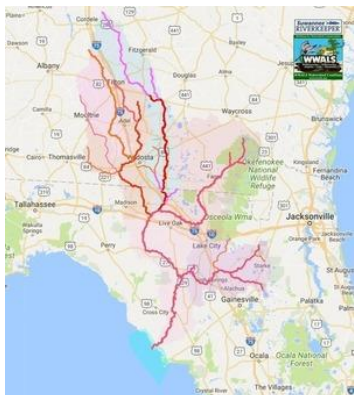


**FOR IMMEDIATE RELEASE**

**FERC Requests Comments on Rulemaking for small inland LNG export facilities**

**Hahira Georgia, July 26, 2022** — At the request of WWALS Watershed Coalition, the Federal Energy Regulatory Commission (FERC) has opened a process that could correct its mistakes eight years ago when it disclaimed oversight of dangerous compressed methane export facilities as long as they did not load directly onto ocean-going ships. Those decisions produced environmental, safety, and economic problems. The request provides FERC with an opportunity to “revisit” and “revise” those old decisions, as FERC Chair Richard Glick has recommended.



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WWALS is an IRS 501(c)(3) nonprofit charity est. June 2012.

*Mission: WWALS advocates for conservation and stewardship of the Withlacoochee, Willacoochee, Alapaha, Little, Santa Fe, and Suwannee River watersheds in south Georgia and north Florida through education, awareness, environmental monitoring, and citizen activities.*



*LNG tanker truck, Southbound I-75, 2018-03-26; Photo John S. Quarterman*

Anyone can comment and organizations can intervene on this new FERC docket for potential Rulemaking on Liquid Natural Gas (LNG) export. The deadline is September 20, 2022. That’s Docket RM22-21 on [ferc.gov](http://ferc.gov). Detailed instructions are below.

Please also contact your state and national elected officials and ask them to ask FERC to resume its oversight.

The Introduction of the Petition lays out the problem we want to get solved:

“Since the Commission disclaimed jurisdiction over inland LNG export facilities<sup>1</sup> (see also Section III.A. below), developers and operators are “self-determining” federal jurisdiction. Residents of densely populated neighborhoods where inland LNG export plants are being sited, constructed, and operated are in harm’s way. FERC has relegated the responsibility to citizens to police potential threats to public health, safety and welfare posed by these high-risk LNG operations. There are no official FERC Dockets that provide the public an opportunity to participate in any approval process for inland LNG plants designed to ship

<sup>1</sup> *Shell U.S. Gas & Power, LLC (“Shell”), 148 FERC ¶ 61,163 (Sept. 4, 2014)*, Docket No. RP14-52-000, *Emera CNG, LLC (“Emera”), 148 FERC ¶ 61,219 (Sept. 19, 2014)*, Docket No. CP14-114-000, *Pivotal LNG, Inc. (“Pivotal” or “Pivotal II”), 151 FERC ¶ 61,006 (Apr. 2, 2015)*, Docket No. RP15-259-000



gas to a port or export facility....”

The Petition shows how FERC did not follow legislative intent in three Commission decisions in 2014 and 2015 that essentially abdicated FERC oversight of LNG export facilities unless ocean-going ships load right there and head to another country. The Petition shows how FERC failed to follow the letter of the law, and describes some consequences of that failure, with examples in Pennsylvania, New Jersey, North Carolina, Georgia, and Florida. It notes that the importance of methane as a greenhouse gas is acknowledged by courts and by FERC itself, which makes the lack of environmental oversight even more important, especially with LNG exports ramping up because of the war in Ukraine. It shows how FERC not only can reconsider its old decisions, but how it already has been doing so bit by bit.

The Petition quotes FERC Chair Richard Glick when he wrote that it is time to “reconsider” and “revisit” those old decisions “*to ensure that we are carrying out our statutory responsibilities under the letter of the law.*” The Petition notes that FERC’s own Strategic Plan says FERC oversight can help prevent “**loss of life and significant environmental and economic consequences.**” Finally, the Petition spells out three possible versions of a new Rule and urges FERC to do Rulemaking.

Here is a word from the first intervenor on the docket: Tyson Slocum, Energy Program Director, Public Citizen, Inc., “Public Citizen supports a rulemaking to ensure that any facility engaged in exporting LNG is subject to FERC’s jurisdiction. Record LNG exports are directly causing higher domestic prices, exacerbating energy poverty for tens of millions of American families. And spiking exports are driving increased domestic fracking, heightening the climate crisis.”

The entire Petition for Rulemaking is here: <https://wwals.net/?p=59016>

Here are excerpts from what our co-signers write in that Petition.

John S. Quarterman, Suwannee Riverkeeper, for WWALS Watershed Coalition Inc. (WWALS, in Georgia and Florida): “LNG trucks and rail cars go by schools, businesses, homes, and churches attended by our members. WWALS members, collectively and individually, have a substantial interest in ensuring that lack of oversight by FERC does not lead to more risk to human life, the environment, and climate.”

Heather Hulton VanTassel, Executive Director, Three Rivers Waterkeeper (“Improving the quality and health of the Allegheny, Monongahela, and Ohio Rivers”): “We work to ensure our three rivers are protected and safe to drink, fish, swim and enjoy, but the unconventional oil and gas industries threaten that vision. LNG can often be acquired through fracking with the use of injection wells that pose many threats to our public and environmental health.... In many of the older unregulated abandoned wells, cracks in well casings can allow toxic fluids to seep into different layers. Furthermore, this is compounded when LNG and its extraction wastes are transported and exported with little regulated oversight. This lets toxic fluid seep into places it shouldn't be. Leaking injection wells and transport systems can contaminate aquifers, rivers, and lakes with radioactive toxins, endangering communities’ drinking water supplies and posing serious threats to human health.”

Lumber Riverkeeper of Winyah Rivers Alliance: “With the planned Atlantic Coast Pipeline canceled, Piedmont Natural Gas, a wholly owned subsidiary of Duke Energy, constructed the Robeson LNG liquefaction facility (Robeson LNG) and four-mile supply pipeline without any FERC oversight and minimal state oversight. Built in Wakulla, Robeson County, NC, the facility is located in a high poverty area with a population that is 85% American Indian. With associated pipelines to funnel gas back and forth to the plant, Robeson LNG is impacting wetlands that are crucial to preventing future flooding in the Lumber River Watershed. Further, this inland LNG, with its ability to clean, store and transfer gas by truck, creates harmful impacts from leaks of methane, other gases and filtered pollutants into the watershed and atmosphere. This pollution stream has negative effects

on the health and life of our streams, climate and the communities that call this area home.”

Earl L. Hatley, President, LEAD Agency, Inc.: “Oklahoma is a large source for this natural gas, and we are tired of the earthquakes that have ruined and damaged our homes as a result of fracking for the gas and oil in our state. It has not only ruined hundreds of homes, including destroying Earl Hatley’s (Grand Riverkeeper) and damaging Rebecca Jim’s (Tar Creekkeeper), it has and will continue to cause ground and surface water contamination in the state. Thus LEAD Agency, Inc., the parent organization of Grand Riverkeeper and Tar Creekkeeper, support this petition to hold FERC accountable for these facilities and ultimately our climate.”

Dr. John C. Capece, Kissimmee Waterkeeper: “In the flatlands of Florida, the state most already and soon even more affected by climate change, Kissimmee Waterkeeper and its members have a direct interest in preventing the greenhouse gases released by LNG operations with no FERC oversight, as well as in the more immediate risks from LNG trucks and trains passing nearby. have a substantial interest in ensuring that lack of oversight by FERC does not lead to more risk to human life, the environment, and climate.”

David Kyler, Director, Center for a Sustainable Coast (Georgia): “Scientific studies have determined that even a small percentage of leaked natural gas will cause unacceptable increases in the heat-trapping effects of GHGs, and therefore the cumulative consequences of extracting, processing, and distributing natural gas are dire. The board and members of the Center seek to ensure that FERC’s responsibilities provide consistently reliable and verifiable accountability to prevent such emission risks at all gas facilities regulated by the agency.”

Terry Phelan, Interim President, Our Santa Fe River (Florida): “Our Santa Fe River was a founding member of "Floridians Against Fracking" and planned, traveled to and stood in Legislative committee hearings in Tallahassee for many long years. We fought four years to stop the permitting and construction of Sabal Trail Gas Transmission pipeline, and we have opposed oil and gas pipelines, fracking and LNG transport in Georgia and especially throughout the State of Florida. Sabal Trail has put a dangerous pipeline through a fragile, sinkhole-infested area on the borders of the Suwannee River against the warnings of disinterested geologists, and put their pipe under the Santa Fe River, where it remains a constant threat to our river and aquifer. OSFR opposes all types of non-sustainable energy which pose threats to our water, air and earth as well as the inhabitants of Florida.”

**To comment:** <https://wwals.net/?p=59031>

- Go to [ferc.gov](http://ferc.gov) and select efile from the Quick Links on the top right.
- Log in; use New User first if you need to.
- Select Gas, and Supplemental Information or Request, and then Next.
- Enter Docket Number RM22-21 and then Search. Click Select and then Next.
- Choose a file to upload, enter a description, and click Upload.
- Choose an organization, or comment as an individual. Click Next.
- Enter contact email, select as Signer, and then Next.
- Modify the submission description if you want to, and then Next.
- Review the whole submission, and then click Submit.

**Update 2022-07-27:** [To intervene](#) the process is similar, but instead of Gas, select General and then Intervention. Here is FERC’s [How to Intervene](#).

Please contribute to this historic opportunity to get FERC to correct its mistake.

**WWALS Watershed Coalition, Inc. (WWALS)**, is a 501(c)(3) nonprofit educational charity. WWALS advocates for conservation and stewardship of the surface waters and groundwater of the Suwannee River Basin and Estuary, in south Georgia and north Florida, among them the Withlacoochee, Willacoochee, Alapaha, Little, Santa Fe, and Suwannee River watersheds, through

education, awareness, environmental monitoring, and citizen activities. Founded in June 2012, WWALS has board members from multiple counties in south Georgia and north Florida, and members from all over the Suwannee River Basin and from farther away. Since December 2016, John S. Quarterman is the **Suwannee Riverkeeper®**, which is a staff position and a project of WWALS as the member of Waterkeeper® Alliance for the Suwannee River Basin, including the Little River.

**Contact:**

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