

U.S. Department of Energy
Categorical Exclusion Determination
Office of Fossil Energy and Carbon Management



BP ENERGY COMPANY
DOCKET NO. 22-111-LNG

PROPOSED ACTION DESCRIPTION: BP Energy Company (BPEC) filed an application (Application) with the Office of Fossil Energy and Carbon Management (FECM) on September 14, 2022, seeking blanket authorization to engage in short-term exports of liquefied natural gas (LNG) previously imported into the United States from foreign sources. BPEC requests authorization to export this LNG in a volume equivalent to 30 billion cubic feet (Bcf) of natural gas on a cumulative basis for a two-year period commencing on December 2, 2022.

As relevant here, BPEC seeks to export this previously-imported LNG by vessel from the existing Cove Point LNG Terminal (Terminal), located in Calvert County, Maryland, to any country with which the United States does not have a free trade agreement (FTA) requiring national treatment for trade in natural gas, and with which trade is not prohibited by U.S. law or policy (non-FTA countries). The Application was submitted pursuant to section 3 of the Natural Gas Act¹ and 10 CFR Part 590 of the Department of Energy's (DOE) regulations.

DOE's proposed action is to authorize the exports described in the Application if DOE determines that such exports are not inconsistent with the public interest. If granted, the authorization would permit the requested exports of previously-imported LNG by vessel on a short-term basis from the Terminal, subject to certain terms and conditions set forth in the DOE order granting the Application.

CATEGORICAL EXCLUSION APPLIED: B5.7 - Export of natural gas and associated transportation by marine vessel

For the complete DOE National Environmental Policy Act regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of 10 CFR Part 1021.

Regulatory Requirements in 10 CFR 1021.410(b): (See full text in regulation)

[✓] The proposal fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D.

[✓] There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal.

[✓] The proposal has not been segmented to meet the definition of a categorical exclusion. This proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

Based on my review of the proposed action, as NEPA Compliance Officer, I have determined that the proposed action fits within the specified class(es) of action, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

Signature: James J. Ward Digitally signed by James J. Ward
Date: 2022.11.30 14:47:58 -05'00'

Date Determined: 11/30/2022

James Ward, NEPA Compliance Officer, Office of Fossil Energy and Carbon Management

¹ 15 U.S.C. § 717b.