Bachman, Roddy C CIV

From: Bachman, Roddy C CIV
Sent: Wednesday, August 29, 2018 3:13 PM
To: 'Denise-Rogers'
Cc: Nabach, William A LCDR; Borland, Curtis; McKitrick, Bradley CIV; Vasanth, Pavagada N CIV; Tone, Kevin P CIV; yvette.fields@marad.dot.gov; 'wade.morefield@dot.gov'; Linden Houston (linden.houston@DOT.gov); Timothy.Feehan@tetratech.com; Sparks, Sean; Schils, Nathalie; 'Howard, Lia'
Subject: Initial TGTI Data Gap Request
Attachments: TGTI Data Gaps Matrix_8-29-18_Final.docx; TGTI - Application Complete Letter to TGTI (31July2018)(Final).pdf; [Non-DoD Source] Re: [EXTERNAL] Texas Gulf Terminals Crude Oil Export Deepwater Port Application: Heads-Up and Introduction; [Non-DoD Source] Texas Gulf Terminals Crude Oil Export Deepwater Port Application: AMRDEC SAFE File Transfer; TGTI completeness letter 072618.pdf; Deepwater port.pdf; USACE SWG-2018-00563 USCG COOP Ltr.pdf

Good afternoon Denise,

In the USCG's letter of July 31, 2018 (Attachment 1), Mr. Borland mentioned you would receive additional information requests (data gaps) throughout the review process. Attached is the first list of data gaps (TGTI Data Gaps Matrix 8-29-18 Final) (Attachment 2). The list is comprised of matters identified during the federal agency application completeness review and includes data gaps from the Coast Guard, MARAD, Tetra Tech, EPA, BOEM, NPS, PHMSA and USACE. The other agency comments are also attached.

The USCG will keep a master matrix such as this for our requests and of data gaps and applicant TGTI responses. If the response requires a lengthy response or separate documentation, please make an appropriate reference in the matrix and include the documentation as a separate attachment. Periodically, the matrix and associated supporting information will be posted on the docket.

To expedite processing, I encourage good communication and coordination. I recommend the TGTI project team initiate a preliminary call with Mr. Brad McKitrick, the USCG's NEPA team lead, in the near future to discuss some of the more substantive data gaps that require resolution. Brad can be contacted at 202-372-1443 or Bradley.K.McKitirck@uscg.mil.

Thanks

Roddy

Information Request #	Resource	Application Volume	Application Section	Agency	Information Request
1	General	Vol II		USCG	Provide discussion of "Planned and Unplanned Maintenance and Repair" topic in all resource sections.
2	Project Description	Vol II	Section 1	USCG	Identify and include source(s) of crude oil and number of pipelines that will feed the onshore storage terminal facility. Analyze impacts of these crude oil pipelines on all onshore resources.
3	Project Description	Vol II	Section 1	USCG	Confirm location(s) of support vessel(s) mooring facility. Additionally, provide assessment of cumulative impact at this location given multiple development projects are proposed for the area.
4	All Resources	Vol II	Appendix A, Phase 2 HDD	USCG	There are two existing channels that may be suitable for transiting the pipelay barge to the required location; however, it is still anticipated that some widening/deepening may need to occur. Provide an analysis of the impact, if widening/deepening is required.
5	Alternate Analysis	Vol II	Section 2	USCG	Provide alternatives analysis for alternate onshore pipeline routes and location of onshore storage terminal facility.
6	Alternate Analysis	Vol II	Section 2	USCG	Please address the use of suction piles, drilled piles, and gravity anchors in addition to drag anchors in the alternatives analysis.
7	Water Quality	Vol II	Section 3	USCG	Provide a table listing water intake and discharge from all vessels and hydrostatic testing. Table should include intake/discharge location and fluid amount.
8	Water Quality	Vol II	Section 3	USCG	Provide additional details on pigging residue materials, including but now limited to, how often pigging is expected to occur and volume and composition of the residue. Include details on handling and disposal of this material.
9	General Project Description	Vol I, II		USCG, USEPA	Identify the types and sources of crude oil for export.
10	Water Quality	Vol II	Section 3	USCG	Limited fuels (such as diesel) for support vessels would be stored on the proposed DWP for use during startup and emergency situations. What type of fuels will be stored and what will be their volumes?

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11	Water Quality	Vol II	Section 3	USCG	Provide information on "Physical Oceanography" topics and impacts of the project on these resources, similar to the environmental impact evaluation provided for other resources.
12	Water Quality	Vol II	Section 3	USCG	Provide chemical analysis of sediment along proposed offshore pipeline routes and DWP locations. Provide a source for the following statement: "Known sediment contamination does not occur in the Project area."
13	Wildlife and Protected Species	Vol II	Section 7	USCG	Confirm whether the NOAA/USCG model used to estimate impact to ichthyoplankton. If not, provide details and rational of use of alternate model.
14	Wildlife and Protected Species	Vol II	Section 7	USCG	Provide analysis of noise impacts from the use of navigation fog horns and helicopters during all phases of the project. In particular, impacts to marine mammals and marine birds should be addressed.
15	Wildlife and Protected Species	Vol II	Section 7	USCG	Where will the SPM buoy system and associated components (e.g. piles) be fabricated onshore?
16	Wildlife and Protected Species	Vol II	Section 7	USCG	Discharges from vessel cooling water systems are heated discharges, with the temperature of the discharge typically in the range of 5 to 10 °F (3 to 6 degrees Celsius [°C]) higher than the temperature of seawater initially withdrawn. This discharge will result in a heated plume that will return to ambient temperatures as it moves away from the tanker. Provide analysis of this conclusion using USEPA's CORMIX Model.

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17	General	Volumes I, II and III		USCG	There are inconsistencies in the VLCC vessel draft and required water depths provided in the documents. Please correct discrepancies. • Vol I Para 1.1 VLCC vessels require water depths of 71 feet or greater when fully loaded; • Vol I Appendix H Table 6-1 Characteristic draft 74.5 feet; • Vol I Appendix Q summer 22.025 m and winter 22.483 m; • Vol I Para 9.2 summer load line draft 74.54 feet, tropical load line draft 76.12 feet. • Vol II Section 2 Navigation Safety and criteria 2 and 3; page 22 Onshore terminal with modified channel dimensions - channel depth of 71 feet. • Vol III, Appendix A, Para 3 - vessel loaded draft is 22.7 m, tropical load line 76.1 feet. The required depth of the offshore DWP for a VLCC is 80.5 feet
18	Cultural Resources	Vol II	Section 8	USCG, TT	A cultural resources survey of the **onshore** portion of the Project area was not conducted; as such, these sites have not been directly evaluated. Additional cultural resources surveys of the onshore portion of the Project area will be completed in consultation with the THC if required for NHPA Section 106 or NEPA compliance. Document consultation with the Texas Historical Commission regarding the need for archaeological survey of the onshore portion of the Project. If required, has an onshore cultural resource survey been completed?
19	Alternate Analysis	Vol II	Section 2.5.1	USCG	For alternative analysis an onshore port with an approach channel and wharf side channel would require a minimum depth of 80.5 feet. Calculate the dredge material quantity needed.
20	Alternate Analysis	Vol II	Section 2.5.1	USCG	For the alternatives analysis addressing the project as an onshore port, include impact of an oil spill.

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21		Operational Criteria	Volumes I, II and III	USCG	There are inconsistencies in the operating conditions provided in the documents. Please correct discrepancies. • Vol I, Appendix H Table 5-2 design loads, operating - wind 35.9 fps, significant waves 6.17 ft, period 8.8 secs, wind current 0.819 fps; • Design loads, Environmental (worst case) - wind 133.20 fps, significant wave 34.78 ft, period 13.6 secs, storm surge 5.29 ft MSL; • Vol II Appendix A, para 3.2 - The SPM buoy and anchor system will be designed to survive a 100-year storm and remain operational with a moored vessel in 5 ft seas and 35 mph winds; • Vol III para 2.1 - design operating condition (vessel propulsion down) - wind 21.3 knots, significant wave 1.8 m(6.2ft), wind driven current 0.5 knots; Cargo transfer limiting condition (vessel main propulsion running) - wind 44 knots, wave height 16 ft.
22		Regulated Navigation Areas	Volumes I, II and III	USCG	Please provide a discussion clarifying inconsistent and incorrect dimensions of Safety zone, ATBA, No Anchorage Area in the following areas of the application: • Volume II, Section 1.2.3.2 • Volume II, Section 11, Pages 27 and 28 • Volume II, Section 13.2.6.1 and 13.2.6.3 • Volume II, Sections 14.3.2 and 14.5.4 • Volume II, Appendix A, page 8 and Section 2.2

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23		Drawings		USCG	Please provide corrections to the following drawings: • DWG 4 - Need Dimensions for the fairway, existing anchorage and safety approach fairway to DWP to be shown; • DWG 6 - ATBA is shown smaller than safety zone. Coordinates for the SPM Buoy (geographical and rectangular) to be shown, Inner circle radius should be 1615 feet and not 1614 feet; • DWG 7 - ATBA is shown smaller than safety zone which is not correct. No anchorage area is not marked. Conflict between pile anchor locations and existing pipelines to be verified.
24		Vol I	Appendix C	USCG	Provide revised construction schedules that provides the months and years for the construction activities.
25		Vol II	Section 5.3.1.2	USCG	Provide citation and estimated time period for completed backfill for the following statement: "Operation of the sled will redeposit some material over the pipeline, but full backfilling will occur naturally due to currents and wave movement." -
26		Vol II	Section 14	USCG	Provide an updated safety section including, thermal effects of oil spill, more detailed oil physical properties, oil tankers, impacts to public and property, accident history, and vessel collision frequency.
27		Vol II	Appendix A para 3.3	USCG	Provide the ship crane size for vessels less than 155,000 DWT.
28		Vol I	Appendix H	USCG	Geotechnical engineer's recommendation is to drive the piles to a factor of safety of 2 which means piles to be drive to an uplift capacity of 1,304 tons. Can the geotechnical engineer confirm the number, material and approximate length of the pile and installation time of a pile?

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29	Alternatives	Vol II	Section 1, 2	USCG	Provide a discussion of the alternatives analysis addressing the following additional information: • Modify/Expand existing refinery capacity to handle high gravity/low sulfur crude oil. • The application addressed no- action and export alternatives. Since the US must still import crude oil even while exporting, and NEPA must consider social economic and environmental justice issues and the DWPA requires consideration of national interest, this also requires looking at aspects such as: 1. The economic and supply impacts of exporting more crude as compared to reducing imports of crude including consideration of energy independence. 2. Environmental impacts of exporting high gravity/low sulfur crude (including vessel lightering emissions) as compared to domestically processing more high gravity / low sulfur crude in place of the current low gravity/high sulfur crude.

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30	Safety	Vol II Vol III	Section 14 Appendices A, K, L Appendix A	USCG	There are design requirements, operational parameters and a review/approval process for the vessel VCS. Historically, domestic crude carrier loading has been either at shore facilities with a vapor recovery system or offshore reverse-lightering using the vessel tank vent(s). There is no history of loading VLCCs at a high rate. Provide a discussion addressing potential general safety and occupational health issues of high rate continuous loading of VLCCs without a vapor recovery system. The discussion should include: • Documentation that the VCS using the tank vents can safely operationally handle the 60,000 barrels per hour proposed rate of loading from a process safety perspective. • Documentation addressing and preventing the potential vapor cloud buildup in the vicinity of the VLCC that could have safety and health impacts on the vessel and its personnel. • Examples of VLCC safety and environmental health emissions monitoring during loading.

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31	All	All		USCG	Though the MARAD licensing jurisdiction under the DWPA ends with MHT boundary, under DWPA-required NEPA analysis, MARAD is required to access all connected actions for the projects including the nearshore and onshore pipelines to the terminal, the pipeline(s) that supply the terminal, the valve station and booster pump station. The impact analysis for these shore structures, as well as the yet to be determined pipeline(s) that will be supplying crude to the terminal, must be treated with the same detail of impact analysis as the DWP itself. Provide detailed description of the supply pipeline(s) to the terminal and associated impacts under all NEPA resource areas. Provide additional level of detail equivalent to the DWP analysis in all NEPA resource areas for the nearshore and shore pipelines and facilities. Coordinate this with the CG EPS.

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32	Project Description Safety	Vol II Vol III	Appendix A Section 3 Appendix A	USCG	The DWP Operations Manual (OPSMAN) OPSMAN must also address the interfaces with the pipeline and shore facility operations linking the VLCC back to the terminal itself. In addition, to provide an overall understanding of the operating system, conceptual level procedures should be provided for all project components. Please provide the following discussion: • Additional detail on the shore facilities, note there should also be a Facility Operations Manual (33CFR154.300; a Facility Response Plan (33CFR154.1015; .1016; 1030; .1035 and Facility Security Plan (33CFR106.400; .405). As with the Port Operations Manual USCG realize many details cannot be developed at this time and much is confidential, however, there should be some discussion of areas addressed in the public documents. • Provide the operational precepts that will be followed at least at the conceptual level of design and regulatory requirements available at this time, focusing on the interfaces. Please indicate what can be made public versus confidential. • Provide similar conceptual level operational precepts operations manual information for the pipelines, terminal, pump station and valve station. Please indicate what can be made public versus confidential. • Include detailed weather parameters in which operations would be suspended for both the port and terminal. • An expanded Public Version Operations Manual summary for both the Port and Shore facilities

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33	Safety	Vol II	Section 14	USCG	It is assumed that a portion of or all shore facilities and operations will fall under OSHA PSM and the EPA RMP or similar State of Texas programs and other regulatory requirements. It is also assumed that VLCC calling will have some form of safety and environmental management system (i.e. SMS or SEMS): Provide a discussion as to what such federal and/or state safety and environmental programs will apply and how TGTI plans to comply with such safety and environmental management systems. Additionally, provide discussion as to how the interface between such sometimes different programs with unaligned elements is to be managed (i.e. from PSM onshore to SEMS offshore if that is the case).
34	Risk Management	Vol I	Appendix S, T, U	USCG-RCB	Provide the following additional information at it related to the spill volume, trajectory, and Tactical Response Plan: • Additional spill volume and trajectory mapping and on-land impacts at points along the inshore and onshore pipeline, pump station and terminal. • A vessel spill component in the offshore trajectory modeling. 33 CFR 155 has guidance on what vessel volumes should be considered but TGTI should coordinate this with USCG Sector Corpus Christi along with other contingency planning that may be required. • Basic discussion on how TGTI will implement the Tactical Response Plan and actions they will take to meet the Area Contingency Plan and other requirements. A general level of detail is required at this stage of the permitting process. • Impacts to other operations, vessel traffic, and public in the area from the spill itself and potential for any thermal affects from accidental or inattentional fire in in-situ burning.

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35	Navigation Safety	Vol II	Section 13	USCG	Provide both a revised written description and a figure depicting the revised Safety Zone, NAA, and ATBA. The safety zone (regulatory) and, NAA, and ATBA (recommendatory) have limitations of what can be charted and what must be handled differently such as the increased safety zone when a vessel is present. In the discussion, rework the explanation of these proposed zones in the application to conform to the regulatory definitions and ensure the projects needs are still identified to be considered.
36	Navigation Safety	Vol II	Section 13	USCG	There are two non-regulatory but well known 10 nm mile radius lightering points in the Corpus Christi area. Address the location and vessel traffic and operations of these lightering points in relation to the proposed DWP location, vessel traffic, and proposed operations.
37	General	All		USCG	Provide a written description and associated updated chart/map with proposed project lengths/distances clarifying distances and noting both nautical miles and statute miles as they are used. The use of statute versus nautical mile can cause confusion and can affect regulatory requirements under the DWPA. It's assumed that nautical miles are only used for offshore navigational distance, with all other onshore and even offshore pipeline lengths in statute miles. There may be some minor math rounding inconsistencies in the application.
38	Water quality (Water Quality Certification)			USACE	Complete and submit a Texas Commission on Environmental Quality Tier II Questionnaire for the proposed project.
39	Mitigation (aquatic sites)			USACE	Develop and submit a permittee-responsible mitigation plan for impacts to waters of the United States, including relevant special aquatic sites, that contains all the elements of a complete mitigation plan as described in 33 CFR 332.4(c)(2) through (c)(13) of the Final Compensatory Mitigation Rule issued on April 10, 2008.

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40	Wastewater Discharge (NPDES)			EPA	The NPDES permit application form included in the deepwater port license application are administratively incomplete. Please submit NPDES FORM 2E - Application for facilities which do not discharge process wastewater for its hydrostatic test discharge water. NPDES Form 2C is the Application for a permit to discharge wastewater for existing industrial facilities (including manufacturing, commercial, mining and silvicultural operations).
41	Dredge Materials and Ocean Dumping			EPA	Confirm whether this proposal includes transporting materials for the purpose of dumping it in connection with the construction or operation of the Texas Gulf Terminals, Inc. facility.
42	Aquatic Resources and Wetlands Mitigation Plan			EPA	Provide an aquatic resource and wetland mitigation plan.
43	Invasive Species			EPA	The environmental analyses should explain whether the SPM location will negate the need for ballast water exchange and the concomitant potential for invasive species introduction. Evaluate the potential for introduction of these species via other pathways associated with the vessels.
44	Impacts to Benthic Communities			EPA	Provide an environmental analysis of whether project features would cause bottom scour and impacts to benthic communities.
45	Alternatives Analysis - Project Design			EPA	The analysis of alternatives to reduce environmental impacts should also include a comparison of various types of SMP systems, including Catenary Anchor Leg Mooring and Single Anchor Leg Mooring.

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46	Threatened and Endangered Species			USFWS	With regard to threatened and endangered species, the Service recommends that a biological assessment (BA) will need to be prepared covering the entire project area from the Onshore Storage Facility in Nueces County to the SMP buoy system in the Gulf of Mexico. The Service has specific concern with the data that was gathered for the piping plover, red knot, and sea turtles, as it presents an incomplete picture for the anticipated construction and operations impacts of the project. The Service has additional questions regarding several other species that would be or are known to occur in the project area and recommends that the applicant coordinate with our office prior to or during the development of a BA for the project.
47	Sea Grass Beds			USFWS	Provide a citation for the conclusion that impacts on the coastal habitat, including special aquatic sites, are temporary. Provide additional information on the impacts to sea grass beds and unvegetated tidal flats, identified in the documents, as temporary. Draft a mitigation plan and circulated to the resource agencies and the USACE for review and comment. The mitigation plan should include specific analysis of the impacts of the project identifying how the selected route avoids and minimizes impact to important coastal habitats, how unavoidable impacts will be mitigated by restoration or replacement, and where restoration is to be applied, a monitoring plan for that work.
48	Equipment Staging Impacts, Mitigation Plan			USFWS	Provide analysis of impacts to habitats from equipment and staging and stockpiling of materials for the project. These secondary impact sites and actions should be included in the project description and analysis, including the USACE permit application.

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49	Project Design			BSEE	Please provide final detail engineering documents, some site-specific studies, and the required verification information. If final details are not confirmed, please provide a timeline for providing these materials. In addition, please note that project design must meet standards listed in 30 CFR §250.901.
50	Project Design			BSEE	30 CFR §250.904(b) states that the requirements of the Platform Approval Program must be met by all platform and structures on the OCS. In keeping with the requirements of 30 CFR §250.900(b) and 30 CFR §250.904(b), please submit an application under the Platform Approval Program and obtain the approval of the Regional Supervisor before installing a platform or structure on the OCS. The requirements of the Platform Approval Program are described in 30 CFR § 250.902 through 30 CFR §250.908.

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51	Project Design			BSEE	30 CFR §250.900(b) also states that for approval of a floating platform; a platform of unique design; or a platform being installed in deepwater or in frontier areas, requirements of the Platform Approval Program, as well as the Platform Verification Program, must be met. The BSEE OSTS has determined that the project must meet the requirements of both the Platform Approval Program, as well as the Platform Verification Program due to the proposed facility being a floating facility, having configurations, designs and operations which have not previously been used or proven for use in the area, and having a natural period in excess of 3 seconds. The requirements of the Platform Verification Program are described in 30 CFR §250.909 through 30 CFR §250.918. Please provide the required verification of the design, fabrication, and installation of the proposed facility, including but not limited to, verification of the in-service inspection plan and the proposed connect / disconnect operations. The applicant should be made aware that demonstration of the operability including connect and disconnect procedures will be required prior to approval. In addition, annual demonstration of connect/ disconnect functionality may be a condition of approval.

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52	Project Design			BSEE	Volume 1, Deepwater Port License Application (Public), Section 18.3 through 18. 5 of the subject application indicates that much of the design of the proposed facility has been executed per design standards other than those listed in 30 CFR §250.901, industry standard that the project structures must meet. 30 CFR §250.901(b) requires that the requirements contained in the documents listed in 30 CFR §250.901(a) be followed. However, applicable provisions of these documents listed in 30 CFR §250.90 may be used as approved by the Regional Supervisor. Alternative codes, rules, or standards may also be used, as approved by the Regional Supervisor by way of the OSTS, under the conditions enumerated in 30 CFR §250.141. 30 CFR §250.141(a) requires that any alternate procedure proposed must provide a level of safety and environmental protection that equals or surpasses current BSEE requirements. Please provide a comparison of the design standards used as oppose to those required, as listed in 30 CFR §250.901 for the design of the facility, including but not limited to the buoy and PLEM mooring system, mooring system, foundation, etc.
53	Geotechnical Evaluations			BSEE	Please execute geotechnical evaluations and related design in keeping with the recommendations expressed in Appendix - Geotechnical Commends and Conceptual Design Recommendations by Terrocon Consultants, Inc. Refer to the documents entitled Geotechnical Engineering Services, Proposed Offshore Mooring Buoy and PLEM System, Texas Gulf Terminals Inc., Terracon Project No. 92185062, dated April 3, 2018.
54	Company Registration			BSEE	Texas Gulf Terminals Inc., 1401 McKinney, Suite 1500 Houston, Texas 77010, is not registered as a qualified company with BSEE. Please submit the required material to BSEE to become a qualified company to be able to submit an application for pipeline right-of-way.

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55	Pipeline			BSEE	Please provide an Application for Right-of-Way (ROW) for each of the two 30-inch pipelines from Federal/State Boundary to Buoy. A separate application will be required for each of the two pipelines. The applications should be submitted pursuant to 30 CFR 250 Subpart J along with appropriate pay.gov fee.
56	Pipeline			BSEE	Provide information on pipeline internal design, MAOP determination, anode design, coating info, WCD data, pipeline burial info, pipeline plat map with pipeline coordinates in ASCII data (NTL No. 2009-G15), safety flow schematics, etc. in the Application for Right-of-Way. Safety flow schematics must show how accidental release of fluid can be minimized or prevented not only from the 30-inch pipelines in between Booster Station (onshore) and the SMP buoy, but also from the floating hose string from buoy to tanker.
57	Pipeline			BSEE	Please specify length of pipeline contained within the Onshore Storage Terminal Facility, Booster Station, HDD locations, Federal/state boundary, block crossings, and PLEM.
58	Pipeline			BSEE	ROW lease will be assessed for lengths from the federal/state boundary to the PLEM. Please provide lengths of risers.
59	Pipeline			BSEE	OSFR: WCD is computed as 64,000 bbl. [Ref: Appendix T: Worst Case Discharge Calculation]. Applicant needs to post OSFR prior to placing the pipelines in service [NTL No. 2008-N05, 30 CFR Part 553].
60	Oil Spill Response Plan			BSEE	Provide an Oil Spill Response Plan (OSRP) as specified in 30 CFR 250.254.

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61	Project Design			BSEE	Pipelines end at a PLEM from where a flexible riser (called Hose String in the schematics) from each pipeline transport oil vertically to the floating buoy at a water depth of about 93 feet. The flexible risers must be verified by a Certified Verification Agent (CVA), pursuant to 30 CFR 250.914-918. The engineering firm for the project, Lloyd Engineering, Inc, may be nominated as their CVA. Please confirm that the flexible risers have been verified by a CVA.
62	Project Design			BSEE	Provide the design of the anchor piles prepared by an independent third party. These designs must be submitted with the pipeline applications.
63	Project Review			BSEE	Please confirm that the buoy, the mooring (anchor chain), and the anchor piles have been reviewed by TAS and OSTS.
64	Regulatory Reference			BSEE	References to 30 CFR 250 Subpart J, H, I, A and 49 CFR part 195, Transportation of hazardous liquid by pipelines, is not listed in Volume I of the application or in Appendix A: Appendix A Draft Operations Manual of the application. Please provide a discussion of consistency with 30 CFR 250 Subpart J, H, I, A and 49 CFR part 195.
65	Project Review			BSEE	Provide the Coastal Zone Management Approval letter from the State of Texas and CZM Program Consistency Certificate when it is received. If the letter has not been received, please provide a schedule for receipt of that letter.
66	Financing Information			MARAD	Please provide additional information regarding OPA90 liability.
67	Financing Information	Volume IV		MARAD	A detailed financing plan will need to be developed that meets MARAD requirements. Additional information regarding this requirement will be provided under a separate cover.

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68	Decommissioning			MARAD	Provide additional discussion clarifying the decommissioning timeline. Language in the current decommissioning assessment includes a reference to an 8-year period prior to renovation, but a guaranty or other assurance instrument will be required during the full operational period of the deepwater port.
69	Decommissioning			MARAD	The decommissioning assessment includes references to both onshore and offshore components. Consistent with previous MARAD practice, the decommissioning financial assessment should include only the cost of decommissioning the offshore components of the port as licensed by MARAD. MARAD will address this issue under a separate cover.
70		1	7	MARAD	The last line of page 7-1 of Volume I states the "Project can be modified for the export of product." The proposed project is primarily designed (already) for exports. Provide modifications or clarifications to this language regarding modifications that may support the IMPORT of oil or other bi-directional capabilities.
71		1	19	MARAD	Section 19 of the application indicates that the project does not include any fixed offshore components. Previously, in Section 18.1.2, there is a reference to permanently installed anchor piles fixed on the seafloor. The anchor piles should be considered fixed offshore components. Provide additional descriptive text regarding the fixed anchor piles and confirm is the PLEM piles and the PLEM itself are components fixed to the seafloor.
72		1	31	MARAD	Provide updates to Table 31-1 to reflect the authorities for pipeline construction or operational standards or approvals developed/reviewed/approved during the deepwater port project development process.

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73		2	7.3.1.1	MARAD	Throughout several sections of Volume II there are references to impacts resulting from the OSTF, the pipeline, and the SPM buoy system. However, the booster station (and valve station) are frequently omitted from the discussion of impacts. Provide additional discussion on the impacts of the booster station and the valve station.
74		2	8.2.6	MARAD	Provide a detailed process for consultation with native tribes and provide an update on where the project is in this consultation process.
75		2	12.5.2	MARAD	Provide additional details regarding the placement/location of noise attenuation housings with regard to the booster station.
76	Project Description	Vol II		MARAD	Provide a list of impacted property owners and contact information for these landowners for the onshore and inshore portions of the project. MARAD will address associated costs under separate cover.
77	Socioeconomics	Volume II	Section 9	TT	Identify the shares of the average and peak construction workforces that are local/non-local. Local refers to workers that normally reside within daily commuting distance of the project. Non-local workers are those who would temporarily relocate from elsewhere to work on the project.
78	Socioeconomics	Volume II	Section 10	TT	Provide data on estimated hotel/motel rooms and RV parks/spaces that will be used to support the construction workforce during the construction period.
79	Noise - Onshore	Volume II	Section 12	TT	Conduct and provide an acoustic analysis to describe potential noise impact associated with project construction, including pipeline installation via HDD. Received sound levels associated with project construction and operation must be calculated at noise sensitive receptors (NSRs; e.g., residences), and compliance should be assessed with identified noise criteria. If required, noise mitigation should be proposed based on the results of this analysis.

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80	Noise - Onshore	Volume II	Section 13	TT	Provide details regarding the operational acoustic modeling analysis approach and modeling inputs.
81	Noise - Offshore	Volume II	Section 15	TT	Provide a discussion citing the NOAA Underwater Acoustic Criteria (2018) in the offshore study and using it to evaluate potential offshore noise impacts.
82	Noise - Offshore	Volume II	Section 16	TT	The application states that pile driving will be used for installation of the pipeline end manifold (PLEM) and anchor piles, however it does not appear that any modeling was completed to assess potential underwater noise impacts to marine species. Please provide analysis on acoustic impacts resulting from pile driving activities. This analysis should take the into context the proximity to the Padre Island National Seashore.
83	Water Quality	Volume I, Appendix W	NDPES Permit Applications for Onshore Components, Form 2C	TT	Outfall number 001 on Form 2E has TOC and TSS listed as "NA" but given as "EST*". These constituents are not listed in Column A on the form. Please review and correct this inconsistency.
84	Water Quality	Volume I, Appendix W	NDPES Permit Applications for Onshore Components, Form 2C	TT	In Section V Part B, Oil and Grease are provided as 15 ppm but also marked as believed absent. Please review and correct this inconsistency.
85	Water Quality - SPM Discharges	Volume I	NPDES Application for Offshore Components, SPM Discharges	TT	The application states that no discharges are anticipated from the SPM buoy system. Please confirm if there will be any crude oil residue associated the SPM connector between vessel loadings that will require containment once the SPM is disconnected from the tanker?

Information Request #	Resource	Application Volume	Application Section	Agency	Information Request
86	Water Quality - Vessel Discharges	Volume II	Section 3	TT	Cooling water from vessel discharges is only listed for the desalinization system. Please confirm if steam vessels operating a steam system condenser discharge cooling water. Volume II Section 3 of the application indicates that another source of cooling water will be essential generator function tests and the IGG. A significant contribution of cooling water discharge from the main propulsion system may be present if the vessel is a steam-based propulsion system. Please confirm if this implies that only diesel-powered vessels will be visiting the SPM buoy.
87	Water Quality	Volume II	Section 3, 3.14 401 Water Quality Certification	TT	The application includes statements indicating that the TXDEQ will be reviewing the application for compliance with water quality certification thresholds; however, the RRC will be issuing the water quality certificate. Please confirm whether issuance of the water quality certificate will be following the TXDEW review process.
88	Project Description	Volume II	Section 1	TT	Provide citations for information provided in the application on limitations of refineries, predictions of excess oil production, IMO incentives, and all other facts not considered general knowledge.
89	Project Description	Volume II	Section 2, Appendix A	TT	Please provide a table of key construction durations and seasons. The Gantt chart in provided in Appendix A of the application is not suitable for use in the EIS.
90	General	Volume II	Section 1, Page 1-1	TT	The application states: "In 2015 these energy resources supported 10.3 million jobs and contributed more than $1.3 trillion to the U.S economy (API)." Please update this statement to reflect 2017 data.
91	General	Volume II	Section 1, Page 1-2	TT	Please provide units for Figure 1-1.
92	General	Volume II	Section 1, Page 1-4	TT	Please provide units for Figure 1-4.

Information Request #	Resource	Application Volume	Application Section	Agency	Information Request
93	Project Description	Volume II	Section 1, Page 1-12	TT	The application states: "The proposed SPM buoy system will be of the Catenary Anchor Leg Mooring (CALM) type permanently moored with a symmetrically arranged six-leg anchor chain system extending to 60-inch-diameter pile anchors fixed on the seafloor." Please provide a figure that describes this system or provide a reference figure from another section.
94	Inshore and Offshore Aquatic Environment	Volume II	Section 5, Page 5-1	TT	The "Applicable Laws" section provided in Section 5 of the application is incomplete. Provide an expanded discussion of the applicable laws. At a minimum this discussion should include the ESA, MSA, FWCA, CWA, CAA, and BGEPA.
95	Inshore and Offshore Aquatic Environment	Volume II	Section 5, Page 5-4	TT	Please provide figures showing the project area and PINS.
96	Inshore and Offshore Aquatic Environment	Volume II	Section 5	TT	Provide an expanded discussion of softbottom (sandy substrate) and water column in Laguna Madre. The softbottom discussion should discuss grain size distribution and typical infauna. The water column discussion should include plankton, including ichthyoplankton, and a discussion of waves, wind, and tide as they relate to biological resources. These topics should be discussed in the context of the potential for sediment movement in the Laguna Madre during and following trenching.
97	Inshore and Offshore Aquatic Environment	Volume II	Section 5, Page 5-5	TT	Provide the following information on sediment transport in the Laguna Madre missing from Section 5.3.1.1 of the application: • Clarification of the duration of trenching; • Rationale for not including a buffer zone around trenching; • Discussion of impacts of suspended sediment and sediment deposition; • Discussion of the effects on sessile eggs and larvae in the seagrass beds; • Discussion of impacts in terms of direct and indirect effects.

Information Request #	Resource	Application Volume	Application Section	Agency	Information Request
98	Inshore and Offshore Aquatic Environment	Volume II	Section 5, Page 5-13	TT	Please define "temporary," "minor," "shortly," "short," and "low speeds," as used in Section 5.3.1.2.
99	Inshore and Offshore Aquatic Environment	Volume II	Section 5, Page 5-13	TT	Provide a discussion on impacts to ichthyoplankton in all stages of the project.
100	Inshore and Offshore Aquatic Environment	Volume II	Section 5, Page 5-13	TT	Provide definitions for "short," "small area," "short-term," "negligible," "limited duration, and "temporary" as used in Section 5.3.1.3. Include a discussion of effects associated with anchoring. Provide additional information to clearly indicate the duration and anticipated season of construction.
101	Inshore and Offshore Aquatic Environment	Volume II	Section 5, Page 5-14	TT	Provide a discussion on impacts of lighting and vessel noise during operation.
102	Inshore and Offshore Aquatic Environment	Volume II	Section 5, Page 5-15	TT	Section 5.3.2.1 of the application states: "The mesh openings, although relatively large, will preclude entrainment of most adult pelagic species." Provide a definition for "wide mesh" as used in this section and discuss associated impacts to ichthyoplankton.
103	Inshore and Offshore Aquatic Environment	Volume II	Section 5, Page 5-15	TT	Section 5.3.2.2 states: "In addition, a minimum of two supply tugs will be onsite at the SPM buoy system during operations." The project description implies that operations are continuous. Please clarify if two tugs will be onsite during operations only.
104	Inshore and Offshore Aquatic Environment	Volume II	Section 5, Page 5-16	TT	Provide additional detail to the analysis of impacts of a spill, including an estimate of the worst-case volume, the shut-off plan, dispersal model results, and other factors relevant to the analysis.

Information Request #	Resource	Application Volume	Application Section	Agency	Information Request
105	Inshore and Offshore Aquatic Environment	Volume II	Section 5, Page 5-16	TT	Section 5.3.2.4 of the application states: "However, because the worst-case-scenario spill would occur offshore and oil reaching nearshore environments would be highly weathered, significant adverse impacts on seagrasses and oyster reefs are unlikely." Please present the worst-case spill model and provide the justification for assuming that spilled oil would become "highly weathered" before reaching shore.
106	Inshore and Offshore Aquatic Environment	Volume II	Section 5, Page 5-16	TT	Section 5.3.2.4 of the application states: "Adverse impacts on soft-bottom habitat in the event of the worst-case scenario spill would be localized, and over time toxic particles would be weathered and removed from affected habitats." Please provide the model results to support this statement.
107	Inshore and Offshore Aquatic Environment	Volume II	Section 5, Page 5-16 and 5-17	TT	The Application states: "Because offshore hard-bottom habitats and artificial reefs are located at depths > 5 m, oil concentrations in the water column would be diluted below acute toxicity levels and any impacts would be recovered quickly (NOAA – Hazardous Materials Response and Assessment Division 1992)." Please provide a discussion citing current references to reflect lessons learned following the Deepwater Horizon incident and any additional relevant analysis.
108	Inshore and Offshore Aquatic Environment	Volume II	Section 5, Page 5-17	TT	Provide information on the duration of decommissioning activities and discuss impacts to ichthyoplankton during decommissioning. Provide a discussion on loss of hardbottom habitat as it compares to the beneficial impacts claimed in the construction of the project.
109	Commercial and Recreational Fisheries	Volume II	Section 6, Page 6-5	TT	Section 6.2.2 of the application states: "...blue crab are the only commercially targeted crab species in the western Gulf states." Provide additional detail on the blue crab and potential impacts on its commercial viability. Include discussion of the estuarine life cycle of blue crab as it relates to movement into and out of Laguna Madre.

Information Request #	Resource	Application Volume	Application Section	Agency	Information Request
110	Benthic Habitat	Volume II	Appendix E, Benthic Survey Report; Appendix F, Submerged Aquatic Vegetation Impact Analysis	TT	Provide a discussion of seasonality of seagrass growth in Laguna Madre to justify the suitability of a survey conducted in mid-April.
111	Benthic Habitat	Volume II	Appendix E, Benthic Survey Report	TT	Provide additional information to supplement information provided in Appendix E and F, including: grain size distribution, infaunal and benthic invertebrate species assemblages, total organic carbon and other chemical concentrations, and other details necessary to characterize benthic resources in the project area.
112	Benthic Habitat	Volume II	Appendix E, Benthic Survey Report	TT	Provide a benthic survey on offshore components of the project.
113	Benthic Habitat	Volume II	Appendix E, Benthic Survey Report, Page 1	TT	Section 1.0 of the report states:"...benthic surveys were conducted in the Laguna Madre within an approximate 2,000-foot-wide survey corridor centered on the proposed pipeline centerline." This statement contradicts the description of sampling in provided Section 2.2, which states that samples were taken as close to the proposed pipeline centerline as possible. Please provide clarification on this inconsistency and provide a discussion of the significance of the "2,000-foot-wide corridor?"
114	Benthic Habitat	Volume II	Appendix E, Benthic Survey Report, Page 2	TT	Section 1.0 of the report states: "...Lloyd Engineering, Inc. (LEI) conducted a submerged aquatic vegetation (SAV) survey on behalf of the Texas Gulf Terminals Project, the Project, within and approximately 150 feet beyond the limits of the proposed Project pipeline installation corridor…" Please define the term “corridor” in this statement and provide a rational for the width of the survey corridor that references literature or regulatory citations justifying the lack of a buffer zone surrounding the proposed pipeline.

Information Request #	Resource	Application Volume	Application Section	Agency	Information Request
115	Aquatic Vegetation	Volume II	Appendix F, Submerged Aquatic Vegetation Analysis, Page 3	TT	Section 4 of the report states: "It is anticipated that all seagrass within the workspaces will be temporarily impacted during construction of the Project." Provide a definition for "temporary" as it is used in this section. Provide literature citation or modeling results to support the conclusion of "temporary" impacts. Provide discussion on the following topics: the influences of wind, tides, and currents on sediment suspension, transport, and deposition beyond the trenched area; the importance of season on the extent of construction-related effects on seagrasses; and the indirect effects of seagrass mortality on other biological resources that use seagrasses.
116	Essential Fish Habitat	Volume II	Appendix G, Essential Fish Habitat, Page 5	TT	Some distinct population segments (DPS) of the species listed in Table 1 are listed under the ESA (for example, scalloped hammerhead); please specify the name of the DPS that occurs in the project area to clarify that these DPS are not listed under the ESA.
117	Essential Fish Habitat	Volume II	Appendix G, Essential Fish Habitat, Page 11	TT	Project source citations for all figures in Appendix G, Essential Fish Habitat.
118	Essential Fish Habitat	Volume II	Appendix G, Essential Fish Habitat, Page 15-16	TT	For Tables 3 and 4, provide a key defining "x" and "-".
119	Essential Fish Habitat	Volume II	Appendix G, Essential Fish Habitat, Page 18-21	TT	In Section 3.3.3 and 3.3.4 of the EFH report there are numerous citations of GMFMC (2004) and statements about "limited information" on various species. Please provide updated information on species and EFH using the 5-Year Review (GMFMC 2016) and other publications that are publicly available.
120	Essential Fish Habitat	Volume II	Appendix G, Essential Fish Habitat, Page 24	TT	Provide a discussion of impacts of lights as should be provided in Table 5 of the EFH.
121	Essential Fish Habitat	Volume II	Appendix G, Essential Fish Habitat, Page 24	TT	Provide a discussion of the impacts of "inadvertent spills" on all categories of essential fish habitat (EFH).

Information Request #	Resource	Application Volume	Application Section	Agency	Information Request
122	Wildlife and Protected Species	Volume II	Section 7.2.3, Page 7-13	TT	The application states: "In Texas, these species can be found along South Texas inshore and nearshore coastal waters. Juveniles, males, or non-breeding females may occur all along the inshore and nearshore coastal waters. During adult non-nesting and juvenile stages, these species occur in pelagic, coral reefs, or nearshore coastal areas for foraging and breeding." Please confirm if these statements are equally true for all five sea turtle species and provide discussions specific to each of the five species.
123	Wildlife and Protected Species	Volume II	Section 7.2.3, Page 7-13	TT	Provide discussion on sea turtle habitat, occurrence, or behavior within the offshore portion of the project. Note that, at a minimum, leatherback sea turtles would occur offshore in the project area, and likely other sea turtle species.
124	Wildlife and Protected Species	Volume II	Section 7.2.3.1, Page 7-15	TT	The application states: "however, there will be temporary impacts to the seagrass, and therefore, possibly to green sea turtles, in those portions of the Laguna Madre where the pipeline will be installed via trenching. Biological monitors will be present to ensure there will be no unanticipated take of green sea turtles during inshore and offshore construction." Provide an assessment on impacts to the green sea turtle associated with reduction of seagrass foraging and from trenching activities. In this assessment provide justification to the conclusion stated in the application that these activities not likely to adversely affect “NLAA” to the green sea turtle.
125	Wildlife and Protected Species	Volume II	Section 7.2.3.1, Page 7-15 and Section 7.2.3.2, Page 7-16	TT	The application states that for the green sea turtle and Hawksbill sea turtle, "there will be no effects on beach habitat in the Project area because it will be avoided up to 1 mi (1.6 km) offshore via HDD construction methodology. In addition, offshore construction is anticipated to occur outside of sea turtle nesting season." Provide an analysis of impacts to onshore beach habitat for these species and the direct and indirect effects of construction on onshore and inshore areas.

Information Request #	Resource	Application Volume	Application Section	Agency	Information Request
126	Wildlife and Protected Species	Volume II	Section 7.2.3.1, Page 7-15	TT	Provide an analysis of the effects of sediment plumes on the green sea turtle.
127	Wildlife and Protected Species	Volume II	Section 7.2.3	TT	Provide a discussion justifying the conclusion of the project to not likely to adversely affect (NLAA) sea turtles.
128	Wildlife and Protected Species	Volume II	Section 7.2.4	TT	Provide a discussion and justification for the conclusions on impacts to marine mammal species which addresses accounts of threats of ship strikes, noise, entanglement, and oil, fuel, or other chemical spills, etc.
129	Wildlife and Protected Species	Volume II	Section 7.2.4	TT	Provide a discussion that addresses occurrence, distribution, and abundance for all marine mammal species in project area waters inshore and offshore.
130	Wildlife and Protected Species	Volume II	Section 7.2.4.10	TT	Section 7.2.4.10 of Volume II does not cite most recent NOAA Technical Acoustic Guidance from 2018. Please provide an assessment that incorporates the Technical Acoustic Guidance for here: see https://www.fisheries.noaa.gov/action/2018-revision-technical-guidance-assessing-effects-anthropogenic-sound-marine-mammal-hearing

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

July 26, 2018

Mr. Roddy C. Bachman
U.S. Coast Guard (CG-OES-2)
Vessel and Facilities Operating
2703 Martin Luther King, Jr. Avenue S.E.
Washington, DC 20593-7509

Subject: EPA Authority Over Construction and Operation
Texas Gulf Terminals Inc. Deepwater Port Act Project

Dear Mr. Bachman:

EPA Region 6 received a copy of the deepwater port license application package for Texas Gulf Terminals Inc. (TGTI) crude oil export terminal on July 13, 2018, and provides these comments to assist the United States Coast Guard / Maritime Administration (USCG / MARAD) and their contractors as the agencies determine the administrative completeness of the Deepwater Port Act (DPA) license application package and initiate scoping for the Environmental Impact Statement (EIS) under the DPA and the National Environmental Policy Act (NEPA). The overall project will consist of three distinct, but interrelated components: 1) the "offshore" component, 2) the "inshore" component, and 3) the "onshore" component.

The proposed deepwater port (offshore component) would be located approximately 12.7 nautical miles off the coast of North Padre Island (Kleberg County, Texas) and consist of 14.71 miles of two (2) new parallel 30-inch diameter crude oil pipelines, which terminate at a single point mooring (SPM) buoy. The SPM buoy system would be positioned in water depths of approximately 93 feet and consist of a pipeline end manifold, catenary anchor leg mooring system, and other associated equipment.

The inshore components associated with the proposed project includes 5.74 miles of two (2) new 30-inch diameter crude pipelines and onshore valve station used to connect the onshore project components to offshore project components. The inshore portions of the proposed pipeline infrastructure cross the Laguna Madre bay complex, the Gulf Intracoastal Waterway, and extend across North Padre Island to the mean high tide line located at the interface of North Padre Island and the Gulf of Mexico. Additionally, the inshore project components include the installation of an onshore valve station on North Padre Island to allow for the isolation of portions of the proposed pipeline infrastructure for servicing, maintenance, and inspection operations.

Onshore components associated with the proposed project include the construction and operation of an onshore storage terminal facility (OSTF), booster station, and approximately 6.36 miles of two (2) new 30-inch diameter parallel crude pipelines with Nueces and Kleberg counties, Texas. The OSTF would occupy approximately 150 acres in Nueces County, and would consist of all necessary infrastructure to receive, store, measure, and transport crude oil through the proposed

inshore and deepwater port pipeline infrastructure. (Note – At the time of the application, the TGTI has not determined the number, precise routing, ownership, extent to which destinations other than the OSTF will be served and other details related to the shipment of oil from the production fields to the OSTF. TGTI will be required to supplement the application when this information is available.) The proposed booster station would occupy approximately 8.25 acres in Kleberg County, and would consist of the necessary pumping infrastructure to support the transportation of crude oil from the OSTF to the deepwater port. Onshore pipeline infrastructure would extend from the OSTF to the landward side of the mean high tide line located at the interface of the western shoreline of the Laguna Madre.

EPA Region 6 appreciates this opportunity to provide the following information to the Coast Guard and Maritime Administration as part of the coordinated licensing effort for this facility.

We reviewed the TGTI documents and have determined that the applications for EPA Clean Air Act permit actions are administratively complete in that all of the required EPA forms and certifications were included. However, there is an issue with the Clean Water Act permit application (see below). In addition to the comments below, we reserve the right to request additional information as we more fully examine the permit applications and begin to develop Agency decisions regarding permits for the proposed facility. The NEPA and cross-cutting statutes and regulatory consultation documents need to be sufficient for our use in our regulatory permit actions. EPA would appreciate the opportunity to participate in the consultations as an action agency.

CLEAN WATER ACT. Due to the nature of the delegation of the Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) permit authority in Texas, EPA Region 6 is the NPDES permitting authority for the project, including onshore, inshore, and offshore discharges.

The Texas Gulf Terminals Inc. deepwater port license application received by EPA Region 6 included a copy of the NPDES permit application forms. In accordance with the applicable Environmental Permit Regulations, (40 CFR 124.3(c), 54 FR 18785, May 2, 1989) this information was reviewed and determined to be administratively incomplete. During the technical analysis of the application, other deficiencies may be determined and a request for additional or clarifying information will be made to the applicant.

The applicant should submit NPDES Form 2E – Application for facilities which do not discharge process wastewater for its hydrostatic test discharge water. NPDES Form 2C is the Application for a permit to discharge wastewater for existing industrial facilities (including manufacturing, commercial, mining and silvicultural operations).

Because the Deepwater Port Act (DPA) designates the proposed type of facility a "new source" for CWA purposes, EPA will consider the information in the MARAD/Coast Guard's EIS and consultation documents in its NPDES permit action in accordance with CWA § 511(c)(1) and DPA § 5(f). Of particular interest will be the conclusion of consultations with the National Marine Fisheries Service and/or U.S. Fish and Wildlife Service for compliance with the Endangered Species Act and the Magnuson-Stevens Fishery Conservation and Management Act; including affects on fish, shellfish, and threatened and endangered species, in all life stages, caused by the construction and operation of the facility. EPA is also intending to reply on the

National Historic Preservation Act consultations with Advisory Council on Historic Preservation and the Texas Historical Commission for compliance with the National Historic Preservation Act.

CLEAN AIR ACT. EPA does not normally administer the Clean Air Act (CAA) in the western Gulf of Mexico because under CAA Section 328, the Department of Interior's Bureau of Ocean Energy Management is responsible for regulating outer continental shelf (OCS) sources in that area. As presented in the application, the proposed source is not an OCS source, so Section 328 does not apply. Instead, EPA is the CAA permitting authority. EPA regards a provision of the DPA, 33 U.S.C. § 1501, *et seq*, as the primary source of its authority to apply the CAA to activities associated with deepwater ports. The DPA applies federal law and applicable State law to deepwater ports, and further designates deepwater ports as "new sources" for CAA purposes. Accordingly, for the source's pre-construction and operating permits, EPA will rely on the provisions of Title 1 and Title V of the CAA, supporting applicable regulations and on the state's law to the extent applicable and not inconsistent with federal law. EPA will also consider the information in the MARAD / Coast Guard's EIS and consultation documents in its CAA permit actions, and in particular will rely on the MARAD / Coast Guard's consultations with the National Marine Fisheries Service and/or U.S. Fish and Wildlife Service for compliance with the Endangered Species Act and the Magnuson-Stevens Fishery Conservation and Management Act as well as consultations with the Advisory Council on Historic Preservation and the Texas Historical Commission for compliance with the National Historic Preservation Act.

The applicant asserted that the nearest adjacent coastal state to the operation is Texas, based on the location of the terminal. EPA concludes that, in accordance with Section 19 of the DPA, the applicable state laws and regulations governing air quality at TGTI are those of Texas.

We have not completed our review the permit applications or the supporting modeling analysis included in *Appendix V* of the DWP License application for technical completeness. This is only a preliminary review for administrative completeness. In EPA's preliminary review, air permit related application materials appear to generally include regulatorily required administrative information. After EPA completes a technical review of the applications, additional technical information may be requested in writing or though meetings with the applicant. We reserve the right to inform the applicant that their air permit related applications are technically incomplete pursuant to each set of implementing regulations the applicant has applied under. At this point in EPA's review, we believe that the applications as submitted are administratively complete.

MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT. Under Section 101 of the Marine Protection, Research, and Sanctuaries Act of 1972 (MPRSA), 33 U.S.C. § 1401, no person may transport material from the United States or on an American flagged vessel for the purpose of dumping it in ocean waters in the absence of a permit issued by EPA pursuant to MPRSA § 102. A MPRSA §102 permit is also required for any person transporting material from anywhere for the purpose of dumping it in the territorial seas or to the contiguous zone where it might affect the territorial seas.

Based on our current understanding, it does not appear that this proposal includes transporting materials for the purpose of dumping it in connection with the construction or operation of the Texas Gulf Terminals Inc. facility. Moreover, "dumping" does not include "construction of any fixed structure or artificial island nor the intentional placement of any device in ocean waters, or

on or in the submerged land beneath such waters, for a purpose other than disposal, when such construction or such placement is otherwise regulated by Federal or state law . . ." MPRSA § 3(f). The construction of this deepwater port appears to fall within this statutory exclusion. However, if this understanding is not correct or if dredged materials associated with the construction/placement of the SPM facility and pipelines require disposal, MRPSA Sections 101 and 103 may apply, as well as provisions of the Clean Water Act. The following information is provided in that event.

The Corpus Christi Ship Channel Ocean Dredged Material Disposal Site (ODMDS) was primarily developed in consultation with US Army Corps of Engineers (USACE) – Galveston to provide placement of suitable navigational sediment. EPA believes it would be beneficial to understand what pertinent information would be helpful should you choose to utilize the ODMDS site.

First, EPA Region 6 looks forward to working with Texas Gulf Terminals Inc. should you choose to utilize the ODMDS. However, EPA also realizes that sometimes dredged material may not be suitable to be used beneficially but the Agency encourages that suitable material should be considered for beneficial uses. EPA encourages that the facility continues to work with all local, state and federal entities to look for suitable beneficial placements. EPA believes that suitable dredged material provides productive purpose from which economic, social or other benefits may be derived. Compared to disposal of dredged material in confined sites, beneficial use reduces the need for disposal. Examples of beneficial use include wetlands restoration, beach nourishment, shoreline construction, and habitat creation. The Clean Water Act (CWA) Section 404 governs discharge of dredged or fill material into "waters of the United States," including the placement of dredged material in the territorial sea for a purpose other than disposal. For information on dredged material permitting under CWA 404, please see our Section 404 of the Clean Water Act Web page.

Second, should the Texas Gulf Terminals Inc. facility choose to utilize the Corpus Christi ODMDS, it is imperative that early coordination with USACE – Galveston and EPA be conducted due to potential site capacity issues for this site. This is an enormous undertaking and will require that all parties work together collaboratively to achieve a successful outcome.

Third, EPA and USACE jointly published the Ocean Testing Manual, a national testing manual for the evaluation of dredged material proposed for ocean dumping (also known as the Green Book). Under section 103 of the MPRSA, any proposed dumping of dredged material into ocean waters must be evaluated through use of EPA's ocean dumping criteria (40 CFR 220-229). The Ocean Testing Manual provides guidance for sampling, testing, and analysis of water, sediment and tissue to evaluate the environmental acceptability of dredged material proposed for ocean disposal. Uncharacterized materials are prohibited from ocean disposal (40 CFR 227.5(c)). Therefore, EPA and USACE review sampling and analysis plans to ensure that each project's sediments are appropriately characterized. EPA recommends that Texas Gulf Terminals Inc. look at the requirements for utilization of the ODMDS should you choose to utilize this site. It is critical that if you should have any questions, to work with USACE – Galveston regulatory to better understand USACE and EPA's role during the permitting process. All 3rd party dredging permits are handled by the USACE in coordination with EPA. Evaluation of dredged material for ocean disposal under the Marine Protection, Research and Sanctuaries Act (MPRSA), sometimes referred to as the Ocean Dumping Act, relies on standardized testing using biological organisms (bioassays). The purpose of the evaluation procedures is to ensure efficient and reliable

protection against toxicity and bioaccumulation that otherwise may impair the marine environment or human health. The technical guidance is intended for use by dredging applicants, laboratory scientists, and regulators. Regional guidance is provided in the Regional Implementation Agreement.

Also, if you should need further information about the Region 6 program for Ocean Disposal, please feel free to visit our website at: https://www.epa.gov/ocean-dumping/managing-ocean-dumping-epa-region-6 or an overview of the entire program nationally at: https://www.epa.gov/ocean-dumping

COASTAL AND WETLAND RESOURCES. As we currently understand the project, it would involve anchoring a Single Point Mooring (SPM) buoy in about 93 feet of water approximately 12.7 nautical miles off the coast of North Padre Island and connecting it to inshore components via 14.71 miles of two (2) new parallel 30-inch diameter crude oil pipelines. The inshore components include 5.74 miles of two (2) new 30-inch diameter pipelines and an onshore valve station on North Padre Island. The latter pipelines would transit the Laguna Madre Bay system, the Gulf Intracoastal Waterway, and North Padre Island. The onshore components would include a storage terminal facility that would require a 150-acre site in Nueces County, a booster station located on an 8.5-acre site in Kleberg County, and 6.36 miles of two new 30-inch diameter parallel pipelines crossing through Nueces and Kleberg counties.

It is clear that these components, taken individually and considered cumulatively, could have significant impacts to vital coastal and wetland resources. Therefore, it is imperative that all necessary measures be taken to avoid such impacts to the degree possible and to fully mitigate or compensate for those that cannot be avoided. Beyond compliance with the National Environmental Policy Act and the Clean Water Act, there is also a fundamental need to ensure that the proposed project is consistent with federal and State efforts to restore coastal resources. The rapid deterioration of coastal areas in the northern Gulf of Mexico is regarded by many as one of the nation's most critical ecological problems.

Accordingly, all practicable efforts should be taken to ensure that the proposed project does not inhibit or otherwise conflict with reasonably foreseeable future restoration efforts in this area. Special attention should be afforded to the alternative plans currently being analyzed as part of the Texas Coastal Restoration and Protection Feasibility Study (U.S. Army Corps of Engineers) and to those found in the Texas Coastal Resiliency Master Plan (Texas General Land Office). Any proposed projects under the Deepwater Horizon Natural Resource Damage Assessment and RESTORE Act programs that might be located in areas potentially impacted by this proposal should be evaluated. Coastal natural resource and sensitive species impact mitigation should be coordinated with the Coastal Bend Bays and Estuaries Program.

The impacts from construction and operation of the deepwater port and ancillary facilities, including dredging and any projected impacts to wetlands and special aquatic sites (including seagrass beds), are of particular interest to us and should be analyzed in the draft Environmental Impact Statement (EIS). We would look for a thorough evaluation in the draft EIS that demonstrates planning efforts to avoid, minimize, and compensate for wetland and special aquatic site losses associated with any proposed dredged material disposal, construction work, and operation and maintenance activities. All unavoidable direct and indirect impacts would need to be fully compensated. In summary, the planning for this project must ensure that adverse

impacts to natural marine resources, coastal wetlands, and special aquatic sites (including seagrass beds) have been avoided to the maximum extent practicable, taking advantage of every opportunity for beneficial use of any dredged material produced.

We recommend that an aquatic resource and wetland mitigation plan be included within the draft EIS, along with the Clean Water Act Section 404 (b)(1) analysis. The mitigation plan should be included in the draft EIS along with the alternatives analyses and any additional information relevant to potential impacts to wetlands and other special aquatic resources. This would ensure that the draft EIS has sufficient information to demonstrate whether potential adverse impacts have been adequately addressed. Providing this material after public review of the draft EIS does not allow optimum analysis of the entire range of significant potential environmental impacts. Impacts to aquatic resources and wetlands should include direct and indirect effects, which might include deepwater port service and maintenance functions such as harboring of supply boats and other support vessels. Provisions for ensuring adequate post-implementation project monitoring should be included. In addition, means of assuring mitigation success should also be incorporated into the proposed plan.

Over the years, human uses and natural events have combined to cause a critical habitat loss in this ecologically sensitive area that is important to the long-term protection of resident and migratory shorebirds and sea turtles. Construction and maintenance operations should include plans for avoiding impacts to nesting avian and sea turtle species, particularly those that utilize the shoreline, wetland, and shallow water habitats of North Padre Island and Laguna Madre for any portion of their life cycle.

The environmental analyses should explain whether the SPM location will negate the need for ballast water exchange and the concomitant potential for invasive species introduction. The potential for introduction of these species via other pathways associated with the vessels should also be evaluated.

The draft EIS should include an analysis of marine pollution issues that might arise from the potential increase in foreign vessel traffic in the area.

In addition, the EIS should address any projected marine and coastal natural resource impacts to be expected as a result of hurricanes or tropical storms. As we understand it, the Single Point Mooring system includes anchors attached to the seabed and anchor chains and chain stoppers that allow the buoyed facility to move freely within a defined area. The environmental analysis should explain whether these features would cause bottom scour and impacts to benthic communities. The analysis of alternatives to reduce environmental impacts should also include a comparison of various types of Single Point Mooring systems, including Catenary Anchor Leg Mooring and Single Anchor Leg Mooring.

NATIONAL ENVIRONMENTAL POLICY ACT. EPA Region 6 desires to be a cooperating agency in the development of the EIS by MARAD and USCG. Additionally, Section 309 of the Clean Air Act requires EPA to review EISs prepared by other agencies and refer projects it finds "environmentally unacceptable" to the President's Council on Environmental Quality (CEQ).

MARAD/USCG should submit the EIS to EPA through the e-NEPA electronic filing system. Filing instructions are available on EPA's NEPA website at https://www.epa.gov/nepa/environmental-impact-statement-filing-guidance

Please provide an additional copy of both draft and final EISs to EPA Region 6 for consideration in its NPDES permit action.

POINT OF CONTACT. I will be the primary EPA point of contact for communications on the TGTI project. Correspondence should be directed to me as follows:

Robert D. Lawrence
Senior Policy Advisor – Energy Issues
EPA Region 6
1445 Ross Avenue (6MM-A)
Dallas, TX 75202
(214) 665-6580

Once again, EPA Region 6 looks forward to working with the Coast Guard and Maritime Administration on this project.

Sincerely yours,

Robert D. Lawrence
Senior Policy Advisor - Energy Issues

cc: Mr. Matt Kimmel
Corps of Engineers, Corpus Christi, TX

Ms. Terri Thomas
Bureau of Ocean Energy Management, New Orleans LA

Dr. Roy E. Crabtree
NOAA National Marine Fisheries Service, St. Petersburg, FL

Mr. Pat Clements
Fish & Wildlife Service, Corpus Christi, TX

Ms. Yvette Fields
Maritime Administration, Washington, DC

Ms. Denise Rogers
Texas Gulf Terminals, Inc., Houston, TX

Bachman, Roddy C CIV

From: Abbott, Jarvis <jarvis.abbott@bsee.gov>
Sent: Friday, July 27, 2018 4:42 PM
To: Bachman, Roddy C CIV
Cc: Steve Dessauer; Pittman, Michael
Subject: [Non-DoD Source] Re: [EXTERNAL] Texas Gulf Terminals Crude Oil Export Deepwater Port Application: Heads-Up and Introduction
Attachments: Comment Response Matrix - Texas Gulf Terminals, Inc Deepwater Port Application_ 27July2018.docx; TEXAS GULF TERMINALS INC. - TGTI DEEPWATER EXPORT PORT-DETERMINATION COMPLETENESS vmb.pdf

Roddy,

Thank you for receiving BSEE comments on the completeness of TGTI's application for a deepwater port export license. At this time we recommend that the application be deemed incomplete until such time as TGTI, in cooperation with MARAD and USCG, can address the comments contained in the two attachments enclosed with this message.

BSEE looks forward to continuing to work with all parties to suitably address all comments contained in the enclosed attachments. I'm happy to facilitate any conversations with BSEE permit reviewers or other relevant subject matter experts needed to resolve all comments.

jba

Jarvis B. Abbott
Acting Chief, Risk Analysis and Permit Policy Section,
Risk Assessment and Analysis Branch
Bureau of Safety and Environmental Enforcement
Department of the Interior
45600 Woodland Road, Mail Stop VA-ORP
Sterling, VA 20166
jarvis.abbott@bsee.gov

mobile: 571.314.4947
office: 703.787.1866

On Fri, Jul 13, 2018 at 10:21 AM, Bachman, Roddy C CIV <Roddy.C.Bachman@uscg.mil> wrote:

> Good morning Folks
>
> I've worked with many of you on deepwater port applications in the past but some of you are new to this or to me. My name is Roddy Bachman and I am the US Coast Guard Project Manager for Deepwater Ports in the Vessel and Operating Standards Division. Much of this email distribution is either based on the last deepwater

port project or information provided by the applicant from their pre-application meetings with your agencies, so it may need some tweaking.

The Coast Guard and Maritime Administration (MARAD) jointly process deepwater port applications for the import or export of natural gas or oil including the NEPA review. To assist us in this process, Tetra Tech is our 3rd party environmental consultant on this project.

This is a heads-up that you should be receiving CDs THIS MONDAY for a DEEPWATER PORT APPLICATION from TEXAS GULF TERMINALS, INC for a port to export crude oil located approximately 12.7 nm off the coast of North Padre Island with pipelines from an onshore terminal facility in Nueces County near Corpus Christi, TX. Per the attached letter from Mr. Curtis Borland, Attorney Advisor, USCG Vessel and Facility Operating Standards, we are requesting your comments on the application completeness. The Deepwater Port Act (DWPA) has a very aggressive statutory timeline of a record of decision within 356 days of application submittal (including the NEPA review). This is why we are asking by Friday 27 July, you provide input as to if this application contains sufficient information to continue the application review process and initiate the NEPA review and development of an EIS. Naturally your review and comment opportunities as well as requests for additional information if needed will continue through the NEPA process.

This is a limited Federal agency review established by an MOU for the DWPA. Additional Federal, State and local agency participation will come once the application is deemed complete. Please also note that until this application is deemed complete by the Coast Guard and MARAD, it is NOT FOR PUBLIC INFORMATION. This is in respect for the applicants business confidentiality.

Please pass this information to others in your organization who need it and

Please review the mailing list attached to the letter for your organization and let me know any changes or requests regarding:

1. Do you wish to remain on the email distribution?

2. Do you also wish to receive document distributions (DEIS, EIS, etc.) or just copied on emails?

2. Who else in your organization should be included in this list? Please provide full contact info including email, phone and mailing information.

3. Is there a single point in your office that should receive the document mailings and handles your internal distribution? (This is appreciated)

FYI and for future planning:

1. Friday 27 July 18: Agency comments due

2. Monday 30 July 18: By the Deepwater Port Act the USCG and MARAD must deem the application complete or incomplete.

3. The application is distributed to additional Federal Agencies and appropriate Texas State and Local Agencies and to the Governor of Texas

4. Friday or Monday 3 or 6 Aug 18: MARAD issues FR Notice of Application and the application is posted on the Federal decket.

5. Friday or Monday 10 or 13 Aug 18: MARAD issues FR Notice of Intent (to publish EIS) initiates a 30 day scoping period and will include logistics for scoping meeting(s)

6. Late August/Early September: Scoping meeting(s) in Texas

Also "hopefully" today or Monday I will also be sending you the application by AMRDEC SAFE, which is a large file exchange system. You will receive an email with a link and password to download the application files directly. This may require a couple iterations of emails, links and passwords as the system is limited to 25 files a posting and the application has many more than that. I say "hopefully" because this will be my first try using it and it is Friday and...

Please contact me or Brad McKitrick, at Bradley.K.McKitirck@uscg.mil or (202) 372-1443, the Coast Guard Environmental Protection Specialist on this project, if you have and questions specific to the project or in general on the Deepwater port application process or wish to discuss anything.

As always we appreciate your assistance and expertise in this process and I look forward to working with you.

(And much more to come).

Thanks and have a great weekend

Roddy

Roddy C. Bachman
Project Manager, Deepwater Ports
Vessel and Facility Operating Standards CG-OES-2
U.S. Coast Guard Headquarters
Office: 202-372-1451 Cell: 540-850-2228
Email: Roddy.C.Bachman@uscg.mil

COMMANDANT (CG-OES-2)
ATTN: VESSEL AND FACILITY OPERATING STANDARDS DIVISION
US COAST GUARD STOP 7509
2703 MARTIN LUTHER KING JR AVE SE
WASHINGTON, DC 20593-7509

United States Government Memorandum July 26, 2018

To: Stephen Dessauer, Deputy Regional Supervisor, Regional Field Operations (RFO), Gulf of Mexico OCS Region, Bureau of Safety and Environmental Enforcement (BSEE), Department of the Interior (DOI)

Cc: Paul Versowsky, Chief of the Office of Structural and Technical Support (OSTS), Gulf of Mexico OCS Region, Bureau of Safety and Environmental Enforcement (BSEE), Department of the Interior (DOI)

From: Vanessa Bertrand, Structural Engineer, Office of Structural and Technical Support (OSTS), RFO, GOM OCS, BSEE, DOI

Reference: Texas Gulf Terminals, Inc. (TGTI) – Deepwater Port
Complex ID: To be determined Structure No.:
Authority:
Application No.:
Assessments of Completion of Application to own, construct, and operate as received by way of the USCG

By letter dated July 13, 2018, the United States Coast Guard (USCG) forwarded to the Bureau of Safety and Environmental Enforcement (BSEE) Gulf of Mexico OCS Region, Office of the Regional Director an application from Texas Gulf Terminal, Inc. (TGTI) seeking approval to own, construct, and operate a deepwater port for the export of domestically produced crude oil. The USCG requested that the BSEE review TGTI's application and provide an assessment of whether it contains information sufficient to commence processing. According to the USCG, the Deepwater Port Action of 1974 (DWPA), as amended, requires the U.S. Coast Guard and the Maritime Administration to conduct a review of the license application and make a determination as to completeness within 21 calendar days after receipt.

The application as provided included the following documents:
Volume 1 – Deepwater Port License Application (Public)
Volume I Appendices (Public)
- Appendix A – Project Figures
- Appendix B – Engineering and Consulting Firms Qualifications
- Appendix C – Construction Schedule
- Appendix D – Offshore Geophysical Survey
- Appendix E – Laguna Madre Geophysical Survey
- Appendix F - Offshore Surficial Sediment Sampling

- Appendix G – Shoreline Stability Analysis
- Appendix H – SPM Feasibility Mooring Analysis
- Appendix I – Gulf of Mexico Oceanographic Study
- Appendix J – Inshore Geotechnical Investigations
- Appendix K – USACE Permit Application
- Appendix L – CMP Consistency Statement _ REVISED
- Appendix M – State and Federal Lease Block Exhibits
- Appendix N – GLO TxSed Geospatial and Geotechnical Data
- Appendix O – Existing Offshore Platform Photographs
- Appendix P – Terracon Geotechnical Comments and conceptual Design Recommendations
- Appendix Q – Q88-INTERTANKO Standard Tanker Questionnaire
- Appendix R – Inadvertent Returns Contingency Plan
- Appendix S – Trajectory Model
- Appendix T – Worst-Case Discharge Calculation
- Appendix U – Tactical Response Plan
- Appendix V – Air Quality Environmental Documents
- Appendix W- NPDES Permit Applications for Onshore Project Components
- Appendix X – NPDES Applicability Evaluation
- Volume I Appendices (Public) Contents

Volume II – Environmental Evaluation (Public)

- Vol II Introduction Evaluation Framework, and Summary of Impacts - REVISED
- Vol II Section 1 – Project Description, Purpose and Need - Revised
- Vol II Section 2 – Alternatives Analysis _ FINAL
- Vol II Section 3 – Water Quality _ REVISED
- Vol II Section 4 – Wetlands and WOUS_REVISED
- Vol II Section 5 – Inshore and Offshore Aquatic Environment Final
- Vol II Section 6 – Commercial and Recreational Fisheries Final
- Vol II Section 7 – Wildlife and Protected Species Final
- Vol II Section 8 – Cultural Resources Final
- Vol II Section 9 – Socioeconomics Final
- Vol II Section 10 – Geological Resources Revised
- Vol II Section 11 – Coastal Zone Uses Recreation and Aesthetics Final
- Vol II Section 12 - Meteorology, Air Quality, and Noise Final
- Vol II Section 13 – Navigation and Navigation Safety Final
- Vol II Section 14 – Safety and Security Final
- Vol II Section 15 – List of Preparers Final
- Volume II Environmental Evaluation (Public) Contents

Volume II Appendices (Public)

- Appendix A – Construction, Operation, and Decommissioning Procedures
- Appendix B – Agency Coordination and Governing Laws and Regulations
- Appendix C – Wetland Delineation Report – Inshore
- Appendix D – Wetland Delineation Report – Onshore
- Appendix E – Benthic Survey Report\
- Appendix F – Submerged Aquatic Vegetation Impact Analysis
- Appendix G – Essential fish Habitat Assessment
- Appendix H – Threatened and Endangered Species Report
- Appendix I – Threatened and Endangered Species Report – Onshore
- Appendix J – Piping Plover and Read Knot Survey Report
- Appendix K – Air Quality Supporting Information

Appendix L – Air Quality Analysis
Volume II Appendices (Public) Contents

Appendix A – Draft Operations Manual
Appendix B – Inshore Archaeological Survey
Appendix C – Antiquities Permits
Appendix D – Marine Archaeology Assessment
Appendix E – Unanticipated Discoveries Plan
Appendix F – USACE Real Estate Application
Attachment A – 148.105(a) Applicant, Affiliate, and Consultant Information
Attachment B – Applicant Qualifications
Attachment C – Applicant Citizenship and Operating Authority
Attachment D – Financial

The BSEE OSTS has reviewed the subject application for completeness relative to the requirements as stated in 30 CFR §250 Subpart I, Platforms and Structures. It has been determined that the application as provided does not contain final detail engineering documents, some site specific studies, and the required verification information. In addition, the application indicates that much of the design of the facility has been executed per design standards other than those listed in 30 CFR §250.901, industry standard that your structure must meet.

30 CFR §250.904(b) states that the requirements of the Platform Approval Program must be met by all platform and structures on the OCS. In keeping with the requirements of 30 CFR §250.900(b) and 30 CFR §250.904(b) the applicant is to submit an application under the Platform Approval Program and obtain the approval of the Regional Supervisor before installing a platform or structure on the OCS. The requirements of the Platform Approval Program are described in 30 CFR §250.904 through 30 CFR §250.908.

In addition, 30 CFR §250.900(b) states that if you want approval for a floating platform; a platform of unique design; or a platform being installed in deepwater or a frontier areas, you must meet the requirements of the Platform Approval Program as well as the Platform Verification Program. The BSEE OSTS has determined that the applicant must meet the requirements of both the Platform Approval Program as well as the Platform Verification Program due to the proposed facility being a floating facility, having configurations, designs and operations which have not previously been used or proven for use in the area, and having a natural period in excess of 3 seconds. The requirements of the Platform Verification Program are described in 30 CFR §250.909 through 30 CFR §250.918. The applicant should be aware that the BSEE OSTS will require the verification of the design, fabrication, and installation of the proposed facility including but not limited to the verification of the in service inspection plan and the proposed connect / disconnect operations.

The applicant should be made aware that demonstration of the operability including connect and disconnect procedures will be required prior to approval. In addition, annual demonstration of connect/ disconnect functionality may be a condition of approval.

Volume 1, Deepwater Port License Application (Public), Section 18.3 through 18. 5 of the subject application indicates that much of the design of the proposed facility has been executed per design standards other than those listed in 30 CFR §250.901, industry standard that your structure must meet. 30 CFR §250.901(b) requires the applicant to follow the requirements contained in the

documents listed in 30 CFR §250.901(a). However, the applicant may use applicable provisions of these documents listed in 30 CFR §250.90 as approved by the Regional Supervisor. The application may also use alternative codes, rules, or standards, as approved by the Regional Supervisor by way of the OSTS, under the conditions enumerated in 30 CFR §250.141.

30 CFR §250.141 requires the applicant to receive approval prior to using alternate procedures. 30 CFR §250.141(a) requires that any alternate procedure the applicant proposes to use must provide a level of safety and environmental protection that equals or surpasses current BSEE requirements. The applicant must submit a comparison of the design standards used as oppose to those required, as listed in 30 CFR §250.901for the design of the facility, including but not limited to the buoy and PLEM mooring system, mooring system, foundation, etc.

The BSEE OSTS recommends the applicants execute geotechnical evaluations and related design in keeping with the recommendations expressed in Appendix - Geotechnical Commends and Conceptual Design Recommendations by Terrocon Consultants, Inc. Refer to the documents entitled Geotechnical Engineering Services, Proposed Offshore Mooring Buoy and PLEM System, Texas Gulf Terminals Inc., Terracon Project No. 92185062, dated April 3, 2018.

Please contact Ms. Vanessa Bertrand (504) 736-1754 if you have any questions.

Sincerely,

U.S. Department of Homeland Security

United States Coast Guard

Commandant
United States Coast Guard

2703 Martin Luther King Jr. Ave. SE
Washington, DC 20593-7509
Staff Symbol: CG-OES-2
Phone: (202) 372-1444
Fax: (202) 372-8382
Email: Curtis.E.Borland@uscg.mil

16613
July 13, 2018

Dear Federal and State Agency Representative:

On July 9, 2018, Texas Gulf Terminals Inc. (TGTI) submitted an application to the U.S. Coast Guard and U.S. Maritime Administration (MARAD) seeking approval to own, construct, and operate a deepwater port for the export of domestically produced crude oil. TGTI, under cover of this letter, has sent your agency one or more copies of the application for review. I request you review TGTI's application and provide my office with an assessment of whether it contains information sufficient to commence processing. Some of your agencies may have jurisdictional authority over some aspect of the TGTI project; if that is the case, I request your heightened attention to those matters over which your agency may have direct oversight.

The overall project would consist of three distinct, but interrelated components: 1) the "offshore" component, 2) the "inshore" component, and 3) the "onshore" component. The proposed deepwater port (offshore component) would be located approximately 12.7 nautical miles off the coast of North Padre Island (Kleberg County, TX) and consist of 14.71 miles of two (2) new parallel 30-inch-diameter crude oil pipelines, which terminate at a single point mooring (SPM) buoy. The SPM buoy system would be positioned in water depths of approximately 93 feet and consist of a pipeline end manifold, catenary anchor leg mooring system, and other associated equipment.

The inshore components associated with the proposed project includes 5.74 miles of 2 new 30-inch-diameter pipelines and onshore valve station used to connect the onshore project components to offshore project components. The inshore portions of the proposed pipeline infrastructure cross the Laguna Madre bay complex, the Gulf Intracoastal Waterway, and extend across North Padre Island to the mean high tide line located at the interface of North Padre Island and the Gulf of Mexico. Additionally, the inshore project components includes the installation of an onshore valve station on North Padre Island to allow for the isolation of portions of the proposed pipeline infrastructure for servicing, maintenance, and inspection operations.

Onshore components associated with the proposed project include the construction and operation of an onshore storage terminal facility (OSTF), booster station, and approximately 6.36 miles of two new 30-inch-diamter parallel pipelines located within Nueces and Kleberg Counties, TX. The OSTF would occupy approximately 150 acres in Nueces County, TX and would consist of all necessary infrastructure to receive, store, measure and transport crude oil through the proposed inshore and deepwater port pipeline infrastructure. (Note - At the time of this application, the Applicant has not determined the number, precise routing, ownership, extent to which destinations other than the OSTF will be served and other details relating to the shipment of oil from the production field(s) to the OSTF. The Applicant will be required to supplement the application when this information is available.) The proposed booster station would occupy

approximately 8.25 acres in Kleberg County, TX and would consist of the necessary pumping infrastructure to support the transport of crude oil from the OSTF to the deepwater port. Onshore pipeline infrastructure would extend form the OSTF to the landward side of the mean high tide line located at the interface of the western shoreline of the Laguna Madre.

The Deepwater Port Act of 1974 (DWPA), as amended, requires the U.S. Coast Guard and the Maritime Administration to conduct a review of the license application and make a determination as to completeness within **21 *calendar*** days after receipt. A determination of completeness means the application contains the necessary information to begin processing the application and to commence scoping under the National Environmental Policy Act (NEPA) and begin other required analyses. If there are others in your organization that should be included in this initial federal review, please share the application or contact the U.S. Coast Guard point of contact identified below for more copies.

Because of the DWPA's strict application processing deadlines, please provide your input ***no later than Friday, July 27, 2018*** via email to: Roddy.C.Bachman@uscg.mil; Bradley.k.mckitrick@uscg.mil; and wade.morefield@dot.gov (sooner is acceptable and encouraged). Please do not send hardcopy mail, as it will be delayed due to the mail processing center's security screening procedures.

Please note that some of you have received complete applications in which sections of the application are marked as business confidential and proprietary information; I request you use appropriate handling safeguards. For consistency, please refer any outside requests for business confidential information to this office. Once the application has been deemed complete, a more extensive federal and state distribution will be made and all non-business confidential portions of the application will be posted on the Federal Docket Management System Web site. No details from this application may be released outside of your agency until the application has been deemed complete and notice has been made in the Federal Register.

We appreciate the expertise and experience your organization brings to this process and look forward to your input on this application. If you have any questions, please contact Mr. Roddy Bachman of the U.S. Coast Guard at (202) 372-1451, or Mr. Wade Morefield of the Maritime Administration at (202) 366-7026.

Sincerely,

Curtis E. Borland
Attorney/Advisor,
Vessel and Facility Operating Standards Division
U.S. Coast Guard

Encl: Federal Agency Distribution List – TGTI Deepwater Port Completeness Review

Copy: Ms. Yvette Fields, U.S. Maritime Administration

Texas Gulf Terminals, Inc. Crude Oil Export Deepwater Port
Application Completeness Review Mailing List 13 July 18

AGENCY			NAME		POSITION	OFFICE	ADDRESS				PHONE	EMAIL	CD
	Federal												
	Bureau of Ocean Energy Management												
BOEM	Regional	Ms.	Terri L.	Thomas	Regional Supervisor, Office of the Environment	Bureau of Ocean Energy Management GOM OCS Region Office of the Environment	1201 Elmwood Park Boulevard	New Orleans	LA	70123	504-736-2963	terri.thomas@boem.gov	1C
BOEM	Regional	Mr.	Greg	Kozlowski	Deputy Regional Supervisor Office of the Environment	Bureau of Ocean Energy Management GOM OCS Region Office of the Environment	1201 Elmwood Park Boulevard	New Orleans	LA	70123	504-736-2512	greg.kozlowski@boem.gov	1C
BOEM	Regional	Mr	Perry	Boudreaux	Section Chief, Environmental Operations, Gulf of Mexico Region	Bureau of Ocean Energy Management Gulf of Mexico OCS Region Office of the Environment	1201 Elmwood Park Boulevard	New Orleans	LA	70123	800-200-4853	Perry.Boudreaux@boem.gov	1C
BOEM	Regional	Mr.	Quazi	Islam	Senior Physical Scientist, Environmental Operations Section	Bureau of Ocean Energy Management Gulf of Mexico OCS Region Office of the Environment	1201 Elmwood Park Boulevard	New Orleans	LA	70123	504-736-2780	quazi.islam@boem.gov	1C
BOEM	Regional	Mr.	Casey	Rowe	NEPA Coordinator, Senior Environmental Scientist	Bureau of Ocean Energy Management Office of the Environment	1201 Elmwood Park Boulevard	New Orleans	LA	70123	504-736-2781	casey.rowe@boem.gov	1C
	Bureau of Safety and Environmental Enforcement												
BSEE	Regional	Mr.	TJ	Broussard	Gulf of Mexico OCS Region Regional Environmental Officer	Bureau of Safety and Environmental Enforcement, Office of Environmental Compliance	1201 Elmwood Park Boulevard	New Orleans	LA	70123	504-736-3245	t.j.broussard@bsee.gov	1C
BSEE	Regional	Mr.	Lars	Herbst	Regional Director	Bureau of Safety and Environmental Enforcement; Gulf of Mexico Region	1201 Elmwood Park Boulevard	New Orleans	LA	70123	504-736-0557	Lars.herbst@bsee.gov	1C
BSEE	National	Mr.	Jarvis	Abbott	Petroleum Engineer	Bureau of Safety and Environmental Enforcement	45600 Woodland Road, Sterling, Virginia 20166	Sterling	VA	20166	(703) 787-1866	Jarvis.Abbott@bsee.gov	1C
	U.S. Department of Interior												

Texas Gulf Terminals, Inc. Crude Oil Export Deepwater Port
Application Completeness Review Mailing List 13 July 18

AGENCY			NAME		POSITION	OFFICE	ADDRESS				PHONE	EMAIL	CD
	U.S. Environmental Protection Agency												
EPA	National	Ms.	Candi	Schaedle		US EPA HQ (7241B) Office of Federal Activities	Ariel Rios Building 1200 Pennsylvania Avenue, N.W	Washington	DC	20004	202-546-6121	Schaedle.candi@Epa.gov	1P
EPA	National	Mr.	Robert	Tomiak	Director	Office of Federal Activities Office of Enforcement and Compliance Assurance	Ariel Rios Building (MC 2251A) 1200 Pennsylvania Ave. NW	Washington	DC	20004	202-564-5400	tomiak.robert@epa.gov	1P
EPA	Regional	Mr.	Robert	Houston	Chief Special Projects Section	EPA Region6	1445 Ross Avenue, Suite 1200	Dallas	TX	75202	214-665-8565	houston.robert@epa.gov	0
EPA	Regional	Mr.	Rob	Lawrence	Senior Policy Advisor, Energy	EPA Region 6	1445 Ross Avenue, Suite 1200, (6MM)	Dallas	TX	75202	214 665-6580	lawrence.rob@epa.gov	12P
EPA	Regional	Ms.	Ashley	Mohr	Air Modeling	EPA Region 6	1445 Ross Avenue, Suite 1200 (6MM)	Dallas	TX	75202	214.665.7289	mohr.ashley@epa.gov	0
EPA	Regional	Mr.	Jeff	Robinson	Chief, Air Permits Section	EPA Region 6	1445 Ross Avenue, (6MM)	Dallas	TX	75202	(214) 665-6435	robinson.jeffrey@epa.gov	0
EPA	Regional	Ms.	Maria	Okpala	NPDES	EPA Region 6	1445 Ross Ave.	Dallas	TX	75202	214-665-3152	okpala.maria@epa.gov	0
EPA	Regional	Ms.	Melanie	Magee	Air Permits	EPA Region 6	1445 Ross Ave. Suite 1200, (6MM)	Dallas	TX	75202	214-665-7161	magee.melanie@epa.gov	0
EPA	Regional	Mr.	Keith	Hayden	Environmental Scientist/NEPA Specialist	EPA Region 6	6EN-WS 1445 Ross Avenue,	Dallas	TX	75202	214.665.2133	hayden.keith@epa.gov	0
EPA	Regional	Mr.	Brent	Larson	NPDES	EPA Region 6	1445 Ross Avenue,	Dallas	TX	75202	214-665-7523	Larsen.Brent@epa.gov	0
EPA	Regional	Ms.	Barbara	Keeler	Coastal	EPA Region 6	1445 Ross Ave	Dallas	TX	75202	214.665.6698	keeler.barbara@epa.gov	0
EPA	Regional	Mr.	Bruce	Jones	ORC - air	EPA Region 6	1445 Ross Ave	Dallas	TX	75202	214.665.3184	jones.bruced@epa.gov	0

Texas Gulf Terminals, Inc. Crude Oil Export Deepwater Port
Application Completeness Review Mailing List 13 July 18

AGENCY			NAME		POSITION	OFFICE	ADDRESS				PHONE	EMAIL	CD
EPA	Regional	Ms.	Tina	Alvardo	ORC - NEPA	EPA Region 6	1445 Ross Ave	Dallas	TX	75202	214.665.2709	alvarado.tina@epa.gov	0
EPA	Regional	Mr.	David	Gillespie	ORC - water	EPA Region 6	1445 Ross Ave	Dallas	TX	75202	214.665.7467	gillespie.david@epa.gov	0
EPA	Regional	Ms.	Maria	Martinez	Section 404 Permit Review, Supervisor	EPA Region 6	1445 Ross Ave	Dallas	TX	75202	214.665.2230	martinez.maria@epa.gov	0
EPA	Regional	Mr.	Raul	Gutierrez	Section 404 Permit Review	EPA Region 6	c/o US COE, 7400 Leake Avenue	New Orleans	LA	70118	(254) 774-7135	gutierrez.raul@epa.gov	1P
EPA	Regional	Mr.	Paul	Kaspar	Waters of the US	EPA Region 6	10625 Fallastone Road	Houston	TX	77009	214-665-7459	Kaspar.Paul@epa.gov	1P
	Federal Energy Regulatory Commission												
FERC	National ***(FERC HQ mail POC)***	Mr.	Douglas	Cotton	Environmental Protection Specialist	Office of Energy Projects, Federal Energy regulaotry Commission	888 1st Street, N.E.	Washington	DC	20426	202-502-6590	Douglas.Cotton@ferc.gov	1C
	Maritime Administration												
MARAD	National ***(MARAD HQ mail POC)***	Mr.	Wade	Morefield	Project Manager	Department of Transportation, Maritime Administration, Office of Deepwater Ports & Offshore Activities	1200 New Jersey Avenue, SE, W21-233	Washington	DC	20590	202-366-7026	wade.morefield@dot.gov	0
MARAD	National	Mr.	Linden	Houston	Project Manager	Department of Transportation, Maritime Administration, Office of Deepwater Ports & Offshore Activities	1200 New Jersey Avenue, SE, W21-233	Washington	DC	20590	(202) 366-4839	Linden.Houston@dot.gov	0
MARAD	National	Ms	Kristine	Gilson								kristine.gilson@dot.gov	0
MARAD	National	Mr.	Michael	Pucci								Michael.Pucci@dot.gov	0
MARAD	National	Mr.	Thomas	Shepard								Thomas.Shepard@dot.gov	0
MARAD	National	Ms.	Yvette	Fields	Director	Department of Transportation, Maritime Administration, Office of Deepwater Ports & Offshore Activities	1200 New Jersey Avenue SE, W21-309 (MAR-530)	Washington	DC	20590	202-366-7026	Yvette.Fields@dot.gov	0

Texas Gulf Terminals, Inc. Crude Oil Export Deepwater Port
Application Completeness Review Mailing List 13 July 18

AGENCY			NAME		POSITION	OFFICE	ADDRESS				PHONE	EMAIL	CD
	National Oceanic and Atmospheric Administration												
NOAA	National	Ms.	Jackie	Rolleri	Natural Resource Management Specialist	Office for Coastal Management, NOAA	1305 East West Hwy. 10TH Floor (N/ORM3)	Silver Spring	MD	20910	301-713-7387	jackie.rolleri@noaa.gov	1P
NOAA	National		N/A	N/A	N/A	NOAA Office of NEPA Coordination---E-MAIL NOTIFICATION ADDRESS	1315 East-West Hwy, SSMC-4 Rm 6111	Silver Spring	MD	20910		noaa.nepa@noaa.gov	0
NOAA	National	Ms.	Katherin e	Renshaw	Section Chief	Environmental Review and Coordination Section, NOAA Office of General Councel	1315 East-West Hwy, SSMC-4 Rm 6111	Silver Spring	MD	20910	301-713-7380	katherine.renshaw@noaa.gov	1P
NOAA	National	Ms.	Rachel	Lipsy	NOAA NEPA Coordination	NEPA Copordination Office of General Council	1315 East-West Hwy, Room 15132	Silver Spring	MD	20910	301-628-1637	rachel.lipsy@noaa.gov	1P
NOAA	National	Mr.	Kerry	Kehoe	Federal Consistency Specialist	Office for Coastal Management, NOAA	1305 East West Hwy. 10TH Floor (N/ORM3)	Silver Spring	MD	20910	240-533-0782	kerry.kehoe@noaa.gov	1P
NOAA	National	Mr	David	Kaiser	Senior Policy Analyst & Federal Consistency Coordinator	Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration Coastal Response Research Center, University of New Hampshire	246 Gregg Hall, 35 Colovos Road	Durham	NH	03824-3534	(603) 862-2719	David.Kaiser@noaa.gov	1P
NOAA	Regional	Mr.	Roy E. Dr.	Crabtree	Regional Administrator	NOAA Fisheries Southeast Region	263 13th Avenue South	St. Petersburg	FL	33701-5505	727-824-5301	roy.crabtree@noaa.gov	1P
NOAA	Regional	Mr.	Noah	Silverman	NEPA Coordinator	NOAA Fisheries Southeast Region	263 13th Avenue South	St. Petersburg	FL	33701-5505	727-824-5363	noah.silverman@noaa.gov	1P
NOAA	Regional	Mr.	David	Bernhart	Assistant Regional Administrator	Protected Resources Division, National Marine Fisheries Service	Southeast Regional Office 263 13th Avenue South	St. Petersburg	FL	33701-5505	727-824-5312	david.bernhart@noaa.gov	1P

Texas Gulf Terminals, Inc. Crude Oil Export Deepwater Port
Application Completeness Review Mailing List 13 July 18

AGENCY			NAME		POSITION	OFFICE	ADDRESS				PHONE	EMAIL	CD
NOAA	Regional	Ms.	Virginia M	Fay	Assistant Regional Administrator	Habitat Conservation Division, National Marine Fisheries Service	Southeast Regional Office 263 13th Avenue South	St. Petersburg	FL	33701-5505	727-551-5739	virginia.fay@noaa.gov	1P
NOAA	Regional	Ms.	Kelly	Shotts	Fisheries Biologist	Protected Resources Division, National Marine Fisheries Service	Southeast Regional Office 263 13th Avenue South	St. Petersburg	FL	33701-5505	(727) 824-5312	kelly.shotts@noaa.gov	1P
NOAA	Regional	Ms.	Karla	Reece	Section 7 Team Lead	National Marine Fisheries Service	Southeast Regional Office 263 13th Avenue South	St. Petersburg	FL	33701-5505	727-824-5312	Karla.Reece@noaa.gov	1P
NOAA	Regional	Mr.	Michael	Tucker		NOAA Fisheries Southeast Region	263 13th Ave. S.	St Petersburg	FL	33701	727-209-5981	michael.tucker@noaa.gov	1P
NOAA	Regional		N/A	N/A	General e-mail for NOAA Southeast Region Section 7 ESA Consultations	National Marine Fisheries Service; Southeast Regional Office; Protected Resources Division	263 13th Avenue South	St. Petersburg	FL	33701-5505	(727) 824-5312	nmfs.ser.esa.consultations@noaa.gov	0
NOAA	Regional	Mr.	Dave	Bernhart		National Marine Fisheries Service -Section 7 Species	263 13th Avenue South	St. Petersburg	FL	33701-5505	727-824-5301	david.bernhart@noaa.gov	1P
NOAA	Regional	Mr.	Rusty	Swafford		National Marine Fisheries Service - Essential Fish Habitat	4700 Avenue U, Bldg. 307	Galveston	TX	77551-5997	409-766-3699	Rusty.Swafford@noaa.gov	1P
	National Park Service												
NPS	Regional	Mr.	Mark	Spier	Superintendent	Padre Island National Seashore	PO Box 181300	Corpus Christi	TX	78480-1300	361-949-8173 x222	Mark_Spier@nps.gov	1P
	Pipeline and Hazardous Materials Safety Adminsistration												
PHMSA	National	Mr.	Kenneth	Lee	Director Engineering and Research	Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, US Department of Transportation	1200 New Jersey Avenue SE	Washigton	DC	20590	202-366-2694	kenneth.lee@dot.gov	0

Texas Gulf Terminals, Inc. Crude Oil Export Deepwater Port
Application Completeness Review Mailing List 13 July 18

AGENCY			NAME		POSITION	OFFICE	ADDRESS				PHONE	EMAIL	CD
PHMSA	National (PHMSA HQ mail POC)	Mr.	Joesph	Sieve	Engineer	Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, US Department of Transportation	1200 New Jersey Avenue SE	Washigton	DC	20590	(202) 480-0149	joseph.sieve@dot.gov	3P
PHMSA	National	Mr.	Zaid	Obeidi	Engineer	Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, US Department of Transportation	1200 New Jersey Avenue SE	Washigton	DC	20590	202-768-4354	zaid.obeidi@dot.gov	0
PHMSA	Regional	?	Pat	Guam	State Liason	PHMSA Pipeline Safety Southwest Region Office	8701 S. Gessner Road, Suite 630	Houston	TX	77074	713-272-2833	Patrick.Gaume@dot.gov	1P
PHMSA	Regional	Ms	Mary	McDaniel	Director	PHMSA Pipeline Safety Southwest Region Office	8701 S. Gessner Road, Suite 630	Houston	TX	77074	713-272-2833	mary.mcdaniel@dot.gov	1P
	U.S. Army Corps of Engineers												
USACE	Regional	Mr.	Robert	Heinly		US Army Corps of Engineers, Galveston District	2000 Fort Point Road	Galveston	TX	77550	409-766-3992	robert.w.heinly@usace.army.mil	1P
USACE	Regional	Mr.	Matt	Kimmel		US Army Corps of Engineers, Galveston District, Corpus Christi Regulaotry Office	5151 Flynn Parkway Suite 306	Corpus Christi	TX	78411-4318	361-814-5847 x 1002	matthew.kimmel@usace.army.mil	1P
	U.S. Department of Agriculture												
USDA	Regional	Mr.	Tomas	Dominguez	Private Lands	National Resources Conservation Service	13434 Leopard Street, A-14	Corpus Christi	TX	78410-4466	361 -241 - 0609	tomas.dominguez@tx.usda.gov	1P
	U.S. Fish and Wildlife Service												
USFWS	Regional		Pat	Clements		US Fish and Wildlife Service - Section 7 Species (Terrestrial)	4444 Corona Drive #215	Corpus Christi	TX	78411	361-994-9005 x 225	pat_clements@fws.gov	1P
USFWS	Regional	Ms	Christine	Willis	Energy Coordinator	Division of Environmental Review, Ecological ServicesSE Regional Office	1875 Century Blvd Ste. 200	Atlanta	GA	30345	404-679-7310	Christine_willis@fws.gov	1P

Texas Gulf Terminals, Inc. Crude Oil Export Deepwater Port
Application Completeness Review Mailing List 13 July 18

AGENCY			NAME		POSITION	OFFICE	ADDRESS				PHONE	EMAIL	CD
	U.S. Coast Guard												1P
USCG	National *(CGHQ mail POC)*	Mr.	Roddy	Bachman	DWP Project Manager	USCG Headquarters	Attn: Vessel and Facility Operating Standards Division CG-OES-2 US Coast Guard STOP 7509 2703 Martin Luther King Jr. Ave.	Washington	DC	20593-7509	202-372-1451	Roddy.C.Bachman@uscg.mil	4C
USCG	National	Mr.	Curtis	Borland	Attorney Advisor	USCG Headquarters	same	Washington	DC	20593-7509	202-372-1444	Curtis.E.Borland@uscg.mil	0
USCG	National	Mr.	Kevin	Tone	Transportation Safety Specialist	USCG Headquarters	same	Washington	DC	20593-7509	202-372-1441	Kevin.P.Tone@uscg.mil	0
USCG	National	Mr.	Vasanth	Pavagada	Staff Engineer	USCG Headquarters	same	Washington	DC	20593-7509	202-372-1455	Pavagada.N.Vasanth@uscg.mil	0
USCG	National	Mr.	Bradley	McKitrick	Environmental Protection Specialist	USCG Headquarters	Attn: Enviornmental Standards Division CG-OES-3 and same	Washington	DC	20593-7509	(202) 372-1443	Bradley.K.McKitrick@uscg.mil	0
USCG	National	Mr	George	Detweiler	Navigation Standards	USCG Headquarters	Attn: Navigation Standards Division, CG-NAV-2 and same	Washington	DC	20593-7509	202-372-1566	George.H.Detweiler@uscg.mil	0
USCG	Regional	Ms	Laura	Knoll	Waterways Management	USCG D8 New Orleans	500 Poydras St	New Orelans	LA	70130-3319	504-671-2139	Laura.B.Knoll@uscg.mil	6C
USCG	Regional	LCDR	Michael	Pierno	Waterways Management	USCG D8 New Orleans	500 Poydras St	New Orelans	LA	70130-3319	504-671-2112	Michael.R.Pierno@uscg.mil	
USCG	Regional	LCDR	Margaret	Brown	Divison Chief Waterways Management	USCG Sector Corpus Christi	249 Glasson Drive	Corpus Christi	TX	78406	361-939-5130	Margaret.A.Brown@uscg.mil	6C

Comment Response Matrix *Deepwater Port License Application Texas Gulf Terminals, Inc. Crude Oil Export Deepwater Port Application Completeness Review*						
#	**Location**			**Comment/Question**	**Reviewer**	**Response**
	Section	**Page**	**Line**			
0	*1.0*	*10*	*20*	*EXAMPLE: Remove last sentence in paragraph.*	*JD*	*Text revised per comment.*
				The applicant Texas Gulf Terminals Inc., 1401 McKinney, Suite 1500 Houston, Texas 77010, is not a qualified company with BSEE yet. Reviewer did not see this company registered with BSEE. Company needs to become qualified to submit an application for pipeline right-of-way BSEE.	Bimal Shrestha	
				The package should include Application for Right-of-way (ROW) for each of the two 30-inch pipelines from Federal/State Boundary to Buoy [Two individual applications will be needed]. Application should be submitted pursuant to 30 CFR 250 Subpart J along with appropriate pay.gov fee. No application was included in the package. Application should include pipeline internal design, MAOP determination, Anode design, Coating info, WCD data, pipeline burial info, Pipeline plat map with pipeline coordinates in ASCII data [NTL No. 2009-G15], safety flow schematics, etc. [WCD data/burial info are given in the package..]. Safety flow schematics should show how accidental release of fluid can be minimized/prevented not only from 30" pipelines in between Booster Station (onshore) to Buoy, but also from floating hose string from Buoy to tanker. Pipeline footage should be specified at least at Onshore Storage Terminal, Booster Station, HDD (Horizontal Drilling Locations) locations, Fed/State Boundary, block crossings, and PLEM. ROW rental will be assessed for lengths from fed/state boundary to PLEM. Lengths of risers should also be given, although this length will not be used to compute ROW length. Segment No. and ROW No. will be assigned for each of the pipeline from fed/state boundary of bottom of the buoy.	Bimal Shrestha	
				OSFR: WCD is computed as 64,000 bbl. [Ref: Appendix T: Worst Case Discharge Calculation]. Applicant needs to post OSFR prior to placing the pipelines in service [NTL No. 2008-N05, 30 CFR Part 553].	Bimal Shrestha	

Comment Response Matrix *Deepwater Port License Application Texas Gulf Terminals, Inc. Crude Oil Export Deepwater Port Application Completeness Review*						
#	Location			Comment/Question	Reviewer	Response
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				Oil Spill Response plan: Applicant needs to submit OSRP [30 CFR 250.254]. An Appendix U "TACTICAL RESPONSE PLAN" is included. If it is in lieu of OSRP, it should be submitted to OSRP section.	Bimal Shrestha	
				Shallow Hazard Report, Archaeological Report/Statement, Air Quality report is included. These will be reviewed by appropriate sections. Appendix D Marine Archaeology Assessment Appendix D: Offshore Geophysical Survey Appendix E Laguna Madre Geophysical Survey Appendix I Gulf of Mexico Oceanographic Study Appendix J Inshore Geotechnical Investigations Appendix V Air Quality Environmental Documents	Bimal Shrestha	
				Pipelines end at a PLEM from where a flexible riser (called Hose String in schematics) from each pipeline transport oil vertically to floating buoy at a water depth of about 93 feet. The flexible risers need to be CVA'ed, pursuant to 30 CFR 250.914-918. Applicant's engineering firm is Lloyd Engineering, Inc. They may nominate this company as their CVA.	Bimal Shrestha	
				Oil is transported from the buoy to a waiting tanker through a long floating hose string. We consider this string as a part of the tanker and should be regulated under Coast Guard regulations.	Bimal Shrestha	
				PLEM will be installed on anchor piles. An independent 3rd party should design the anchor piles and submit with the pipeline Application.	Bimal Shrestha	
				The Buoy: The buoy itself along with mooring (anchor chain) and anchor piles should be reviewed by TAS and OSTS.	Bimal Shrestha	

Comment Response Matrix *Deepwater Port License Application Texas Gulf Terminals, Inc. Crude Oil Export Deepwater Port Application Completeness Review*						
#	Location			Comment/Question	Reviewer	Response
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				Appendix A: Appendix A Draft Operations Manual. It lists compliance with the following federal and state regulations: Federal Regulations regarding waterways • The Clean Water Act • The Federal Water Pollution Control Act • The Oil Pollution Act of 1990 (OPA-90) • The Pollution Prevention Act of 1990 State Laws • The Texas Clean Air Act • The Texas Oil Spill Prevention and Response Act of 1991 The main application [Deepwater Port License Application (Public)]lists: Section 10.0 §148.105(i) Compliance with Federal Water Pollution Requirements Section 10.1 Clean Water Act 401(a)(1) State Certification Section 10.2 Section 10 of the Rivers and Harbors Act Section 10.3 Section 404 of the Clean Water Act Section 10.4 Section 403 of the Marine Protection, Research, and Sanctuaries Act Section 10.5 Coastal Zone Management Act of 1972 (CZMA) Section 10.6 Section 402 of the Clean Water Act - National Pollutant Discharge Elimination System (NPDES) **It does not list** 30 CFR 250 Subpart J, H, I, A 49 CFR part 195 - Transportation of hazardous liquid by pipelines	Bimal Shrestha	
				Need Coastal Zone Management Approval letter from the State of Texas and CZM Program Consistency Certificate	Bimal Shrestha	
				[See attached letter for additional comments related to BSEE's structural reviews]	Vanessa Bertrand	

Comment Response Matrix *Deepwater Port License Application Texas Gulf Terminals, Inc. Crude Oil Export Deepwater Port Application Completeness Review*						
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Comment Response Matrix *Deepwater Port License Application Texas Gulf Terminals, Inc. Crude Oil Export Deepwater Port Application Completeness Review*						
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	Section	**Page**	**Line**			

- Bimal Shrestha, Engineer, Pipeline Section, Bureau of Safety and Environmental Enforcement (BSEE), 504-736-2548, 24 July 2018.
- Vanessa M. Bertrand, Structural Engineer, Office of Structural and Technical Support (OSTS), BSEE, 504-736-1754, 26 July, 2018.

United States Department of the Interior

NATIONAL PARK SERVICE
Padre Island National Seashore
P.O. Box 181300
Corpus Christi, Texas 78480

IN REPLY REFER TO:
10.D.

July 27, 2018

Curtis E. Borland
2703 Martin Luther King Jr. Ave. SE
Washington, DC 20593-7509

Dear Mr. Borland,

Padre Island National Seashore staff has reviewed the DEEPWATER PORT APPLICATION from TEXAS GULF TERMINALS, INC to see if this application contains sufficient information to continue the application review process and initiate the NEPA review and development of an EIS. Padre Island National Seashore concurs with the completeness of the application. Padre Island National Seashore will be commenting during the NEPA review process.

If you have any questions, or require additional information, please contact Travis Clapp at (361) 949-8173 ext. 237, or email Travis_Clapp@nps.gov.

Sincerely,

Mark E. Spier

Mark Spier
Superintendent

Bachman, Roddy C CIV

From: Obeidi, Zaid (PHMSA) <zaid.obeidi@dot.gov>
Sent: Friday, July 27, 2018 3:37 PM
To: Bachman, Roddy C CIV
Cc: Sieve, Joseph (PHMSA)
Subject: [Non-DoD Source] Texas Gulf Terminals Crude Oil Export Deepwater Port Application: AMRDEC SAFE File Transfer

Good Afternoon Roddy,

First, I would like to thank you for your letter on July 13,2018 on the request to the Pipeline and Hazardous Materials Safety Administration (PHMSA) for the completeness review of license application submitted by TEXAS GULF TERMINALS, INC. The proposed application is to own, design, fabricate, construct, install, operate and facility abandonment plans for Deepwater port (DWP) off the coast of North Padre Island.

PHMSA is the delegated authority to review offshore pipelines associated with Deepwater ports for compliance with PHMSA regulations pursuant to The Deepwater Port Act of 1974 (33 C.F.R. § 1502) and 49 CFR § 1.53(a) . Based on this authority, PHMSA performed a review of the Texas Gulf Terminals License Application for completeness and finds the License Application acceptable.

TEXAS GULF TERMINALS, INC is proposing to export crude oil located approximately 12.7 nm off the coast of North Padre Island with pipelines from an onshore terminal facility in Nueces County near Corpus Christi, TX. The TGT projects application have included enough details specifically on Appendix- A, construction procedures, five stages including the procurement, installation of the 30-inch-diameter pipeline, SPM Buoy System, Onshore Storage Terminal Facility(breakout tanks) and Booster Station Installation. That will include the horizontal directional drilling (HDD) for the 30 '' diameter pipe for various pipelines lengths onshore and offshore and sufficient details on phases of installations.

The design, construction, operations, testing and maintenance and damage preventions programs for storage facilities(breakout tanks), booster stations, pumping stations and all onshore and offshore pipelines should comply with the code of Federal regulations- 49 CFR part 190 thru 199. Particularly part 195 (TRANSPORTATION OF HAZARDOUS LIQUIDS BY PIPELINE) and standards incorporated by reference (IBR).

Please let me know if you have further questions.

Best Regards,

ZAID M. OBEIDI
General Engineer
Engineering & Research Division
Office of Pipeline Safety USDOT PHMSA
1200 New Jersey Avenue, SE, E22- 217
Washington, DC 20590
Office: 202-366-5267
zaid.obeidi@dot.gov

-----Original Message-----
From: Bachman, Roddy C CIV
Sent: Friday, July 13, 2018 10:22 AM
To: 'terri.thomas@boem.gov' <terri.thomas@boem.gov>; 'greg.kozlowski@boem.gov' <greg.kozlowski@boem.gov>; 'Perry.Boudreaux@boem.gov' <Perry.Boudreaux@boem.gov>; 'quazi.islam@boem.gov' <quazi.islam@boem.gov>; 'casey.rowe@boem.gov' <casey.rowe@boem.gov>; 't.j.broussard@bsee.gov' <t.j.broussard@bsee.gov>; 'Lars.herbst@bsee.gov' <Lars.herbst@bsee.gov>; 'Jarvis.Abbott@bsee.gov' <Jarvis.Abbott@bsee.gov>; 'Schaedle.candi@Epa.gov' <Schaedle.candi@Epa.gov>; 'tomiak.robert@epa.gov' <tomiak.robert@epa.gov>; 'houston.robert@epa.gov' <houston.robert@epa.gov>; 'lawrence.rob@epa.gov' <lawrence.rob@epa.gov>; 'mohr.ashley@epa.gov' <mohr.ashley@epa.gov>; 'okpala.maria@epa.gov' <okpala.maria@epa.gov>; 'magee.melanie@epa.gov' <magee.melanie@epa.gov>; 'hayden.keith@epa.gov' <hayden.keith@epa.gov>; 'Larsen.Brent@epa.gov' <Larsen.Brent@epa.gov>; 'keeler.barbara@epa.gov' <keeler.barbara@epa.gov>; 'jones.bruced@epa.gov' <jones.bruced@epa.gov>; 'alvarado.tina@epa.gov' <alvarado.tina@epa.gov>; 'gillespie.david@epa.gov' <gillespie.david@epa.gov>; 'martinez.maria@epa.gov' <martinez.maria@epa.gov>; 'Kaspar.Paul@epa.gov' <Kaspar.Paul@epa.gov>; 'Douglas.Cotton@ferc.gov' <Douglas.Cotton@ferc.gov>; 'jackie.rolleri@noaa.gov' <jackie.rolleri@noaa.gov>; 'katherine.renshaw@noaa.gov' <katherine.renshaw@noaa.gov>; 'rachel.lipsy@noaa.gov' <rachel.lipsy@noaa.gov>; 'kerry.kehoe@noaa.gov' <kerry.kehoe@noaa.gov>; 'David.Kaiser@noaa.gov' <David.Kaiser@noaa.gov>; 'roy.crabtree@noaa.gov' <roy.crabtree@noaa.gov>; 'noah.silverman@noaa.gov' <noah.silverman@noaa.gov>; 'david.bernhart@noaa.gov' <david.bernhart@noaa.gov>; 'virginia.fay@noaa.gov' <virginia.fay@noaa.gov>; 'kelly.shotts@noaa.gov' <kelly.shotts@noaa.gov>; 'Karla.Reece@noaa.gov' <Karla.Reece@noaa.gov>; 'michael.tucker@noaa.gov' <michael.tucker@noaa.gov>; 'Rusty.Swafford@noaa.gov' <Rusty.Swafford@noaa.gov>; 'Mark_Spier@nps.gov' <Mark_Spier@nps.gov>; 'kenneth.lee@dot.gov' <kenneth.lee@dot.gov>; joseph.sieve@DOT.gov; Obeidi, Zaid (PHMSA) <zaid.obeidi@dot.gov>; 'Patrick.Gaume@dot.gov' <Patrick.Gaume@dot.gov>; 'mary.mcdaniel@dot.gov' <mary.mcdaniel@dot.gov>; 'robert.w.heinly@usace.army.mil' <robert.w.heinly@usace.army.mil>; 'matthew.kimmel@usace.army.mil' <matthew.kimmel@usace.army.mil>; 'tomas.dominguez@tx.usda.gov' <tomas.dominguez@tx.usda.gov>; 'pat_clements@fws.gov' <pat_clements@fws.gov>; 'Christine_willis@fws.gov' <Christine_willis@fws.gov>; Knoll, Laura B CIV <Laura.B.Knoll@uscg.mil>; Pierno, Michael R LCDR <Michael.R.Pierno@uscg.mil>; Detweiler, George H CIV <George.H.Detweiler@uscg.mil>; Brown, Margaret A LCDR <Margaret.A.Brown@uscg.mil>
Cc: Brady, Sean T CAPT <Sean.T.Brady@uscg.mil>; Nabach, William A LCDR (William.A.Nabach@uscg.mil) <William.A.Nabach@uscg.mil>; Borland, Curtis <curtis.e.borland@uscg.mil>; McKitrick, Bradley CIV <Bradley.K.McKitrick@uscg.mil>; Tone, Kevin P CIV <Kevin.P.Tone@uscg.mil>; Vasanth, Pavagada N CIV <Pavagada.N.Vasanth@uscg.mil>; Yvette Fields <yvette.fields@marad.dot.gov>; 'wade.morefield@dot.gov' <wade.morefield@dot.gov>; Linden Houston (linden.houston@DOT.gov) <linden.houston@DOT.gov>; kristine.gilson@dot.gov; Pucci, Michael (MARAD) <Michael.Pucci@dot.gov>; thomas.shepherd@dot.gov; Timothy.Feehan@tetratech.com
Subject: Texas Gulf Terminals Crude Oil Export Deepwater Port Application: Heads-Up and Introduction

Good morning Folks

I've worked with many of you on deepwater port applications in the past but some of you are new to this or to me. My name is Roddy Bachman and I am the US Coast Guard Project Manager for Deepwater Ports in the Vessel and Operating Standards Division. Much of this email distribution is either based on the last deepwater port project or information provided by the applicant from their pre-application meetings with your agencies, so it may need some tweaking.

The Coast Guard and Maritime Administration (MARAD) jointly process deepwater port applications for the import or export of natural gas or oil including the NEPA review. To assist us in this process, Tetra Tech is our 3rd party environmental consultant on this project.

This is a heads-up that you should be receiving CDs THIS MONDAY for a DEEPWATER PORT APPLICATION from TEXAS GULF TERMINALS, INC for a port to export crude oil located approximately 12.7 nm off the coast of North Padre Island with pipelines from an onshore terminal facility in Nueces County near Corpus Christi, TX. Per the attached letter from Mr. Curtis Borland, Attorney Advisor, USCG Vessel and Facility Operating Standards, we are requesting your comments on the application completeness. The Deepwater Port Act (DWPA) has a very aggressive statutory timeline of a record of decision within 356 days of application submittal (including the NEPA review). This is why we are asking by Friday 27 July, you provide input as to if this application contains sufficient information to continue the application review process and initiate the NEPA review and development of an EIS. Naturally your review and comment opportunities as well as requests for additional information if needed will continue through the NEPA process.

This is a limited Federal agency review established by an MOU for the DWPA. Additional Federal, State and local agency participation will come once the application is deemed complete. Please also note that until this application is deemed complete by the Coast Guard and MARAD, it is NOT FOR PUBLIC INFORMATION. This is in respect for the applicants business confidentiality.

Please pass this information to others in your organization who need it and

Please review the mailing list attached to the letter for your organization and let me know any changes or requests regarding:

1. Do you wish to remain on the email distribution?

2. Do you also wish to receive document distributions (DEIS, EIS, etc.) or just copied on emails?

2. Who else in your organization should be included in this list? Please provide full contact info including email, phone and mailing information.

3. Is there a single point in your office that should receive the document mailings and handles your internal distribution? (This is appreciated)

FYI and for future planning:

1. Friday 27 July 18: Agency comments due

2. Monday 30 July 18: By the Deepwater Port Act the USCG and MARAD must deem the application complete or incomplete.

3. The application is distributed to additional Federal Agencies and appropriate Texas State and Local Agencies and to the Governor of Texas

4. Friday or Monday 3 or 6 Aug 18: MARAD issues FR Notice of Application and the application is posted on the Federal decket.

5. Friday or Monday 10 or 13 Aug 18: MARAD issues FR Notice of Intent (to publish EIS) initiates a 30 day scoping period and will include logistics for scoping meeting(s)

6. Late August/Early September: Scoping meeting(s) in Texas

Also "hopefully" today or Monday I will also be sending you the application by AMRDEC SAFE, which is a large file exchange system. You will receive an email with a link and password to download the application files directly. This may require a couple iterations of emails, links and passwords as the system is limited to 25 files a posting and the application has many more than that. I say "hopefully" because this will be my first try using it and it is Friday and...

Please contact me or Brad McKitrick, at Bradley.K.McKitirck@uscg.mil or (202) 372-1443, the Coast Guard Environmental Protection Specialist on this project, if you have and questions specific to the project or in general on the Deepwater port application process or wish to discuss anything.

As always we appreciate your assistance and expertise in this process and I look forward to working with you.

(And much more to come).

Thanks and have a great weekend

Roddy

Roddy C. Bachman
Project Manager, Deepwater Ports
Vessel and Facility Operating Standards CG-OES-2 U.S. Coast Guard Headquarters
Office: 202-372-1451 Cell: 540-850-2228
Email: Roddy.C.Bachman@uscg.mil

COMMANDANT (CG-OES-2)
ATTN: VESSEL AND FACILITY OPERATING STANDARDS DIVISION US COAST GUARD STOP 7509
2703 MARTIN LUTHER KING JR AVE SE
WASHINGTON, DC 20593-7509

DEPARTMENT OF THE ARMY
GALVESTON DISTRICT, CORPS OF ENGINEERS
CORPUS CHRISTI REGULATORY FIELD OFFICE
5151 FLYNN PARKWAY, SUITE 306
CORPUS CHRISTI, TEXAS 78411-4318

July 24 2018

REPLY TO ATTENTION OF:

Corpus Christi Regulatory Field Office

SUBJECT: Department of the Army Permit Application No. SWG-2018-00563

United States Coast Guard (CG-OES-2)
Attn: Mr. Curtis E. Borland
2703 Martin Luther King Jr. Avenue SE
Washington DC 20593-7509

Dear Mr. Borland:

The U.S. Army Corps of Engineers, Galveston District (Corps) has received your request to participate in the review process for Texas Gulf Terminal Inc.'s (TGTI) application to construct, own, and operate a deepwater port located approximately 12.7 nautical miles off the coast of North Padre Island, Kleberg County, Texas. The purpose of the project would be the export of domestically produced crude oil. This project includes pipeline infrastructure that will cross the Laguna Madre bay complex, the Gulf Intracoastal Waterway, and extend across North Padre Island to the mean high tide line located at the interface of North Padre Island and the Gulf of Mexico with an onshore valve station on North Padre Island, and an onshore storage terminal facility.

We have reviewed TGTI's information and have concluded that the proposed project is subject to our jurisdiction pursuant to both Section 10 of the Rivers and Harbors Act of 1899 (Section 10) and Section 404 of the Clean Water Act (Section 404). As such, a Department of the Army permit is required for the proposed project. After assessing the proposed project under the rules for the aforementioned statutes, we determined that TGTI's permit application is incomplete because it does not include any information regarding Section 404 impacts and mitigation for project impacts to the aquatic environment (e.g. special aquatic sites, specifically seagrasses).

As currently proposed, this project will require Water Quality Certification from the Texas Commission on Environmental Quality; accordingly, we recommend that TGTI complete and submit a Tier II Questionnaire for the proposed project. We further recommend that TGTI develop and submit a permittee-responsible mitigation plan for impacts to waters of the United States, including relevant special aquatic sites, that contains all the elements of a complete mitigation plan as described in 33 CFR 332.4(c)(2) through (c)(13) of the Final Compensatory Mitigation Rule issued on April 10, 2008.

For additional information regarding this review, please contact Mark Pattillo at 361-814-5847 ext. 1004. If you have any questions concerning this matter**,** please contact me at the letterhead address or by telephone at 361-814-5847 ext. 1002 or email at matthew.l.kimmel@usace.army.mil.

Sincerely,

Matthew Kimmel
Supervisor
Corpus Christi Regulatory Field Office