

V. Summary

The “Cases in Point” in **II. Need for Regulation by FERC** above demonstrate that the Federal Energy Regulatory Commission must review applications to site, construct, and operate LNG small-scale inland export facilities on a case-by-case basis in order to promote responsible siting of the facilities and to ensure public safety. The other sections above spell out that the state of Florida does not regulate LNG, and that other federal agencies expect NEPA review by FERC, and do not perform that review themselves.

A. PHMSA, DoE, etc. left with no lead agency

When FERC disclaimed jurisdiction over small-scale inland LNG facilities, PHMSA appears to have been left holding the bag. PHMSA does not hold public meetings where abutters of proposed LNG export projects have an opportunity to meet with developers and ask important questions. There are no Dockets or publicly-accessible files. Citizens must file FOIA requests with PHMSA and other federal agents in fruitless attempts to obtain environmental or other pertinent information about proposed inland LNG export operations.

Agents at PHMSA’s Southern Region in Atlanta, that oversees Florida, did not know what Thermal Exclusion Zones were for Thermal Radiation and Flammable Vapor-Gas Dispersion, and one agent questioned why PHMSA was “regulating these things in the first place” since “PHMSA knows about pipes.” PHMSA was alerted to the airport issue for the proposed Titusville project when a citizen, who lives across the street from the proposed site, asked PHMSA’s legal department if the federal safety standard concerning proximity of an airport runway to an LNG storage tank were applicable.

Since FERC disclaimed jurisdiction over small-scale inland LNG production, storage and distribution facilities, a developer “self-determines” if a proposed LNG export project is FERC-jurisdictional and then