

Infrastructure Projects and Stationary Source Permitting

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Infrastructure Projects and Stationary Source Permitting: FAST-41

- Fixing America's Surface Transportation Act (FAST Act).
- Establishes framework to improve the Federal environmental review and authorization process for covered infrastructure projects.
 - The law does not apply to State authorizations, although a State may opt-in.
- Established Federal Permitting Improvement Steering Council (FPISC).
- Requires each agency to have a Chief Environmental Review and Permitting Officer (CERPO).
- Establishes the Environmental Review Improvement Fund (ERIF)



FAST-41 Overview Continued

- The agency's CERPO shall facilitate successful coordination across EPA's programs and regions, advise the agency's Council Member on matters related to environmental review and authorizations, and work with the FPISC's Executive Director, the Office of Management and Budget (OMB) and the Council on Environmental Quality (CEQ) to ensure that timetable data and the Permitting Dashboard are updated in a timely manner.
- The status of FAST-41 covered projects are tracked online on the public "Permitting Dashboard": <https://www.permits.performance.gov/>.



What is a Covered Project?

- Projects may be eligible to be covered under FAST-41 if they:
 - involve construction of infrastructure (see below list),
 - require authorization or environmental review by a Federal agency,
 - are subject to NEPA,
 - are likely to require a total investment of >\$200 million, **and**
 - do not qualify for an abbreviated environmental review and authorization process.
 - Or, a project may become “covered” if it is subject to NEPA and meets other qualifications.
- FAST-41 applies to the following sectors:
 - Conventional energy production, Renewable energy production, Electricity transmission, Surface transportation, Aviation, Ports and waterways, Water resource projects, Broadband, Pipelines, and Manufacturing
 - Any other sector as determined by majority vote of the FPISC



Air Office Involvement in FAST-41

- EPA is involved in FAST-41 for any media office (NEPA, waste, water, air) that would need to issue an “authorization” for a covered project.
 - Applies to EPA issued permits only
 - Air authorizations are typically limited to New Source Review and Outer Continental Shelf permits
 - Many projects on dashboard have air permits associated with them, but those are issued by state/local air agencies
- EPA does not expect to be a Lead agency on any project, although EPA can be a “cooperating agency” or “participating agency”
 - EPA has the opportunity for early engagement and coordination
 - As a cooperating agency, EPA coordinates with the lead agency to help develop the Coordinated Project Plan (CPP) and enter milestone information into the Dashboard.



EPA's FAST-41 Involvement To Date (cont.)

- Most air permitting even for FAST-41 projects is done by air agencies
- Currently, there are two projects where EPA is the permitting authority – both are outer continental shelf (OCS) permits for offshore wind projects.
 - Bay State Wind Project (Lead agency: BOEM)
 - 800 MW
 - Construction proposed Q2 2020
 - Located off Massachusetts
 - Deepwater Wind's South Fork Project (Lead agency: BOEM)
 - 90 MW
 - Construction proposed Q3 2019
 - Located off Rhode Island/New York



Executive Order 13807

- EO 13807 (“Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects”) – aka “One Federal Decision”
- Signed in August 2017
- EO 13807 aims to streamline timelines on permitting decisions and environmental reviews for large infrastructure projects and increase coordination, predictability, and transparency.
- Establishes that major infrastructure projects have a lead federal agency to support navigating the project through the Federal environmental review and authorization process.
- Requires that all covered projects be tracked on a dashboard.



Permitting Dashboard – Overview

- www.permits.performance.gov
- FAST-41 Specific Information on Dashboard
 - FAST-41 Fact Sheet
 - Listing and map of all FAST-41 covered projects
 - Project-specific pages containing project descriptions, points of contact, and permitting milestone schedules
- Other Resources & Tools
 - Annual reports to Congress
 - Standard operating procedures
 - Implementation guidance
 - Recommended Best Practices for Environmental Reviews and Authorizations for Infrastructure Projects



Permitting Dashboard – Home Page

PERMITTING DASHBOARD

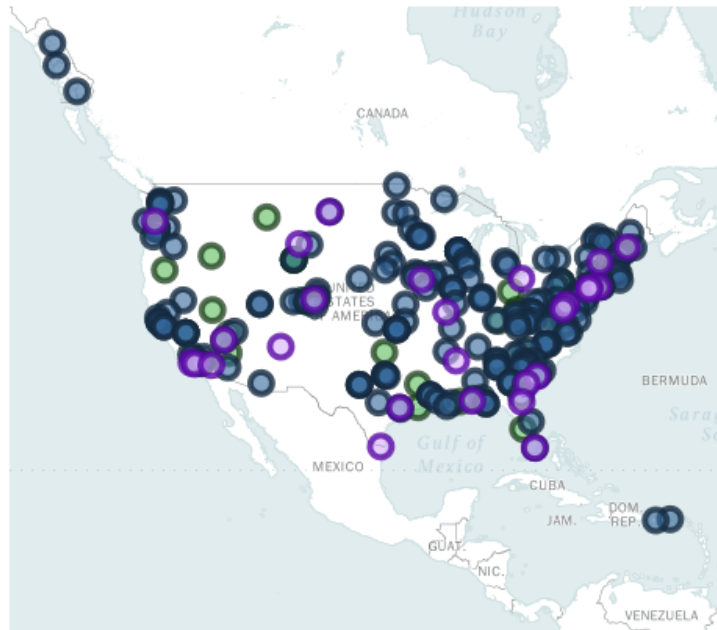
FEDERAL INFRASTRUCTURE PROJECTS

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PROJECT MAP

The map below depicts all Federal infrastructure projects tracked on the Permitting Dashboard. For an interactive version of this map that features project classification overlays and individual project details, please [click here](#) or select 'Map' from the navigation bar.



BECOME A FAST-41 COVERED PROJECT

Infrastructure project sponsors interested in the benefits of Title 41 of the Fixing America's Surface Transportation Act ("FAST-41") are encouraged to select: "[Becoming a FAST-41 Covered Project](#)"

To learn more, please see the "[FAST-41 Fact Sheet](#)"

NEWS

FAST-41 INITIATION FEE NOPR

September 4, 2018

A draft notice of proposed rule making with request for comments due by November 5, 2018 has been published in the Federal Register. <https://www.federalregister.gov/d/2018-19032>

PROPOSED PROJECT SCHEDULE REDUCED BY NEARLY TWO YEARS

April 19, 2018

The Permitting Council announced it successfully reduced the permitting timetable by 22 months on the proposed Mid Barataria Sediment Diversion Project. [Click here to see the press release.](#)



Permitting Dashboard – Project List Page

PERMITTING DASHBOARD
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Project Title
Lead Agency
Sector
State
Status

Title▲	Lead Agency	Bureau/Mode	Sector	Project Type	Status
Aiya Solar Project (Moapa)	Department of Interior	Bureau of Indian Affairs	Renewable Energy Production	Solar	Paused
Alaska LNG Project	Federal Energy Regulatory Commission	Federal Energy Regulatory Commission	Pipelines	Liquefied Natural Gas Terminal Facilities (Onshore or in State Water), and associated Natural Gas Pipelines	In Progress
Atlantic Coast Pipeline, Atlantic Coast Pipeline Amendment, Supply Header, and ACP-Piedmont Lease	Federal Energy Regulatory Commission	Federal Energy Regulatory Commission	Pipelines	Interstate Natural Gas Pipelines	Complete
Atlantic Sunrise	Federal Energy Regulatory Commission	Federal Energy Regulatory Commission	Pipelines	Interstate Natural Gas Pipelines	Complete
Bay State Wind Project	Department of Interior	Bureau of Ocean Energy Management	Renewable Energy Production	Wind: Federal Offshore	Planned



Permitting Dashboard – Project Page

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Bay State Wind Project

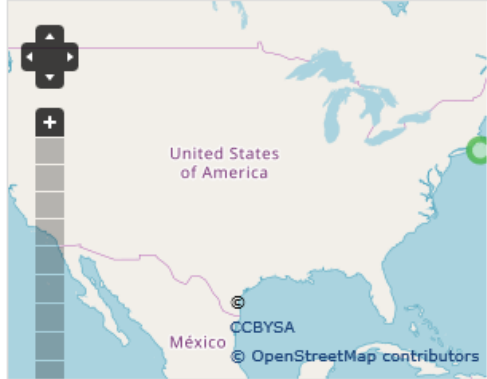
Project Information

Sector: Renewable Energy Production
Project Category: FAST-41 Covered Projects
Project Status: Planned
Project Website: [Commercial Wind Leasing Offshore Massachusetts](#)

Description:

Bay State Wind (BSW) proposes to develop, build, operate, and own (through one or more affiliated special purpose entities) an utility-scale offshore wind farm with capacity up to 1,600 MW located 15-25 miles off the south coast of Massachusetts within the Lease area (the "Project"). The Project may be developed in phases, and will consist of between 107 to 267 wind turbine generators ("WTG"), associated inter-array cabling, new onshore and offshore substations, export cables, a battery energy storage system, and onshore works for connection to the wholesale electric grid administered by ISO New England ("ISO-NE").

The request for approval for Bay State Wind has not been submitted. BOEM has coordinated with stakeholders to develop a preliminary list of anticipated reviews and authorizations based on the information available at this time, however, the Permitting Timetable will not be fully developed until the Construction Operations Plan has been submitted.



Primary Location

Latitude: 41.018311000000
Longitude: -70.769487000000

Lead Agency Information:

POC Name: Brian Krevor
POC Title: NEPA Coordinator
POC Email: brian.krevor@boem.gov ✉
Agency/Department: Department of Interior
Bureau/Mode: Bureau of Ocean Energy Management

Sponsor Contact Information:

Project Sponsor: Bay State Wind LLC
POC Name: James Meyer



Questions & Thank you

