CLEAN AIR TASK FORCE

NEPA by the Numbers

New Insights on Environmental Reviews for Energy Infrastructure

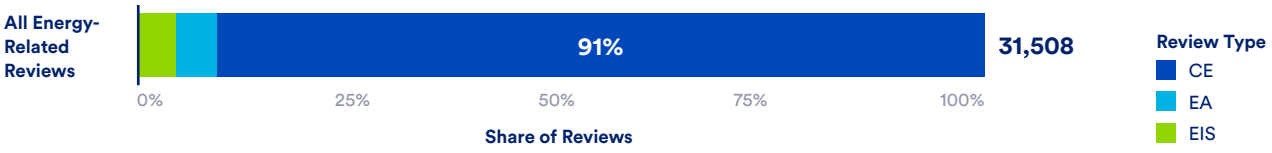
New analysis from Clean Air Task Force and data scientist Kasey Zapatka sheds light on important trends in agency use of National Environmental Policy Act (NEPA) documents and the initial effects of recent statutory reforms. We investigate a range of questions using Pacific Northwest National Laboratory's NEPATEC 2.0 dataset, the largest publicly available dataset of NEPA documents.[1] For the first time, NEPATEC 2.0 collects, standardizes, and categorizes data across 120,000 NEPA documents[2], including categorical exclusions (CEs), environmental assessments (EAs), and environmental impact statements (EISs).[3]

Key findings include:

- The overwhelming majority of energy-related federal actions—91%—are **categorically excluded** from higher levels of NEPA review. A closer look at solar-related federal actions shows larger solar projects are more likely to receive higher levels of scrutiny than smaller ones. This reflects the intention of NEPA – agencies most often limit environmental review of smaller-scale solar projects while scrutinizing the impacts of larger ones.

Figure 1: Energy-Related Federal Actions Overwhelmingly Use Categorical Exclusions

Note: NEPA review processes: CE (Categorical Exclusion), EA (Environmental Assessment), EIS (Environmental Impact Statement). Percentages calculated across all energy-related federal actions. Percentage labels below 5% omitted for clarity.



1 Munikoti, S., et al. (2025). *NEPATEC v2.0: Standardized Metadata and Text Corpus of National Environmental Policy Act Documents* [Data set]. Hugging Face. https://huggingface.co/datasets/PNNL/NEPATEC2.0

2 Of these 120,000 documents, nearly 21,000 involve decarbonization technologies and nearly 11,000 involve fossil fuel technologies, which are the focus of this research.

3 CE: lowest level of NEPA review used for categories of agency actions with a record demonstrating that the category does not normally significantly affect the quality of the human environment; EA: middle level of review typically used for agency actions that do not have a reasonably foreseeable significant effect the environment or if the significance of such effect is unknown; EIS: highest level of NEPA review, used for agency actions that have a reasonably foreseeable significant effect on the environment.

- For projects requiring more in-depth NEPA reviews, **effective agency use of programmatic or tiered reviews can speed review times.** Programmatic and tiered reviews for decarbonization technologies[4] remain rare. However, analysis shows the median tiered EA is faster than a full EIS, and a tiered EIS is faster than standard and programmatic EISs.
- A **multi-department network** collaborates on decarbonization-related environmental reviews, with the Department of the Interior as the "hub" and the Departments of Defense and Energy as frequent and consequential partners.
- It's early, but **permitting reforms on page limits**, set in the Fiscal Responsibility Act of 2023, are **associated with real, but modest, reduction in page lengths** for EISs involving energy technologies.
- **Data quality and completeness remain structural limitations to comprehensive analysis.** Although this new dataset represents a significant step in the right direction, data availability remains limited for key agencies in energy-related environmental review processes.

Several data-driven recommendations that could strengthen and speed environmental reviews emerged from this phase of analysis:

- The federal government should **invest in data management and transparency for NEPA reviews**, including by publishing categorical exclusion determinations across all agencies to allow for broad-based crosscutting analysis.
- **Programmatic and tiered reviews remain underutilized strategic permitting tools** that can speed project delivery without compromising environmental review integrity. Agencies should consider increasing their use as appropriate.
- **Strengthening coordination** capabilities within and between the **Department of the Interior, Department of Defense, and Department of Energy**— agencies the data confirm as particularly critical across a range of energy-related reviews—could have outsized impact on improving review timelines. Mechanisms to enhance coordination capacity should include targeted staff increases and retention of permitting experts, development and effective implementation of memoranda of understanding, enhanced transparency in project review and project timelines, leadership recognition of permitting as a top priority, and leverage of shared databases.
- Investments in **more comprehensive federal metadata standards**, document-linkage practices, standardized reporting requirements across reviews and agency types, and centralized submission requirements can improve the quality of downstream environmental review and permitting analyses. Existing efforts such as PermitAI, effective implementation of the Council on Environmental Quality's NEPA Data and Technology Standard, and the proposed ePermit Act would all be valuable steps to improve data quality and subsequent research findings—and significant additional investments in federal data infrastructure are still needed.

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[4] Decarbonization technology is defined using the following metadata tags from the NEPATEC 2.0 dataset: carbon capture and sequestration, conventional energy production – nuclear, conventional energy production – other, electricity transmission, nuclear technology, renewable energy production, utilities. For more detail, see the appendix in the full report.

This work, the first in an ongoing series, will inform policymakers, NEPA practitioners, and the public. Please contact Alan Mitchell (amitchell@catf.us) with questions. The link to the report can be found here.