



October 25, 2024

Rear Admiral Ann C. Phillips, US Navy (Ret.)  
Administrator  
U.S. Department of Transportation Maritime Administration  
West Building  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590

RE: Federal Licensing of the Texas GulfLink (TGL) Deepwater Port (DWP) Project

Dear Administrator Phillips:

I am writing on behalf of the U.S. Environmental Protection Agency to provide recommendations regarding the application for the Deepwater Port (DWP) license submitted by Texas GulfLink Holdings, a wholly owned subsidiary of Sentinel Midstream LLC, a Texas limited liability company. Texas GulfLink Holdings is proposing the Texas GulfLink (TGL) Deepwater Port Project.

On May 30, 2019, the Applicant submitted an application to the U.S. Coast Guard (USCG) and Maritime Administration (MARAD) seeking a Federal license under the Deepwater Port Act of 1974 (DPA), as amended, to own, construct, operate, and eventually decommission a DWP for the transportation of crude oil for export to the global market in United States Federal waters 26.6 nautical miles off the coast of Brazoria County, Texas. The proposed DWP would allow very large crude carriers (VLCCs) or other crude oil carriers to moor at single point mooring (SPM) buoys to load crude oil for export. The proposed DWP would include two SPM buoys, although the facility would only be able to load a VLCC at one SPM buoy at a time. Upon filing the Notice of Application in the Federal Register on June 20, 2019, MARAD assigned the Proposed Action Docket No. MARAD-2019-0093.

Operations offshore would involve use of a dynamically positioned third-party "Offshore Support Vessel" equipped with a vapor processing system to control the release of vapor emissions during the cargo loading operations of the proposed TGL DWP. A shoreside support facility would be located at an established marine facility located in the Freeport, Texas area, with warehouse access and berths for support vessels.

EPA received initial Clean Air Act (CAA) permit applications in July of 2019. These were subsequently withdrawn, and revised permit applications were submitted on August 25, 2022. An application completeness letter for the revised permit applications was sent on October 20, 2022. EPA Region 6 is in the process of developing a construction and operating permit. TGL also intends to seek Clean Water Act (CWA) National Pollutant Discharge Elimination System permit coverage for offshore process water, stormwater, and hydrostatic test water, a Construction General Permit for onshore stormwater during construction, and a Clean Water Act Section 404 Permit.

Per Section 4(c)(6) of the DPA, EPA does not object to the issuance of a license for the TGL DWP based on our authority under the CAA, the CWA, and the Marine Protection, Research and Sanctuaries Act. EPA recommends continued emphasis on ensuring environmental justice and climate change considerations be included in the licensing project for the protection of overburdened communities.

### **Meeting Environmental Justice Goals:**

In executing President Biden's Executive Orders 12898, 13985 and 14008, Administrator Regan has emphasized that EPA is to maximize our existing authorities and pull every lever to achieve tangible progress on equity, environmental justice and civil rights while providing immediate relief to communities on the ground where we can. He has asked that I and my staff take action to identify and implement opportunities to provide immediate benefits to overburdened communities on the ground, including the use of our authorities to consider and address equity, environmental justice, civil rights, and cumulative impacts in permitting and we are doing so. Additionally, EPA's regional offices have primary responsibility for overseeing implementation and enforcement of federal environmental laws, "within the context of meeting national environmental goals and requirements."<sup>1</sup>

Federal environmental justice policy directs EPA to address environmental injustices to the full extent authorized by law. To that end, we commit to continued development of the CAA and CWA permits considering our shared Environmental Justice goals and ask that you and your staff continue to strive towards that same consideration.

### **EPA Region 6 Implementation:**

EPA continuously engaged in the NEPA process and in a separate letter provided comments on the FEIS on August 30, 2024. Pursuant to CEQ's 2023 NEPA Guidance on Consideration of Greenhouse Gas Emissions and Climate Change, and previous conversations with EPA staff, EPA recommended that USCG identify the additional oil produced and/or exported as a result of the project, and the respective greenhouse gas emissions, as compared to the no-action alternative. EPA provided an analysis of potential greenhouse gas emissions and the social cost of greenhouse gas monetization to MARAD/USCG as part of the NEPA process.

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<sup>1</sup> Memorandum from William D. Ruckelshaus, Administrator, *EPA Policy on Oversight of State Delegated Environmental Programs* (April 4, 1984).

I want to work closely with you to advance our shared equity and environmental justice goals. Please contact me or David Garcia, Director, Air and Radiation Division, at (214) 665-7593 should you want to meet to discuss our recommendations or if you have any questions.

Sincerely,

Earthea Nance, PhD, PE  
Regional Administrator

cc: James Simmons, MARAD  
Linden Houston, MARAD