



DAVID JOHN MCBRIDE  
EHS & REGULATORY MANAGER

November 30, 2006

*[via UPS]*

Mr. Horst Greczmiel  
Associate Director for NEPA Oversight  
Council on Environmental Quality  
722 Jackson Place NW  
Washington, D.C. 20503

RE: NEPA Modernization – Proposed Guidance “Establishing, Revising and  
Using Categorical Exclusions under the National Environmental Policy Act”

Dear Mr. Greczmiel:

Anadarko Petroleum Corporation (Anadarko) appreciates the opportunity to comment on the above-referenced document noticed by the Council on Environmental Quality (CEQ) in the Federal Register on September 19, 2006, (71 Fed. Reg. 54815). Anadarko is one of the largest independent oil and gas corporations in the nation and has extensive activities on federal lands and therefore has substantial experience with the application of the National Environmental Policy Act (NEPA) to actions proposed by Anadarko on federal lands.

Anadarko supports CEQ’s efforts to modernize implementation of the National Environmental Policy Act (NEPA) and the CEQ’s stated purpose in issuing the guidance which is to “eliminate the need for unnecessary paperwork and effort under NEPA for categories of actions that normally do not warrant preparation of an environmental impact statement (EIS) or environmental assessment.” 71 Fed. Reg. 54815, 54816. In Anadarko’s opinion, categorical exclusions are an important option available to agencies to streamline the NEPA process. However, the proposed guidance fails to address statutorily created categorical exclusions such as those created by section 390 of the Energy Policy Act of 2005. Because of this omission, the document, as currently drafted, could lead to confusion regarding an agency’s ability to implement this important option when addressing compliance with NEPA. Anadarko encourages CEQ to revise the guidance to clarify that its procedures are inapplicable to statutorily created categorical exclusions.

In addition, the proposed guidance appears to require agencies to engage in a lengthy information gathering process prior to the adoption or revision of a categorical exclusion. CEQ should revise the guidance to clarify an agency’s ability to use existing data to document the propriety of a specific exclusion.

As noted, categorical exclusions provide an important means of streamlining the NEPA process, and CEQ should actively encourage agencies to make full use of this option. Anadarko commends CEQ on the efforts it has taken to date to modernize NEPA.

Sincerely,

A handwritten signature in blue ink, appearing to read "DMcBride", is written over a large, faint, circular watermark or stamp.

David McBride

