

of LNG facilities; consideration of general safety; consideration of geophysical risks; consideration of proximity to population centers; consideration of adequacy of emergency services; consideration of operator qualifications; and security measures, all of which are sorely lacking with the TICO Titusville Site.

Lastly, we note that in addition to creating airport setbacks to minimize risks to the public, CFR Title 49 provides numerous other rules and regulations issued by the Department of Transportation and Homeland Security, such as § 193.2057 – Thermal Radiation Protection; § 193.2059 – Flammable Vapor-Gas Dispersion Protection; and Subpart F (Operations – Emergency Procedures), §193.2509. It is apparent the TICO Titusville Site will not meet any of these requirements which are also designed to minimize the risks to the public.

Based upon the significant potential for catastrophic impacts to a population center, we expect PHMSA to demand the TICO Titusville Site demonstrate full compliance with all of the requirements of CFR Title 49, the Pipeline Safety Act as well as any and all other requirements which have been enacted to ensure a minimization of the risks to the public. We also expect that for all the above reasons, PHMSA will deny TICO's request for special permit for variance from 49 CFR 193.2155(b) to operate a LNG facility, as such authorization would clearly frustrate the entire purpose of the regulatory scheme which is designed to protect the public from the grave risks associated with LNG facilities.

Sincerely,

GUY YUDIN & FOSTER, LLP.

[signed]

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For the firm

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