

Guidance for Special Permit Applicants on Providing Environmental Information

SP Requester: _____
PHMSA Docket No. _____

The processing of a special permit application may involve the preparation of a Draft Environmental Assessment (EA) in accordance with the National Environmental Policy Act of 1969 (NEPA), the President's Council on Economic Quality regulations implementing NEPA (40 CFR 1500-1800), and DOT policy. To the extent PHMSA's grant or denial of the above referenced special permit (SP) request may constitute a Federal action under NEPA, in addition to analyzing any potential risks to public safety, PHMSA also analyzes any potential risks to the environment that could result from such grant or denial. Specifically, PHMSA evaluates whether the special permit would significantly impact the likelihood of a pipeline spill or failure as compared to the environmental status quo in the absence of the special permit.

To facilitate PHMSA's preparation of a Draft EA, the special permit applicant needs to provide certain environmental information. The purpose of this form is to provide guidance to the applicant on what information should be provided with the application materials. Once a Draft EA is prepared, as part of its expedited environmental review process PHMSA will place it in the public docket of this proceeding. Therefore, any information submitted by the applicant is subject to being made public. PHMSA will use the findings of the EA to determine whether to include a finding of no significant impact (FONSI) or take other action in accordance with NEPA.

I. Purpose and Need

[Describe pipeline and specify county and state where the affected segments located]

[Cite regulation(s) for which waiver is sought. Paste relevant portion of regulation(s) here.]

[State the unique circumstances and reasons for the SP given by requester and how the requester contends the SP will benefit itself and the public.]

II. Site Description and Affected Environment

Describe the right-of-way and the type of environment in the vicinity of the affected segments including:

[Provide map if available]

[Describe extent to which landowners, businesses, and residential areas are in the vicinity including parks]

[Describe surface waters in the vicinity including wetlands]

[Describe drinking water aquifers in the vicinity]

[Describe soils and vegetation in the vicinity]

[Describe wildlife habitats including fisheries in the vicinity]

[Describe any geologic hazards]

[Describe any cultural resources that may be affected]

[Describe any socioeconomic impacts or special impacts on Native Americans if any]

III. Mitigation Measures

[Describe the alternative mitigation measures you are offering to implement in lieu of compliance with the regulations.]

IV. Analysis and Investigation of Alternatives

[Explain the basis for this particular set of alternative mitigation measures. Explain how the conditions and supplemental measures will ensure that an equivalent level of safety and environmental protection is maintained.]

[Discuss how the SP would affect the risk of rupture or failure (positive, negative, or none)]

[Discuss any effects on pipeline longevity and reliability such as life-cycle and periodic maintenance. Discuss any technical innovations as well]

[Discuss human safety]

[Discuss whether the SP would affect land use planning]

[Discuss any pipeline facility, public infrastructure, and environmental impacts associated with implementing the special permit. In particular, discuss how any environmentally sensitive areas could be impacted]

[Evaluate the alternative to the special permit and any adverse consequences to granting or denying the SP.]