

UNITED STATES OF AMERICA  
DEPARTMENT OF ENERGY  
OFFICE OF FOSSIL ENERGY AND CARBON MANAGEMENT

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NFE ALTAMIRA FLNG, S. DE R.L. DE C.V.

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) DOCKET NO. 22-110-LNG

ERRATA TO  
ENVIRONMENTAL ASSESSMENT (DOE/EA-2226)

DECEMBER 12, 2023

On December 7, 2023, the Office of Fossil Energy and Carbon Management of the Department of Energy (DOE) issued a final Environmental Assessment (EA), DOE/EA-2226,<sup>1</sup> under the National Environmental Policy Act,<sup>2</sup> in connection with the pending application of NFE Altamira FLNG, S. de R.L. de C.V.

There was an inadvertent error on page 30 of the final EA, in Appendix B (Response to Comments on Draft Environmental Assessment). DOE is correcting this error as follows:

**Strike original language on page 30:**

The EA also explains that “NEPA does not require an analysis of environmental impacts that occur within another sovereign nation that results from actions approved by that sovereign nation.” (EA, p. 8)

**Substitute with corrected language on page 30:**

The EA also explains that “Executive Order (E.O.) No. 12114 does not require federal agencies to evaluate impacts outside the United States when the foreign nation is participating with the United States or is otherwise involved in the action.” (EA, p. 8, citation omitted)

The corrected paragraph on page 30 now reads in full:

Sierra Club also states that “DOE has adopted a specific presumption that LNG exports require an EIS.” Sierra Club is incorrect in citing DOE regulations at 10 CFR part 1021, App. D, D8-D9. (p. 3) These are outdated DOE regulations. In 2020, DOE made revisions to its implementing regulations relating to categorical exclusions. The language cited by Sierra Club is not currently part of DOE’s NEPA implementing regulations. In any event, the EA addresses the specific case of the proposed project, which would not be located in the United States but in Mexico. The EA explains that “[t]he environmental impacts subject to analysis in this EA are limited to those direct and indirect impacts that would occur in the United States and those that affect the global commons, such as global climate change....” (EA, p. 8) **The EA also explains that “Executive Order (E.O.) No. 12114 does not require federal agencies to evaluate impacts outside the United States when the foreign nation is participating with the United States or is otherwise involved in the action.” (EA, p. 8, citation omitted)** As the EA describes, the proposed project is subject to regulatory review and approval by Mexican authorities. Because

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<sup>1</sup> U.S. Department of Energy, Environmental Assessment, NFE Altamira FLNG, S. de R.L. de C.V. NFE Altamira FLNG Facility, DOE/EA-2226 (Dec. 7, 2023), [https://www.energy.gov/sites/default/files/2023-12/Final%20Environmental%20Assessment%20-%20NFE%20Altamira%20FLNG\\_12.7.23.pdf](https://www.energy.gov/sites/default/files/2023-12/Final%20Environmental%20Assessment%20-%20NFE%20Altamira%20FLNG_12.7.23.pdf).

<sup>2</sup> 42 U.S.C. § 4321 *et seq.*

substantial portions of the proposed project (e.g., the liquefaction facility) are not subject to DOE's NEPA review, the review in this instance is different from that of LNG projects located in the United States.

The final EA remains the same in all other respects.

Issued in Washington, D.C., on December 12, 2023.

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Amy R. Sweeney  
Director, Office of Regulation, Analysis, and Engagement  
Office of Resource Sustainability