



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 6

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DALLAS, TEXAS 75270-2102

November 7, 2022

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, D.C. 20426

Re: Venice Extension Project Draft Environmental Impact Statement (Docket No. CP22-15-000)

Dear Honorable Secretary Bose:

Pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500 – 1508), and our NEPA review authority under Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency (EPA) has reviewed the Venice Extension Project Draft Environmental Impact Statement (EIS) (CEQ No. 20220136) published by the Federal Regulatory Commission (FERC).

The proposed action consists of: (i) construction and operation of an approximately 3.0-mile-long, 36-inch-diameter pipeline segment on Texas Eastern's Line 40 in Pointe Coupee Parish; (ii) abandonment in place of a 2.2-mile-long, 36-inch-diameter existing pipeline segment on Line 40 in Pointe Coupee Parish; (iii) construction of a new proposed 31,900 horsepower (hp) compressor station (New Roads Compressor Station) and metering and regulating (M&R) facilities in Pointe Coupee Parish; (iv) abandonment in place of the existing, inactive 19,800 hp compressor unit at Texas Eastern's existing White Castle Compressor Station in Iberville Parish, Louisiana, and the existing, inactive 19,800 hp compressor unit at its existing Larose Compressor Station in Lafourche Parish, Louisiana; (v) installation of one new 31,900 hp compressor unit and related appurtenances at both White Castle and Larose compressor stations; and (vi) upgrades at its Gator Express M&R facility on an open water platform in Plaquemines Parish.

Additionally, the Draft EIS analyzes geology, soils, water resources, vegetation, wildlife, species of special concern, land use, recreation, visual resources, cultural resources, environmental justice, air quality, climate change, noise, reliability and safety, cumulative impacts, and alternatives. The proposed action is located in Pointe Coupee, Iberville, Lafourche, and Plaquemines Parishes, Louisiana. For your consideration, the enclosed recommendations are provided and focus on improving the clarity of the EIS.

The EPA looks forward to the receipt of the electronic version of the Final EIS. Additionally, we are available to meet. If there are questions, please contact Kimeka Price of my staff at (214) 665-7438 or by e-mail at [price.kimeka@epa.gov](mailto:price.kimeka@epa.gov).

Sincerely,

Robert Houston  
Staff Director  
Office of Communities, Tribes and  
Environmental Assessment

Enclosure

**Detailed Recommendations for Consideration  
for the  
Venice Extension Project Draft Environmental Impact Statement**

**Purpose and Need**

The EPA believes it is important for NEPA documents to consider and address, as part of the purpose and need, the potential for projects to lock-in fossil fuel production and use at the expense of substitute energy sources with lower social costs, and whether the project could result in stranded assets due to market factors and other policies that reduce demand for natural gas in the new project's intended market, including international markets. The cost of electricity from new solar and wind power is already lower than traditional generation in some markets, and rapid cost-reducing technological change will continue as the world adopts more renewable energy.

**Air Quality**

The EPA recommends including an appendix with the proposed action's air emission calculations. Section 4.8.4 does not include details regarding any marine vessel fuel type and use in the evaluation of air quality impacts of the project and potential mitigation.

All Non-Road Engines should be certified as in compliance with the EPA Tier 4 regulations found at 40 CFR Parts 89 and 1039, which includes new and in-use nonroad compression-ignition engines. Additionally, should any land-clearing activities occur which result in the use of open burning to dispose of woody debris, coordination should be conducted with the Louisiana Department of Environmental Quality to determine air quality conditions such as atmospheric inversions prior to performing open burning activities, and consider any expected air quality/visibility impacts to Class I Federal Areas identified in 40 CFR Part 81, Subpart D. Additionally, provisions should be taken to prevent particulate matter emissions during the construction activities.

**GHG Emissions – Quantification and Impacts**

The Draft EIS does not quantify the upstream and downstream emissions associated with natural gas production and use. Both upstream and downstream greenhouse gas (GHG) emissions are clearly reasonably foreseeable indirect impacts for Natural Gas Act (NGA) Sections 7(b) and 7(c) projects, irrespective of whether the project connects to a NGA Section 3 LNG terminal. Whether downstream GHG emissions occur within the United States or outside of the United States is not relevant in assessing their climate impacts, given that GHGs have impacts that are global in scale. Whether a project serves domestic consumption or export would not meaningfully affect the location of upstream GHG emissions from domestic sources. Given the reasonably close causal relationship between upstream and downstream emissions and the FERC's authorization role under the NGA for Section 7 projects, the FERC should fully disclose and consider, in its NEPA and NGA analyses, the large-scale upstream and downstream emission impacts associated with proposed action.

In general, when quantifying GHG emissions, the EPA recommends incorporation of the calculation and disclosure of separate annual emission estimates of metric tons of carbon dioxide, methane, and nitrous oxide in the EIS, as applicable, for proposed actions and their alternatives to enhance public disclosure and decision-making and to account for differences in the impacts of these pollutants in the atmosphere over time. Estimating annual emissions separately for each relevant GHG allows for better consideration of the different environmental

impacts associated with emissions of each of the GHGs, including applying the estimated social cost of GHGs.

The EPA recommends the FERC avoids expressing project-level GHG emissions as a percentage of national or state GHG emissions. The comparison of project-level emissions to national and state emissions diminishes the significance of project-scale GHG emissions and associated project-specific contributions to overall GHG emissions. Instead, we recommend the FERC includes a discussion of whether these increases are consistent with the State climate plan as proposed and in conjunction with the cumulative impacts of other LNG and pipeline development projects in the State. Additionally, the EPA recommends the EIS discusses whether the estimated GHG emissions from the proposed alternatives are consistent with taking action to achieve science-based national GHG reduction targets and any relevant state or local goals.

### **Mitigation**

The EPA recommends the FERC to adopt all practicable GHG mitigation measures, given the reasonableness of such measures from a public interest and necessity standpoint. We also recommend the FERC incorporate such mitigation measures into the proposed terms and conditions required as part of certificate issuance. Potential mitigation options for the FERC to consider for this proposed action include, but are not limited to:

- Using work practice standards and equipment types that minimize leaks and venting, including ultrasonic flow meters and low bleed pneumatic devices;
- Utilize hot tapping, a procedure that makes a new pipeline connection while the pipeline remains in service, flowing natural gas under pressure, to avoid the need to blow down gas;
- Perform routine leak detection at all compressor seals and wellhead components using appropriate commercially available technologies such as optical gas imaging, point concentration sensors, hyperspectral cameras, differential absorption Lidar, and drone mounted Tunable Diode Laser Adsorption Spectrometer (TDLAS) systems.

The EPA recommends that any standard mitigation, best management practices, and mitigations plans, such as the dust and methane leak detection plans developed by the applicant, be included as an appendix or as a linked reference in the EIS if the measures are not specified in the EIS. In addition, the EPA recommends that mitigation measures be included as conditions in the certificate Special Order, in a Memorandum of Understanding with the applicant, or in a state or local permit to ensure such measures are real and verifiable.

The proposed action may require the use of gas-insulated switchgears. Sulfur hexafluoride (SF<sub>6</sub>), which is typically used as the gas in such switchgears, is the most potent known GHGs. Approximately 26,000 times more effective at trapping infrared radiation than carbon dioxide, SF<sub>6</sub> is also a very stable chemical with an atmospheric lifetime of 3,200 years. Thus, a relatively small amount of SF<sub>6</sub> leaking from each of the thousands of switchgears associated with the energy sector can have a significant impact.

Emissions of SF<sub>6</sub> also come from the manufacture and recycling of SF<sub>6</sub>, as well as charging, repairing, and decommissioning the switchgears. The EPA recommends the FERC considers the use of switchgears that are SF<sub>6</sub>-free for the proposed alternatives. For additional information see the EPA's references for the Electric Power Systems Partnership at: <https://www.epa.gov/eps-partnership>.

## **Adaptation**

The EPA recommends the FERC includes a discussion of measures to be taken in the project design to ensure resilience and adaptation to protect the infrastructure investment from the effects of climate change. The long-lived nature of natural gas infrastructure and the proposed action location make consideration of the ongoing and projected impacts of climate change on the project even more important. It is not sufficient to ensure resilience of the proposed action to risks under current climate conditions. Considering potential climate change impacts helps ensure that investments made today continue to function and provide benefits, even as the climate changes.

The EPA recommends the FERC specifically discuss how climate resiliency has been considered in the design of the proposed action and alternatives, and related measures should be discussed and included, as appropriate, in the conclusion and recommendations section. This, and consideration of any relevant state, tribal, or local adaptation plans, would enable consideration of ongoing and projected regional and local climate impacts, such as rising sea levels, drought, high intensity precipitation events, at-risk areas not yet designated as flood zones, and increased fire risk. Consideration of these impacts could help avoid infrastructure investments in vulnerable locations, and unintended impacts on local communities. Where climate resilience and adaptation measures have been discussed elsewhere in the document, the EPA recommends that the climate section provide a reference to the sections containing these measures.

- The Draft EIS discusses the use of a helicopter for emergency access to the facility in the event of flooding making the roads inaccessible. With increasing flooding due to climate change, this could be included in the adaptation section to highlight how climate resiliency has been considered in the design of the proposed action.
- The Draft EIS also includes that “Texas Eastern would install the new compressor unit and associated facilities at the existing Larose Compressor Station on a platform elevated to a bottom height of approximately 15 feet amsl/above grade to protect the project facilities in the event of a major storm event, thereby minimizing the addition of impervious cover at the site.” As above, this measure could be included in the adaptation section to highlight how climate resiliency has been considered in the design of the proposed action.

## **Wells**

The EPA recommends the FERC incorporates a map showing industrial and public wells in proximity of the proposed action’s area.

## **Stormwater Permitting**

A general list of exempt and non-exempt oil and gas construction activities can be found at <https://www.epa.gov/npdes/oil-and-gas-stormwater-permitting>. The 2005 Energy Policy Act waives the requirement to obtain National Pollutant Discharge Elimination System (NPDES) coverage for certain construction and industrial facilities and activities associated with oil and gas exploration, production, processing or treatment operations, or transmission facilities<sup>1</sup>.

If any portion of the proposed construction activities and/or support activities has a stormwater discharge which results in a reportable quantity of oil or hazardous substances, or a stormwater discharge which contributes to a violation of a water quality standard [see 40 CFR 122.26(c)(1)(iii)], the owner(s)/operator(s) are in violation of the Clean Water Act prohibition on

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<sup>1</sup> NAICS codes and titles: 211—Oil and Gas Extraction, 213111—Drilling Oil and Gas Wells, 213112—Support Activities for Oil and Gas Operations, 48611—Pipeline Transportation of Crude Oil, and 48621—Pipeline Transportation of Natural Gas.

the discharge of a pollutant by a point source to a water of the United States without NPDES permit coverage; is no longer eligible for the 2005 Energy Policy Act waiver for the project's construction activities; and shall obtain Construction General Permit or other NPDES coverage from the appropriate NPDES permitting authority before the next stormwater discharge.

### **Environmental Justice and Impacted Communities**

Pursuant to Section 4.6 of the Draft EIS, twenty-nine (29) block groups out of forty-seven (47) block groups within the geographic scope of the proposed action are considered environmental justice communities. The FERC notes that climate change impacts are not characterized in the Draft EIS and a generic proceeding is being conducted to determine whether and how the FERC will conduct climate change significance determinations going forward. Further, the FERC discusses impacts associated with the Gator Express M&R Station would be disproportionately high and adverse as they would be predominantly borne by environmental justice communities. Construction of the Gator Express M&R Station would also occur within an environmental justice community and impacts would include temporary and permanent visual, air, and noise impacts. The EPA recommends the FERC mitigates disproportionately high and adverse impacts to environmental justice communities, consider reevaluating using a consistent methodology for impacts as appropriate, and concisely disclose impacts to environmental justice communities.

Pursuant to Section 4.6 of the Draft EIS, the existing White Castle and Larose Compressor Stations are located within environmental justice communities. Pursuant to Section 4.2 Soil Contamination, the existing White Castle and Larose Compressor Stations have documented polychlorinated biphenyl (PCB) contamination on-site and the proposed New Roads Compressor Station has documented PCB in the vicinity but are outside of proposed construction areas. Further, known contaminated areas would be marked for avoidance during construction. If contaminated soil is encountered during construction, the Draft EIS discusses the implementation of the Waste Management Plan to identify, handle, temporarily store, and properly dispose of contaminated soils and groundwater. Based on the surface and stormwater flows into various tributaries, groundwater and domestic wells noted in the Draft EIS, the EPA recommends the FERC fully assesses PCB contamination and potential exposure in environmental communities located with the perimeter of White Castle and Larose Compressor Stations and other areas which may be sources of consumption (such as subsistence fishing), consider remediation of existing/abandoned stations to prevent further PCB contamination to environmental justice populations, and coordination with the Louisiana Department of Environmental Quality.