

Congress of the United States
Washington, DC 20515

June 28, 2019

Mr. Howard Elliott
Administrator
Pipeline and Hazardous Materials Safety Administration (PHMSA)
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, D.C. 20590

RE: DOT Special Permit (SP) 20534, to authorize Energy Transport Solutions to transport LNG by rail tank car through the densely-populated Florida coast

Mr. Elliott:

This letter requests a 30-day extension of the comment period to DOT's Draft Final Permit DOT-SP 20534 (the "special permit"), which proposes to authorize the transportation of LNG by rail tank car. The Pipeline and Hazardous Materials Safety Administration (PHMSA) must also address deficiencies in its published draft environmental statement and the special permit so that the public may make informed comment.

PHMSA is required by statute to provide this opportunity to first responders, environmental groups, and public citizens. Neither the special permit, nor the draft environmental statement, adhere to Congress' explicit instruction to provide the public with enough information to adequately consider the risks, provide suggestions, and make useful comment to assist the agency in its decision-making.¹

The requested special permit presents unique and substantial risk to the safety of the public and the environment. Should even one rail tank car get punctured, the results could be catastrophic. Due to LNG's cold temperature, if it were to spill near an ignition source, the evaporating gas can burn above the LNG pool, resulting in a pool fire that would spread as the LNG pool expanded away from its source; such a pool fire is intense, burning far more hotly and rapidly than crude oil or gasoline fires, and it cannot be extinguished. The risks of such an incident include thermal radiation. As PHMSA's own draft environmental statement acknowledges, a BLEVE² event is possible, which could impact individuals up to one mile away from the explosion.

The special permit is addressed to Energy Transport Solutions, LLC, but does not contain any information on the company's address, its principals, its known assets or route networks, or contact information. More information needs to be disclosed to the public on the routes and the safety record of the shipper. A Google search shows that the company shares an address with New Fortress Energy, a unit of Fortress Investment Group, who also owns Florida East Coast Railway.

¹ See 49 USC 5117(b).

² A BLEVE, shorthand for a boiling liquid expanding vapor explosion— which the draft environmental statement says is possible even with a small breach of the container (possibly due to wall metal failure)— is an event where rapid depressurization occurs in the rail tank car, resulting in an extremely rapid boiling of the liquid, a release of a significant mass of vapor in microseconds to milliseconds, and a very high pressure explosion. Despite this risk of a high-pressured explosion occurring in milliseconds, the Department's draft environmental statement does not even examine the possibility of a cascading failure that would result in damage to more than one tank car, merely noting that this scenario is unlikely to occur.