

CASE IN POINT (#3): American LNG Marketing, Hialeah Yard (Miami), August 7, 2015

American LNG Marketing (“American LNG”) cited Carib to the U. S. Department of Energy to skirt NEPA review for its Hialeah Yard facility near Miami, which is located next to a highly populated area and near Miami Springs Senior High School; see [Exhibit C](#).

American LNG is exporting LNG from a non-FERC-jurisdictional LNG facility that was “new construction,” and therefore this is a false comparison between the Carib Energy and American LNG export operations. The actual facility that Carib planned to export LNG from was not new construction: it was the Floridian facility that had undergone NEPA review by FERC. Contrarily, American LNG Marketing is exporting LNG from a facility that is owned and operated by its corporate affiliate, LNG Holdings (Florida) LLC (“LNG Holdings”). No federal agency ever performed a NEPA review for this facility, and apparently not much siting review, considering how close it is to dense population.

“F. Environmental Review Citing DOE/FE’s actions in Carib, DOE/FE Order No. 3487,46 American LNG asserts that DOE/FE does not need to conduct an environmental review of the Hialeah Facility because it is subject to a categorical exclusion from the requirements of NEPA—specifically, categorical exclusion B5.7 (10 C.F.R. Part 1021, Subpart D, Appendix B5). According to American LNG, categorical exclusion B5.7 applies, in relevant part, to authorizations to import or export natural gas under NGA section 3 that involve minor operational changes but not new construction.”¹³

¹³ UNITED STATES OF AMERICA DEPARTMENT OF ENERGY OFFICE OF FOSSIL ENERGY AMERICAN LNG MARKETING LLC FE DOCKET NO. 14-209-LNG - FINAL OPINION AND ORDER GRANTING LONG-TERM, MULTI-CONTRACT AUTHORIZATION TO EXPORT LIQUEFIED NATURAL GAS IN ISO CONTAINERS LOADED AT THE HIALEAH FACILITY NEAR MEDLEY, FLORIDA, AND EXPORTED BY VESSEL TO NON-FREE TRADE AGREEMENT NATIONS DOE/FE ORDER NO. 3690, August 7, 2015
<https://www.energy.gov/sites/default/files/2015/08/f25/ord3690.pdf>