CONTROL SLIP

TO: LINDA CAMERON, MA-721
    ROOM 7E-054

FROM: Office of Hearings Coordination, CI-40 Room 8G-070

DATE REC'D: 9/19/01 PRE-Q&A'S ___ POST Q&A'S ___ TRANS ___

CHAIRMAN: Roscoe Bartlett

COMMITTEE: House Science

SUBCOMMITTEE: Energy

DATE OF HEARING: 4/26/01

SUBJECT: DOE's FY 2002 Budget Request

WITNESS: Steve Cary

CONTROL TO PROGRAM OFFICE: BH CTT

DATE DUE TO CI-40: 10/3/01

DATE DUE TO COMMITTEE: 10/15/01

CI-40 COORDINATOR: Lillian Owen

CONGRESSIONAL LIAISON: Steve Lerner

ES CONTROL NO: 01-800120

22621

DOE024-0027
Mr. Steven V. Cary  
Acting Assistant Secretary  
Office of Environment, Safety and Health  
U.S. Department of Energy  
Washington, DC 20585  

Dear Mr. Cary:

I wish to express my sincere appreciation for your testimony during the April 26, 2001 Committee on Science hearing, "The Fiscal Year (FY) 2002 budget request for the Department of Energy (DOE)."

Enclosed are additional questions from Members of the Committee, as well as a copy of the hearing transcript. Your responses will be published as part of the official record of the hearing. In addition to a hard copy of your answers, the Committee requires an additional copy, including any supporting graphs or charts, saved on a DOS formatted 3.5 inch diskette, in either Word Perfect, Word or ASCII text. Please send your responses to Mr. Tom Hammond of the Committee staff. If you prefer, you may E-mail your responses to: tom.hammond@mail.house.gov.

I would appreciate receiving your responses to the enclosed questions by October 15, 2001.

Also enclosed is a copy of the verbatim transcript for your review. The Committee's rule pertaining to the printing of transcripts is as follows:

The transcripts...shall be published in verbatim form, with the material requested for the record, as appropriate. Any requests to correct any errors, other than transcription, shall be appended to the record, and the appropriate place where the change is requested will be footnoted.

The complete revisions to the transcripts submitted for the record must be received by September 24, 2001 and should be sent to Mr. Tom Hammond, Subcommittee on Energy, H2-389 Ford House Office Building, Washington, DC 20515. If you have any questions, please contact Mr. Hammond at (202) 225-9662.

September 12, 2001

U.S. HOUSE OF REPRESENTATIVES  
COMMITTEE ON SCIENCE  
SUITE 2320 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6391  
(202) 225-6371  
TTY: (202) 225-4410  
Mr. Cary  
Page 2  
September 12, 2001  

Thank you again for making this hearing successful.

Sincerely,

[Signature]

ROSCOE BARTLETT  
Chairman  
Subcommittee on Energy  

RB/tjh  

Enclosures
Committee on Science
Subcommittee on Energy
U.S. House of Representatives

Hearing
on
Department of Energy Fiscal Year 2002 Budget

April 26, 2001

Post-Hearing Questions Submitted to Mr. Steven V. Cary, Acting Assistant Secretary,
Office of Environment, Safety and Health, U.S. Department of Energy

Republican Member Questions

EH Q1. What has been your office’s role in the work of Vice President Cheney’s Energy Task Force? In particular, have you worked with the Vice President and his staff to ensure that a robust energy R&D program—both near-term and long-term—is included in the Task Force recommendations?

PI Q2. What is DOE’s role in climate change policy review that is reportedly underway by the Administration?

FE Q3. It appears that several DOE Offices are funding similar programs—fuel cells and turbines, for example. Please explain how you coordinate your research efforts to avoid duplication of effort.

SC Q4. It has been learned that the decline in students studying the physical sciences threatens our near-term labor pool for the DOE labs and other Federal science and technical programs. What is the expected impact on Energy R&D and what suggestions do you have to address this growing problem?

EH Q5. What is the current status of the issue of external regulation of DOE facilities?

EH Q6. What is the role of the Office of Environment, Safety and Health with respect to the National Nuclear Security Administration (NNSA)?

EH Q7. Will your Office be able to carry out its mandates within this budget?

EH Q8. Has your Office developed wildland fire management policies for new DOE facilities, and if so, which ones?
PLEASE OPPOSE ANY KIND OF ARCTIC REFUGE DRILLING AMENDMENT OR RIDER TO THE ECONOMIC STIMULUS BILL OR ANY OTHER BILL!

Two Arctic Refuge drilling bills (H.R.4 : the House-passed energy bill and a separate Arctic Refuge bill) have already been filed as possible amendments to the bill. Oppose any attempts to attach any of these amendments.

Dear Secretary of Interior Norton, Mr. President, US Government officials, Senators, 

I'm writing to urge you, to please:

1: PLEASE OPPOSE ANY KIND OF ARCTIC REFUGE DRILLING AMENDMENT OR RIDER TO THE ECONOMIC STIMULUS BILL OR MILITARY FUNDING BILL OR ANY OTHER BILL!

2: Secretary of interior Norton mischaracterized Arctic Refuge Data. Data Don't Support Norton's Statements on Environmental Effects of Drilling. The Secretary's official reply to Senator Murkowski on July 11, 2001 was markedly different from the scientific input she had received. (see References # 1 )

3: STOP UN-LIMITED ACCESS TO ARCTIC REFUGEE:
The energy bill supposedly limits the area available for drilling to 2,000 acres - implying a small concentrated spot on the coastal plain.
However, according to the U.S. Geological Survey, oil under the Arctic Refuge coastal plain would not be concentrated in one large reserve but rather would be spread out in numerous small deposits -requiring multiple interconnected oil fields stretching across the coastal plain. In addition, the "2,000 acres" only refers to places where the infrastructure makes actual physical contact with the tundra (i.e. instead of including the entire length of a pipeline, it would only include the upright supports). Plus the "2,000 acres" does not include gravel mines or gravel roads - both of which would disturb considerable areas of tundra and add to the spider web of infrastructure across the coastal plain.

4: PLEASE STOP FOSSIL FUEL DEPENDENT:
America cannot drill its way to energy independence. The U.S. has at most 2.3% of the earth's oil reserves while accounting for 25% of the world's oil consumption. It is simply not possible to produce our way to oil independence, even if we sacrifice all of our wilderness, parks, refuges, and coastlines. The only way to reduce dependence on foreign oil is through Conservation and Alternative energy supplies. The Vice President Cheney has been sued over his "secret" Energy Task Force by the Judicial Watch. (See References # 2 )

5: IT IS ONLY A DROP IN THE BUCKET:
The U.S. Geological Survey estimates that at no time would the oil recovered from the Arctic Refuge amount to more than about
2 percent (2%) of US demand. We would still need to import over half of our oil from foreign countries.

6: OUTDATED NATIONAL ENERGY POLICY:
There is no way, America can drill the way to lower prices or energy independence. The natural resources supply is always finite. Years ago, America depended on the oil from the whales and killing whales ruthlessly until all of the whale species approached total extinction. The same logic applies to the Fossil fuel. Therefore, the US energy policy must emphasize decreasing the Demand rather than increasing the Supply of fossil fuels.

There are reliable and sensible means of achieving these ends - such as energy Conservation, Alternative energies and Improved energy efficiency - which can reduce our dependence on oil without sacrificing environmental protection.

7: UNSUSTAINABLE JOBS: the number of jobs that would be generated by drilling in the Arctic Refuge coastal plain is misleading and flawed. The numbers commonly touted by those in favor of drilling (750,000 jobs) come from a flawed 1990 study commissioned by the American Petroleum Institute (API). A 1994 study by the Economic Policy Institute concluded that the total number of jobs generated by drilling in the refuge would be fewer than 6 percent than what the API exaggerated estimates. Also the job opportunity would last only five years (5 years).

However, a 1993 study, conducted by the Tellus Institute for The Wilderness Society, concluded that initiatives to improve vehicle fuel efficiency and non-transport energy efficiency would result in nearly Ten times as many jobs as drilling in the Arctic Refuge. (see References # 5)

8: SPILL, ENVIRONMENTALLY DEVASTATING:
Oil development cannot be done in an "environmentally sensitive" manner. Since 1996, the Prudhoe Bay oil fields and Trans-Alaska Pipeline have caused an average of approximately 400 spills annually on the North Slope - most commonly spills of diesel and crude oil. Whether an accident or faulty maintenance, the Arctic Refuge coastal plain is too precious to risk from spills such as these. The Arctic Refuge is the only U.S. refuge encompassing a complete spectrum of arctic and subarctic ecosystems. This combination of habitats helps support the Refuge's nature's most beautiful biodiversity. (please see References # 3, # 4)

While the nation and the world is shocked by the WTC tragedy, please do NOT use this tragic opportunity to destroy our nation's most unique treasure the Arctic Wildlife Refuge to satisfy the handful people's taste of greed, selfishness and corruption.

We and all of our members, friends, relatives, will NOT vote for any legislator who supports any Drilling in the Arctic Wildlife Refuge bills, amendments; riders or deals.

Please OPPOSE any Drilling in Arctic Wildlife Refuges completely.

Thank you.

Sincerely,
Guillermo Kuhl
P O Box 143
Daly City, CA 94016-0143
U.S. Voter

22626
DOE024-0032
CONTROL SLIP

TO: OCTAVIUS GORHAM-GREENHILL/BRENDA MACKALL, MA-712
ROOM 7E-054

FROM: Office of Hearings Coordination, CI-40 Room 8G-070

DATE PRE- POST
RECD: 9/18/01 Q&A'S Q&A'S TRANS INSERTS

CHAIRMAN: Roscoe Bartlett

COMMITTEE: House Science

SUBCOMMITTEE: Energy

DATE OF HEARING: 4/26/01

SUBJECT: DOE's FY 2002 Budget Request

WITNESS: Robert Kripowicz

CONTROL TO PROGRAM OFFICE: PE

DATE DUE TO CI-40: 10/3/01

DATE DUE TO COMMITTEE: 10/15/01

CI-40 COORDINATOR: Lillian Owen

CONGRESSIONAL LIAISON: Phil Mandel

ES CONTROL NO: 01-800133

22627

DOE024-0033

Obtained and made public by the Natural Resources Defense Council, March/April 2002
COMMITTEE ON SCIENCE
SUBCOMMITTEE ON ENERGY
U.S. HOUSE OF REPRESENTATIVES

Hearing
on
Department of Energy Fiscal Year 2002 Budget

April 26, 2001

Post-Hearing Questions Submitted to Mr. Robert S. Kriporicz,
Acting Assistant Secretary for Fossil Energy,

Republican Member Questions

Q1. What has been DOE's role in the work of Vice President Cheney's Energy Task Force? In particular, have you worked with the Vice President and his staff to ensure that a robust energy R&D program—both near-term and long-term—is included in the Task Force recommendations?

Q2. What is DOE's role in climate change policy review that is reportedly underway by the Administration?

Q3. It appears that several DOE Offices are funding similar programs—fuel cells and turbines, for example. Please explain how you coordinate your research efforts to avoid duplication of effort.

Q4. It has been learned that the decline in students studying the physical sciences threatens our near-term labor pool for the DOE labs and other Federal science and technical programs. What is the expected impact on Energy R&D and what suggestions do you have to address this growing problem?

Q5. The Methane Research and Development Act of 2000 was signed into law on May 2, 2000. As you know, the Act mandated that DOE commence a methane hydrate R&D program, in consultation with the Departments of Commerce, Defense, and the Interior to promote cooperation among agencies that are developing technologies that may hold promise for methane hydrate resource development. What is status of implementation of this Act by DOE and, in particular, how are the agencies cooperating?

Q6. What are the specific differences between the "new" Clean Coal Power Initiative proposed in the FY 2002 budget and "old" Clean Coal Technology Program?

Q7. The FY 2002 budget request proposes to increase funding for carbon sequestration research
to nearly $20.7 million—more than a 10 percent increase. What are some of the specific approaches being funded?

FE Q8. In your testimony, you said that smaller companies now account for 40 percent of the oil produced in the U.S., almost two-thirds of the natural gas, and for 85 percent of new domestic drilling. You also said that the "Department will continue to fund efforts that will encourage these smaller domestic producers to adopt optimum technologies that can find and produce oil and natural gas that might otherwise be left in the ground." Can you please elaborate?

FE Q9. Would you please provide examples of oil field projects where the DOE’s involvement helped U.S. producers recover oil that might otherwise have been left in the ground? Also, could you please explain DOE’s role in these projects and how the Department contributed to their success?

FE Q10. What is the status of the Department’s molten carbonate fuel cell work?
October 5, 2001

Mr. Bill Wadsworth
Bureau of Laid Management
P.O. Box 768
Pinedale, Wyoming 82941

RE: Application for Pipeline Right-of-Way
Mesa #11-16 well
Sublette County, Wyoming

Dear Bill:

In accordance with our telephone conversation concerning Double Eagle constructing a pipeline to transport our gas from the above referenced well, please find enclosed an application for right-of-way across lands administered by BLM.

Sincerely,

[Signature]

D. Steven Degenfelder
Vice President, Land
**Application for Transportation and Utility Systems and Facilities on Federal Lands**

**NOTE:** Before completing and filing the application, the applicant should carefully review this package and schedule a preapplication meeting with representatives of the agency responsible for processing the application. Each agency, in consultation with the help of the agency representative, the application can be completed at the preapplication meeting.

1. Name and address of applicant (include zip code)
   - Double Eagle Petroleum Company
   - P.O. Box 766
   - Casper, Wyoming 82602

2. Name, title, and address of authorized agent if different from item 1 (include zip code)
   - Stephen H. Hall, President

3. Telephone (area code)
   - (307) 237-9330

4. Is applicant an individual (check one)
   - [ ] Individual
   - [ ] Corporation
   - [ ] Partnership/Association
   - [ ] State Government/Semi-Agency
   - [ ] Local Government
   - [ ] Federal Agency
   - [ ] Other

5. If checked, complete supplemental page

6. If an individual or partnership are you a citizen(s) of the United States?
   - [ ] Yes
   - [ ] No

7. Project description (describe in detail): (a) Type of system or facility (e.g., canal, pipeline, road; (b) related structures and facilities; (c) physical specifications (length, width, grading, etc.); (d) time of year needed; (e) size of year or river section; (f) volume or amount of product to be transported; (g) duration and timing of construction; and (h) temporary weed areas needed for construction (Attach additional sheets if additional space is needed).

SEE ATTACHED EXHIBIT "A"

8. Attach a map covering area and show location of project proposal
   - YES

9. State or local government approval:
   - [ ] Attached
   - [ ] Applied for
   - [ ] Not required

10. Non-removable application fee:
    - [ ] Attached
    - [ ] Not required

11. Does project cross international boundary or affect international waterways?
    - [ ] Yes
    - [ ] No

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested.

   Double Eagle Petroleum Company is authorized to do business in the state of Wyoming.

---

(Continued on page 2)

This form is authorized for local reproduction.

22631
DOE024-0037

Obtained and made public by the Natural Resources Defense Council, March/April 2002
A straight path between well sites and pipeline interconnect.

b. Why were these alternatives not selected?

Following existing pipeline corridor would disturb less surface and is topographically more prudent.

c. Give explanation as to why it is necessary to cross Federal Lands.

Federal lands surround all possible routes.

14. List authorities and pending applications filed for similar projects which may provide information to the authorizing agency. (Specify number, class, cost, or area)

None Known

15. Provide statement of need for project, including the economic feasibility and issues such as (a) cost of present construction, operation, and maintenance; (b) environmental cost of net benefit assessed; and (c) expected public benefits.

Economic need by Double Eagle to market its share of gas from respective wells and obtain highest prices for product.

16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.

None

17. Describe likely environmental effects that the proposed project will have on (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the aquatic or servient change in any stream or other body of water; (e) existing mines levels; and (f) the surface of the land, including vegetation, fen, and soil.

None

18. Describe the probable effects on the proposed project will have on (a) populations of fish, plants, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.

None

19. State whether any hazardous material, as defined in this paragraph, will be used, produced, transported, stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance, or removal of the right-of-way or any of its facilities. "Hazardous substance" includes any substance, pollutant, or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. 6901 et seq., and its regulations. The term "hazardous waste" includes any material or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or defined as a hazardous substance under CERCLA, Section 101(14), 42 U.S.C. 9001(14); or debris that is not hazardous waste.

None Expected

20. None of the Department(s)/Agency(s) where this application is being filed.

Department of the Interior,

Bureau of Land Management

Fremont Field Office

I hereby certify, that I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant [Signature]

Date 10/05/01

Title 18, U.S.C. Section 1001 and Title 42, U.S.C. Section 1312, make it a crime for any person knowingly and willfully to make or cause any false or fraudulent statements or representations or any matter within its jurisdiction.

22632

DOE024-0038

Obtained and made public by the Natural Resources Defense Council, March/April 2002
PLAN OF DEVELOPMENT - PIPELINE RIGHT-OF-WAY
DOUBLE EAGLE PETROLEUM COMPANY
Section 21, 22 and 27
Township 32 North, Range 109 West
Sublette County, Wyoming

PROJECT: To construct a 4" natural gas pipeline crossing federal lands approximately 1.5 miles in length in order to connect Wexpro's Mesa #11-16 well into existing gas gathering system of Duke Energy, formerly known as Jonah Gas Gathering.

Facility Description:

1) Purpose and Need for the Right-of-Way Facility:
   a) Commodity - natural gas from gas well.
   b) Pipeline is a temporary gathering line.
   c) Pipeline will be placed on surface during winter 2001-2002 pending installation of a larger pipeline by Duke Energy expected in the summer of 2002.
   d) There is no required area of disturbance as pipeline will be placed on surface The surface will not be bladed. Work on installation will be confined to the existing roadway area paralleling the pipeline. Once the pipeline is prepared, it will be place on the surface manually.
   e) Pipeline will occupy space adjacent and parallel to existing pipelines operating under right of way #WYW-79588 across federal lands.
   f) The entire route of the proposed right of way across federal lands has been the subject of several cultural surveys performed by Jonah Gas Gathering, Mountain Fuel Supply, Ultra Resources and Mountain Gas Resources.

2) Facility Design Factors:
   a) Pipeline pressure will be 200-1,000 psi, pipe weight and grade to withstand said pressure with estimated flow rates up to 5 MMCFD.
   b) Gas is "sweet" gas, no measurable toxic gases are present.
   c) Soil is clay and sandy clay.
   d) Pipeline operating temperature 60-80 degrees Fahrenheit.

3) Additional Components to the Right-of-Way:
   a) Gathering line from the Mesa #11-16 will connect into existing gathering line owned by Duke Energy, formerly Jonah Gas Gathering in Section 27, Township 32 North, Range 109 West.
   b) No pumping, compressor or metering facilities will be located on the BLM right of way requested.

4) A right of way will be obtained from The Wyoming State Land Office on

22633
DOE024-0039

Obtained and made public by the Natural Resources Defense Council, March/April 2002
approximately .5 miles of proposed pipeline that cross in Section 16 (T32N-R109W).

5) Right-of-Way is located as captioned above and as shown on the attached map, more specifically from the Mesa #11-16 well across State Lands for approximately .5 miles and across BLM lands for approximately 1.5 miles until pipeline connects with said pipeline owned by Duke Energy.

6) No other resource values are affected.

7) Stabilization and Rehabilitation - recontoured ground will be reseeded, water diversion ditches will be cut on all grades. Pipeline will be left in place upon completion of the project. There will be no unnecessary surface disturbance.

8) Operation - no regular vehicle traffic will run on the right-of-way, however, the line will be checked occasionally for leaks. It may be necessary to expose a portion of the line for repairs from time-to-time; if so, the disturbance will be minimized, ground recontoured and reseeded.
DOUBLE EAGLE PETROLEUM COMPANY

PLAN OF DEVELOPMENT
PIPELINE RIGHT-OF-WAY
Section 21, 22 and 27
Township 32 North, Range 109 West
Sublette County, Wyoming
Attachment B
United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Pinedale Field Office
P.O. Box 768
Pinedale, Wyoming 82941-0768

October 25, 2001

CERTIFIED MAIL 2000 0520 0021 8222 3802 RETURN RECEIPT REQUESTED

Mr. Steven Degenfelder
Double Eagle Petroleum & Mining Company
PO Box 766
Casper, WY 82602

Application Rejected

Re: Pipeline - Mesa 11-16


It is Bureau of Land Management policy to review natural gas pipeline right-of-way applications with respect to existing pipelines. There are two existing sales pipelines in this area which have the capacity to transport your natural gas. Both of these pipelines have the "common carrier" 30 U.S.C. §185 (r)(l) stipulation placed on them as provided for under Section 28 of the Mineral Leasing Act as amended. A copy of this statute is enclosed for your information.

Since there is already sufficient capacity in existing pipelines to transport your natural gas, it has been determined that allowing this additional pipeline at this time would not be in the public interest and would cause undue and unnecessary degradation to the public lands.

Therefore, right-of-way application WYW-153987, is hereby rejected.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4, and the attached Form 1842-1. If an appeal is taken, your notice of appeal must be filed in the Office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993), 43 CFR 2804.1, or 43 CFR 2884.1, for a stay (extension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to have sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named.

22638
DOE024-0044
in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied;
2. The likelihood of the appellant's success on the merits;
3. The likelihood of immediate and irreparable harm if the stay is not granted; and
4. Whether the public interest favors granting the stay.

Enclousures: 30 U.S.C.
Form 1842-1

Priscilla Mecham
Field Manager
Sec. 185. Rights-of-way for pipelines through Federal lands

(a) Grant of authority

Rights-of-way through any Federal lands may be granted by the Secretary of the Interior or appropriate agency head for pipeline purposes for the transportation of oil, natural gas, synthetic liquid or gaseous fuels, or any refined product produced therefrom to any applicant possessing the qualifications provided in section 181 of this title in accordance with the provisions of this section.

(b) Definitions

- (1) For the purposes of this section "Federal lands" means all lands owned by the United States except lands in the National Park System, lands held in trust for an Indian or Indian tribe, and lands on the Outer Continental Shelf. A right-of-way through a Federal reservation shall not be granted if the Secretary or agency head determines that it would be inconsistent with the purposes of the reservation.
- (2) "Secretary" means the Secretary of the Interior.
- (3) "Agency head" means the head of any Federal department or independent Federal office or agency, other than the Secretary of the Interior, which has jurisdiction over Federal lands.

(c) Inter-agency coordination

- (1) Where the surface of all of the Federal lands involved in a proposed right-of-way or permit is under the jurisdiction of one Federal agency, the agency head, rather than the Secretary, is authorized to grant or renew the right-of-way or permit for the purposes set forth in this section.
- (2) Where the surface of the Federal lands involved is administered by the Secretary or by two or more Federal agencies, the Secretary is authorized, after consultation with the agencies involved, to grant or renew rights-of-way or permits through the Federal lands involved. The Secretary may enter into interagency agreements with all other Federal agencies having jurisdiction over Federal lands for the purpose of avoiding duplication, assigning responsibility, expediting review of rights-of-way or permit applications, issuing joint regulations, and assuring a decision based upon a comprehensive review of all factors involved in any right-of-way or permit application. Each agency head shall administer and enforce the provisions of this section, appropriate regulations, and the terms and conditions of rights-of-way or permits insofar as they involve Federal lands under the agency head's jurisdiction.

(d) Width limitations

The width of a right-of-way shall not exceed fifty feet plus the ground occupied by the pipeline (that is, the pipe and its related facilities) unless the Secretary or agency head finds, and records the reasons for his finding, that in his judgment a wider right-of-way is necessary for operation and maintenance after construction, or to protect the environment or public safety. Related facilities include but are not limited to valves, pump stations, supporting structures, bridges, measuring and communication devices, surge and storage tanks, terminals, roads, air strips and campsites and they need not necessarily be connected or contiguous to the pipe and may be the subjects of separate rights-of-way.

(e) Temporary permits

A right-of-way may be supplemented by such temporary permits for the use of Federal lands in the vicinity of the pipeline as the Secretary or agency head finds are necessary in connection with construction, operation, maintenance, or termination of the pipeline, or to protect the natural resources.
environment or public safety.

- **(f) Regulatory authority**
  Right-of-way or permits granted or renewed pursuant to this section shall be subject to regulations promulgated in accord with the provisions of this section and shall be subject to such terms and conditions as the Secretary or agency head may prescribe regarding extent, duration, survey, location, construction, operation, maintenance use and termination.

- **(g) Pipeline safety**
  The Secretary or agency head shall impose requirements for the operation of the pipeline and related facilities in a manner that will protect the safety of workers and protect the public from sudden ruptures and slow degradation of the pipeline.

- **(h) Environmental protection**
  - (1) Nothing in this section shall be construed to amend, repeal, modify, or change in any way the requirements of section 102(2)(C) (42 U.S.C. 4332(2)(C)) or any other provision of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).
  - (2) The Secretary or agency head, prior to granting a right-of-way or permit pursuant to this section for a new project which may have a significant impact on the environment, shall require the applicant to submit a plan of construction, operation, and rehabilitation for such right-of-way or permit which shall comply with this section. The Secretary or agency head shall issue regulations or impose stipulations which shall include, but shall not be limited to: (A) requirements for restoration, revegetation, and curtailment of erosion of the surface of the land; (B) requirements to insure that activities in connection with the right-of-way or permit will not violate applicable air and water quality standards nor related facility siting standards established by or pursuant to law; (C) requirements designed to control or prevent (i) damage to the environment (including damage to fish and wildlife habitat), (ii) damage to public or private property, and (iii) hazards to public health and safety; and (D) requirements to protect the interests of individuals living in the general area of the right-of-way or permit who rely on the fish, wildlife, and biotic resources of the area for subsistence purposes. Such regulations shall be applicable to every right-of-way or permit granted pursuant to this section, and may be made applicable by the Secretary or agency head to existing rights-of-way or permits, or rights-of-way or permits to be renewed pursuant to this section.

- **(i) Disclosure**
  If the applicant is a partnership, corporation, association, or other business entity, the Secretary or agency head shall require the applicant to disclose the identity of the participants in the entity. Such disclosure shall include where applicable (1) the name and address of each partner, (2) the name and address of each shareholder owning 3% or more of the shares, together with the number and percentage of any class of voting shares of the entity which such shareholder is authorized to vote, and (3) the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares and the percentage of any class of voting stock of that affiliate owned, directly or indirectly, by that entity, and, in the case of an affiliate which controls that entity, the number of shares and the percentage of any class of voting stock of that entity owned, directly or indirectly, by the affiliate.

- (j) Technical and financial capability
  The Secretary or agency head shall grant or renew a right-of-way or permit under this section only when he is satisfied that the applicant has the technical and financial capability to construct, operate, maintain, and terminate the project for which the right-of-way or permit is requested in accordance with the requirements of this section.
PCL XL error

Subsystem: KERNEL
Error: IllegalTag
Operator: 0x82
Position: 35245
To: Keller Staley/EE/DOE@DOE
cc: Buddy Garland/EE/DOE@DOE

Subject: Tom Kimbis

Just wanted to let you know what a great job Tom did on the budget text data checks, as well as in preparing supporting materials for our NEP assignments and the state data sheets on energy consumption. This is really valuable support for our activities.
To: Michael York/EE/DOE@DOE
cc: 
Subject: new energy

The skunk piece you started reviewing this morning is attached. Can you take a crack at finishing/improving it?

-- Forwarded by MaryBeth Zimmerman/EE/DOE on 03/05/2001 10:56 AM --

"One of the Zimmermans" <czmbz@erols.com> on 03/04/2001 10:47:14 PM

To: MaryBeth Zimmerman/EE/DOE@DOE
cc: 
Subject: new energy

- att1.htm
- The New Energy Economy.doc
- NEP+Policy+Issues MBZ.doc
Subject: RE: need print out for Buddy

DO NOT USE THE LAST FILE I SENT YOU. I FOUND CFO BUDGET DATA AND SHOULD HAVE THE NEW CHART AND SPREADSHEET TO YOU BY NOON.

---Bill

From: Darrell.Beschen@ee.doe.gov [SMTP: Darrell.Beschen@ee.doe.gov]
Sent: Wednesday, February 21, 2001 9:29 AM
To: Babich, Bill
Subject: RE: need print out for Buddy

---Original Message---
From: Darrell.Beschen@ee.doe.gov [SMTP: Darrell.Beschen@ee.doe.gov]
Sent: Wednesday, February 21, 2001 9:29 AM
To: Babich, Bill
Subject: RE: need print out for Buddy