

October 30, 2006

NEPA Modernization (CE)
Attn: Associate Director for NEPA Oversight
722 Jackson Place N.W.
Washington DC 20503

Re: Comments on Proposed Guidance
Council on Environmental Quality
The National Environmental Policy Act
Establishing, Revising, and Using Categorical Exclusions under the National
Environmental Policy Act

Dear Sir or Madam:

As a worker in the energy industry, I am writing to express my strong opposition to your proposed guidance: Establishing, Revising, and Using Categorical Exclusions under the National Environmental Policy Act.

In the September 19, 2006 Federal Register Notice of your proposal you state that the proposed guidance was developed in part 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 (EA)." The quoted portion, as well as the entire stated purpose for guidance, is commendable, and I fully support guidance consistent with the stated purpose.

After reading the proposed changes, I find that the new rules will in fact increase the paperwork in application of Categorical Exclusions and may require more work than an EA or an EIS. I disagree with the statement the "*categorical exclusions must provide for extraordinary circumstances*" found section III. In fact there are numerous circumstances that are not extraordinary. These may include increasing pipeline capacity on existing right of ways, and drilling new wells from existing pads.

I urge you to withdraw your proposed guidance and either reconsider and entirely rewrite it to be consistent with your stated purpose and with other relevant US laws and Executive Orders, or withdraw it permanently. Our country and citizens should not be burdened by the intrusive and burdensome approach you have proposed for implementing national environmental policy as directed by Congress in the National Environmental Policy Act.

Sincerely,

Brent L. Miller
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Littleton, CO 80127