects public health or safety;
- The degree to which the effects on the quality of the human environment are likely to be highly controversial;
- The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks;
- The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration;

- Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small parts;
- The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources;
- The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973; and
- Whether the action threatens a violation of Federal, state, or local law or requirements imposed for the protection of the environment. [40 CFR §1508.27(b)]

IV. Analysis in this SA

This SA includes the analysis of site-specific modifications, including operational and engineering modifications and capacity, regulatory review, and socioeconomic variations. Refer to Attachment D for NEPA- Final Storage Capacities.

Site-Specific Modifications

Bayou Choctaw

Based on the review of the CXs and the EA performed for the site during the subject timeframe, the following changes have been approved and may or may not have been completed at BC.

Operational and Engineering Modifications:

- Improve Off-site Bridge to Cavern 102
- Install Packaged Central HVAC Units for Building 423
- Site Road Access to BC Caverns 19, 101, 102 and Bailey Bridge
- Upgrade ADAS System Servers and Workstations
- Upgrade and Automate Brine Disposal Well Valves and Flow Meters
- Upgrade Brine Disposal Well MCC & MCC Electrical Service
- Degas Plant
- Replace & Relocate High-Speed Barriers
- Modify pond with cover inlet screens to booster pumps and eliminate the freshwater source
- Correct Relief Valve Vibration Failures on MOV-03 Valves
- Replacement of Building 413

- Upgrades to AFFF System

Capacity

No changes in capacity were considered during the last five years.

Big Hill

Based on the review of the CXs and the EA performed for the site during the subject timeframe, the following changes have been approved and may or may not have been completed at BH.

Operational and Engineering Modifications:

- BH Anhydrite Pond Closure
- Increase Supply Volume to Seal Flush Tank BHT-9
- Plug body Drains on Underground Gate Valves
- Security Bldg. 815 Drainage Improvement
- Reconfigure RWIS Recycle Line
- Upgrade PIG Launcher Equipment at BH & Sun Terminal
- Remote Control for Pipeline Valve BH-3
- Site Building Upgrades, Phase 2
- Upgrade ADAS System Server and Workstations
- Lighting Upgrades at BH
- RWIS Infrastructure Upgrades at BH
- Upgrade of 34.5kV Relaying in Main Substation Relay Building
- BH Simultaneous Distribution to Chevron/Unocal, Shell, and Sun
- Correct Relief Valve Vibration Failures on MOV-03 Valves

Capacity

No changes in capacity were considered during the last five years.

Bryan Mound

Based on the review of the CXs and the EAs performed for the site during the subject timeframe, the following changes have been approved and may or may not have been completed at BM.

Operational and Engineering Modifications:

- Modify BMT-3 Roof Drain System
- Convert BMT-2 to an External Floating Roof Tank
- BM Wellhead 5C Cellar Demolition
- Upgrade ADAS System Server and Workstation
- Convert BMT-4 to an External Floating Roof Tank
- Emergency Response Boom Deployment Boat Dock at Blue Lake
- Upgrade Wood to Steel Lighting Poles
- RWIS Infrastructure Upgrades
- RWIS Channel Upgrades to Prevent Silt Buildup

- Plug Body Drains on Underground Gate Valves
- Correct Relief Valve Vibration Failures on MOV-03 Valves

Capacity

No changes in capacity were considered during the last five years.

West Hackberry

Based on the review of the CXs and the EAs performed for the site during the timeframe, the following changes have been approved and may or may not have been completed at WH.

Operational and Engineering Modifications:

- Site Building Upgrades (Phase 3) (E2P2)
- Correct Relief Valve Vibration Failures on MOV-03 Valves
- Pipe Cavern WH-105 to the Sour Header
- Improve Launcher/Receiver Vent and Drain System
- Lighting Upgrades at West Hackberry
- Upgrade ADAS System Servers and Workstations
- Enhance Access to Remote Pipeline Valve Stations
- Replace and Relocate High-Speed Barriers
- RWIS Infrastructure Upgrades at WH
- Redundant Power Feed to RWIS from Ellender Substation
- Marine Service Center
- Recomplete/Replace Brine Disposal Wells
- Brine Disposal Pipeline Replacement
- Plug body Drains on Underground Gate Valves

Capacity

No changes in capacity were considered during the last five years.

Assessment of the current operations and engineering characteristics and capacity indicate that the configuration and inventory remain within the scope of impacts and capacity addressed in the original site-wide, programmatic and supplemental EISs or site-specific EAs, and subsequent RONR such as CXs.

Regulatory Review

The environmental department updated the regulatory review section of the 2014 SA for the SPR. Attachment C contains a list of the major environmental laws and other requirements applicable to the SPR, including one new Executive Order addressing sustainability.

Site-Specific Applicability

No significant changes occurred on the site-specific level. Therefore, no additional review was performed.

Programmatic Applicability

In May of 2018, a new sustainability-related executive order, EO 13834 (Efficient Federal Operations), was enacted and revoked EO 13693 (Planning for Federal Sustainability in the Next Decade). The SPR was tasked with implementing the requirements of EO 13834. The MOC, under the supervision of the SPRPMO, is in the process of preparing an implementation/execution plan for EO 13834. Each year the SPR Sustainability Planning Committee oversees the identification, selection, scheduling, budgeting, and implementation of projects and activities that support the sustainability program. A Site Sustainability Plan is submitted to the DOE every year.

A list of Federal statutes, regulations, and EOs applicable to the SPR with potential NEPA relevance is provided as Attachment C of this document. It also contains a reference to laws and regulations from LA, MS and TX. As a part of the compliance and regulatory review process, the FFPO Environmental Department conducts a monthly review of all changes to applicable Federal, state, and local laws, rules, and regulations. This review utilizes a web-based service that provides a list of changes published in the Federal Register and the State Registers that may apply to the SPR. The results of these reviews are published quarterly in the ES&H Standards List and maintained electronically in the SPR document control system. Therefore, to conserve space in this SA, the entire list is not included but may be provided upon request.

Socioeconomic Variations

A review of the basic changes of the socio-economic conditions in the locations of the SPR sites was performed. The occurrence of several named storms during the years under review by this SA had significant impacts in the areas of the SPR sites. The presence of the SPR had minimal impacts on the area when compared to these weather events. In some instances, the SPR has a temporary positive effect on socioeconomics, due to the number of construction projects being conducted.

V. Summary, Conclusions, and Recommendations

A complete review of the SPR site configurations, operational and engineering modifications, capacities, state and Federal regulatory requirements and socioeconomic impacts was conducted. This review demonstrated that the minor changes to the operational and engineering modifications and site capacities do not meet the definition of significant under the CEQ criteria. The review also verified that the SPR operates within state and Federal regulations and statutes and does not have a negative impact on the socioeconomics of the surrounding areas.

In conclusion, the review supports a determination that the SPR currently operates within the scope of potential impacts evaluated in the original and supplemental EISs and EAs and that the RODs resulting from these are still valid and applicable to SPR operations.

No further assessment is necessary, and the preparation of a new EIS or Supplement EIS is not recommended.

ATTACHMENT A: EIS/EA SUMMARY

Strategic Petroleum Reserve EIS/EA Summary (CY 2014 through CY 2018)													
Type of Document	Document Title	Public Record Number	Date of Completion	Sites Addressed/ Affected	Scope of Document	Associated NEPA Documents	Original in Library						
EA	Environmental Assessment for Bryan Mound Raw Water Intake Structure Channel Upgrades to Prevent Silt Buildup	DOE/EA-2079	June 2018	Bryan Mound	Impacts of RWIS channel upgrades		Yes						
EA	Finding of No Significant Impact and Final Environmental Assessment for the Strategic Petroleum Reserve Repair/Enhancement of Access to Remote Pipeline Valve Stations West Hackberry, Calcasieu and Cameron Parishes, Louisiana	DOE/SPR/EA-2040	December 2016	West Hackberry	Improve access to four valve stations for the SPR-WH pipeline		Yes						
EA	Environmental Assessment for Strategic Petroleum Reserve Life Extension-II (SPR LE-II) Work Packages	DOE/EA-2073	April 2018	All Sites	Analyze impacts of Life Extension 2 project	DOE-EA-0954 DOE-EA-2040	Yes						
EA	Environmental Assessment for the Brine Disposal Pipeline Replacement Project associated with the Strategic Petroleum Reserve, West Hackberry Facility, Cameron Parish, Louisiana	DOE/EA-2039	February 2017	West Hackberry	Replace Brine Disposal Pipeline		Yes						
<p>Notes:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">EA = Environmental Assessment</td> <td style="width: 50%;">SA = Supplement Analysis</td> </tr> <tr> <td>NA = Not Applicable</td> <td></td> </tr> <tr> <td>EIS = Environmental Impact Statement</td> <td>SEIS = Supplemental Environmental Impact Statement</td> </tr> </table>								EA = Environmental Assessment	SA = Supplement Analysis	NA = Not Applicable		EIS = Environmental Impact Statement	SEIS = Supplemental Environmental Impact Statement
EA = Environmental Assessment	SA = Supplement Analysis												
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ATTACHMENT B: REFERENCES

Applicable Department of Energy and Strategic Petroleum Reserve NEPA documentation

Records of NEPA Review can be found in the Strategic Petroleum Reserve Electronic Library and/or Project Files.

FEA FES 76/77-6 Final Supplement to Final Environmental Impact Statement, Strategic Petroleum Reserve, Bryan Mound Salt Dome, Brazoria County, Texas

FEA-DES-77-6 Final Statement to Final Environmental Impact Statement Strategic Petroleum Reserve, Sulphur Mines

FEA-DES-77-10 and FEA-FES-76/77-6 Final Environmental Impact Statement Strategic Petroleum Reserve, Seaway Group Salt Domes (Bryan Mound expansion, Allen, Nash, Damon Mound, and West Columbia) Brazoria County, Texas, Volumes I-III

FEA-DES-77-9 Final Environmental Impact Statement Strategic Petroleum Reserve, Capline Group Salt Domes (Iberia, Napoleonville, Weeks Island Expansion, Bayou Choctaw Expansion, Chacahoula) Iberia, Iberville, and Lafourche parishes, Louisiana Volumes I-IV

FEA-DES-77-8 Final Environmental Impact Statement Strategic Petroleum Reserve, Texoma Group Salt Domes (West Hackberry Expansion, Black Bayou, Vinton, Big Hill) Cameron and Calcasieu parishes, Louisiana and Jefferson County, Texas Volumes I-V

FEA-FES-76-2 Final Supplement to Final Environmental Impact Statement, Strategic Petroleum Reserve, Expansion of Reserve

DOE/EIS-0021, 0029 Draft Supplement to Final Environmental Impact Statements, Strategic Petroleum Reserve, Phase III Development Texoma and Seaway Group Salt Domes (West Hackberry and Bryan Mound Expansion, Big Hill Development) Cameron Parish, Louisiana and Brazoria and Jefferson Counties, Texas

DOE/EIS-0021, 0029 Final Supplement to Final Environmental Impact Statements, Strategic Petroleum Reserve, Phase III Development Texoma and Seaway Group Salt Domes (West Hackberry and Bryan Mound Expansion, Big Hill Development) Cameron Parish, Louisiana and Brazoria and Jefferson Counties, Texas

PB 261 799, PB 261 700, DOE/EIS-0034, FEA/S-76/502, FEA/S-76/503 Draft Environmental Impact Statement on the Expansion of the Strategic Petroleum Reserve, Alabama, Louisiana, Mississippi, and Texas

FES 76-2 Final Environmental Impact Statement Volumes I – III

PB 257 506/ FES 76-5 Final Environmental Impact Statement for Bayou Choctaw Salt Dome

FES 76/77-6 Final Environmental Statement on the Bryan Mound Salt Dome

FES 76/77-8 Final Environmental Impact Statement for Weeks Island Mine

FEA 76/77-4 Supplement Final Environmental Impact Statement West Hackberry Salt Dome

FES 76-5 Supplement to Final Environmental Impact Statement for Bayou Choctaw Salt Dome

FES 76/77-10 Final Environmental Impact Statement for Ironton Mine

FES 76/77-9 Final Environmental Impact Statement for Central Rock Mine

FEA 76/77-7 and FES 76/77-8 Supplement to Final Environmental Impact Statements for Weeks Island/Cote Blanche Mines

FES 77-2 Final Environmental Impact Statement for Kleer Mine

FES 76-5 Strategic Petroleum Reserve. Final Environmental Impact Statement. West Hackberry Salt Dome

PB 263 051 Strategic Petroleum Reserve. Statement for Cote Blanche Mine

Preliminary Draft- September 1991 Draft Environmental Impact Statement on the Expansion of the Strategic Petroleum Reserve
DOE/EA-0151 Environmental Assessment for Decommissioning the Strategic Petroleum Reserve Weeks Island Facility, Iberia Parish, Louisiana
DOE/REA-0252 Environmental Assessment, Strategic Petroleum Reserve, Seaway Complex Distribution Enhancements, Brazoria, Galveston, and Brazoria Counties, Texas
DOE/EA-0252 Revised Environmental Assessment Strategic Petroleum Reserve Seaway Complex Distribution Enhancements, Brazoria, Galveston, and Harris Counties, Texas
DOE/EA-0272 Environmental Assessment, Strategic Petroleum Reserve, Texoma Complex Distribution Enhancements, Orange and Jefferson Counties, Texas and Calcasieu and Cameron Parishes, Louisiana
DOE/EA-0299 Revised Environmental Assessment, Strategic Petroleum Reserve, Seaway Complex Distribution Enhancements, Brazoria, Galveston, and Harris Counties, Texas
DOE/EA-0401 Environmental Assessment Strategic Petroleum Reserve Sulphur Mines Decommissioning and Big Hill Expansion, Calcasieu Parish, Louisiana and Jefferson County, Texas
DOE/EA-0804 Environmental Assessment of the Brine Pipeline Replacement for the Strategic Petroleum Reserve Bryan Mound Facility in Brazoria County, Texas
DOE/EA-0954 Environmental Assessment of Oil Degasification at Four Strategic Petroleum Reserve Facilities in Texas and Louisiana
DOE/EA-1003 Environmental Assessment on the Leasing of the Strategic Petroleum Reserve St. James Terminal, St. James Parish, Louisiana
DOE/EA-1251 Environmental Assessment of Bayou Choctaw Pipeline Extension to Placid Refinery, Iberville and West Baton Rouge Parishes, Louisiana
DOE/EA-1254 Environmental Assessment of Bayou Choctaw Pipeline Extension to Placid Refinery, Iberville and West Baton Rouge Parishes, Louisiana
DOE/EA-1289 Environmental Assessment for the Strategic Petroleum Reserve, Big Hill Facility, Storage of Commercial Crude Oil Project, Jefferson County, Texas
FE-0221P Report to the Congress on Candidate Sites for Expansion of the Strategic Petroleum Reserve to One Billion Barrels
DOE/EA-1497 Environmental Assessment for the Strategic Petroleum Reserve: West Hackberry Facility Raw Water Intake Pipeline Replacement

Literature

2005 U.S. Department of Energy, Environment, Safety and Health, Office of NEPA Policy and Compliance. Recommendations for the Supplement Analysis Process.

Internet Resources

Unites States Code and Code of Federal Regulations at www.cyberregs.com
The U.S. Census Bureau Website, <http://www.census.gov/>
U.S. Department of Energy NEPA Website, <http://www.gc.energy.gov/NEPA/>
CEQ NEPAnet, <http://ceq.hss.doe.gov/nepa/nepanet.htm>

Major Cases Interpreting the National Environmental Policy Act, *Marsh v. Oregon Natural Resources Council*, 490 U.S. 360, 109 S.Ct. 1851 (1989) (companion case to *Robertson v. Methow Valley Citizens Council*), *National Indian Youth Council v. Watt*, 664 F.2d 220 (10th Cir. 1981), citing *Concerned Citizens v. Secretary of Transportation*, 641 F.2d 1, 6 (1st Cir. 1981)

ATTACHMENT C: REGULATORY REVIEW

Laws and Associated Regulations, and Executive Orders with Potential NEPA Relevance

EAs and EISs completed under NEPA consider a wide range of potential impacts to humans and the environment. Federal laws and the associated regulations and EOs, focus on protecting a particular resource (e.g., endangered species) or a particular environmental media (e.g., air, water, drinking water). The combination of NEPA and relevant laws, regulations, and orders, ensures that Federal agencies consider the potential effects of the proposed action on environmental resources and media. As specified in DOE regulations, 10 CFR §1021.341, DOE is required to integrate the NEPA process and coordinate NEPA compliance with other environmental review requirements to the fullest extent possible in accordance with the CEQ regulations for implementing NEPA, 40 CFR §1500.4(k) and (o), 1502.25, and 1506.4.

The SPR operates four crude oil storage sites; two in TX and two in LA. This SA is being conducted to evaluate the SPR as required in 10 CFR §1021.330 (d): the DOE shall, every five years, evaluate site-wide NEPA documents prepared under 10 CFR §1021.330. A SA was prepared in 2014, which covered activities through 2013. The 2014 SA evaluated all previous NEPA work on the SPR along with all laws applicable to the project. This regulatory review picks up where the previous SA stopped (2014 through 2018). Our analysis of both NEPA regulations and judicial precedents indicates that changes in laws, regulations, and executive orders will not be sufficient reason to require a Supplemental EIS.

The major laws that may have an impact on SPR operations are listed below. A primary criterion for the selection was whether the Act or EO provided a way to identify a potentially affected segment of the human population or environment.

For all Acts, Executive Orders, and State Laws and Regulations listed below, there have been no changes affecting the SPR since the last SA and no further actions or activities would be required by the SPR for compliance.

Acts

Safe Drinking Water Act of 1974

Port and Tanker Safety Act of 1978

Clean Air Act of 1963, as amended 1970 and 1990.Coastal Zone Management Act of 1972

National Marine Sanctuaries Act of 1972

Magnuson Act of 1976, as amended Magnuson-Stevens Act of 1996

Endangered Species Act of 1973

Resource Conservation and Recovery Act of 1976

Oil Pollution Act of 1990

Pipeline Safety Improvement Act of 2002

Executive Orders

Executive Order 13112, Invasive Species, signed on February 3, 1999

Executive Order 13186, Migratory Birds, signed January 10, 2001

Executive Order 11988, Floodplain Management, signed May 24, 1977

Executive Order 11990, Protection of Wetlands, signed May 24, 1977

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, signed on February 11, 1994; and amended by Executive Order 12948, signed on January 30, 1995

Texas and Louisiana State Laws and Regulations

Texas- Clean Air Act and Coastal Zone Management

Louisiana- Clean Air Act and Coastal Zone Management

New Executive Order

In May of 2018, a new sustainability-related executive order, EO 13834 (Efficient Federal Operations), was enacted and revoked EO 13693 (Planning for Federal Sustainability in the Next Decade). The SPR was tasked with implementing the requirements of EO 13834. The MOC, under the supervision of the SPRPMO, is in the process of preparing an implementation and execution plan for EO 13834. Each year the SPR Sustainability Planning Committee oversees the identification, selection, scheduling, budgeting, and implementation of projects and activities that support the sustainability program. A Site Sustainability Plan is submitted to the DOE every year.

ATTACHMENT D: NEPA-FINAL STORAGE CAPACITIES

SITE-SPECIFIC	NEPA DOCUMENT	TITLE/ FOOTNOTE	STORAGE ADDRESSED UNDER NEPA (MMB)	CUMULATIVE TOTAL STORAGE ADDRESSED UNDER NEPA (MMB)
Bryan Mound	DOE/EIS-76/77-6	1	63	63
	DOE/EIS-0021	2	100	163
	DOE/EIS-0075	3	60	223
	DOE/SPR/EIS-0075-SA01	4	9	232
	DOE/EA-1505	5	22	254
		Total	254	
Bayou Choctaw	FES-76-5	6	99	99
	DOE/EIS-0024	7	51	150
	DOE/EIS-0385	12	33	183
		Total	183	
West Hackberry	DOE/PB 262 508	8	60	60
	DOE/EIS-0029	9	150	210
	DOE/EIS-0075	3	30	240
		Total	240	
Big Hill	DOE/EIS-0029	9	100	100
	DOE/EIS-0075	3	40	140
	DOE/EA-0401	10	22	162
	DOE/SPR/EIS-0075-SA01	4	8	170
	DOE/EIS-0385	12	80	250
		Total	250	
Richton*	DOE/EIS-0385	12	160	160
SPR CAPACITY(a)				1087
PROGRAMMATIC	NEPA DOCUMENT	TITLE/ FOOTNOTE	STORAGE ADDRESSED UNDER NEPA (MMB)	CUMULATIVE TOTAL STORAGE ADDRESSED UNDER NEPA (MMB)
Associated Pipelines/ Storage Tanks	DOE/EIS-0075	3	2	2
	DOE/EIS-0385	12	5	7
		Total	7	
Seaway	DOE/EIS-0034	11	200	200
	DOE/SPR/EIS-0075-SA01	4	32	232
		Total	232	
Texoma	DOE/EIS-0034	11	350	350
	DOE/EIS-0385	12	80	430
		Total	430	
Capline	DOE/EIS-0034	11	500	500
	DOE/EIS-0385	12	193	693
		Total	693	
SPR CAPACITY(b)				1362
Notes:				
	FES = Final Environmental Statement	MMB = Million Barrels	EA = Environmental Assessment	EIS = Environmental Impact Statement
	DES = Draft Environmental Statement	DEIS = Draft EIS	DOE = Department of Energy	SPR = Strategic Petroleum Reserve
	FEA = Federal Energy Administration		DS-FEIS = Draft Supplement to a Final EIS	
	A draft document, EIS-0165-D [Expansion of the SPR], addressed additional storage options.			
1	Final Environmental Statement on the Bryan Mound Salt Dome, January 1977			
2	Final Environmental Impact Statement (Final of DEIS, FEA-DES-77-10 and of DS-FEIS, FEA-FES-76/77-6) Strategic Petroleum Reserve, Seaway Group Salt Domes (Bryan Mound Expansion, Allen, Nash, Damon Mound, and West Columbia) Brazoria County, Texas, Volumes I-III			
3	Final Supplement to Final Environmental Impact Statements DOE/EIS-0021,0029, Strategic Petroleum Reserve, Phase III Development Texoma and Seaway Group Salt Domes (West Hackberry and Bryan Mound Expansion, Big Hill Development) Cameron Parish, Louisiana and Brazoria and Jefferson Counties, Texas			
4	Supplement Analysis of Site-Specific and Programmatic Environmental Impact Statements: Operational and Engineering Modifications, Regulatory Review, and Socioeconomic Variation			
5	Environmental Assessment for the Proposed Increase in Facility Capacity and Petroleum Inventory at the Strategic Petroleum Reserve's Bryan Mound Facility, Freeport, Brazoria County, Texas			
6	Final Environmental Impact Statement for Bayou Choctaw Salt Dome, December 1976			
7	Final Environmental Impact Statement (Final Statement to FEA-DES-77-9) Strategic Petroleum Reserve, Capline Group Salt Domes (Iberia, Napoleonville, Weeks Island Expansion, Bayou Choctaw Expansion, Chacahoula) Iberia, Iberville, and Lafourche Parishes, Louisiana, Volumes I -IV			
8	Strategic Petroleum Reserve, Final Environmental Impact Statement, West Hackberry Salt Dome, January 1977			
9	Final Environmental Impact Statement (Final Statement to FEA-DES-77-8) Strategic Petroleum Reserve, Texoma Group Salt Domes (West Hackberry Expansion, Black Bayou, Vinton, Big Hill) Cameron and Calcasieu Parishes, Louisiana and Jefferson County, Texas, Volumes I -V			
10	Environmental Assessment, Strategic Petroleum Reserve, Sulphur Mines Decommissioning and Big Hill Expansion, Calcasieu Parish, Louisiana and Jefferson County, Texas, January 1990			
11	Final Supplement to Final Environmental Impact Statement FEA-FES 76-2, Strategic Petroleum Reserve, Expansion of the Reserve, January 1979			
12	Record of Decision-Final Environmental Impact Statement DOE/EIS-0385, Site Selection for the Expansion of the Strategic Petroleum Reserve, February 2007			
(a)	The SPR-authorized storage capacity or inventory of crude oil for each site should not exceed the NEPA-final capacity.			
(b)	The SPR-authorized storage capacity or inventory of crude oil for the SPR total should not exceed the NEPA-final capacity.			
*	Richton Site Canceled- all funding rescinded.			