

## **Exhibit J: PHMSA denial of TICO variance from 49 CFR 193.2155(b), October 2, 2018**

U.S. Department  
of Transportation

[Stamped:] OCT 2 2018

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

### **Pipeline and Hazardous Materials Safety Administration**

Mr. Matthew Davis  
Senior Land Use and Environmental Planner  
New Fortress Energy Management, LLC  
8350 NW 52<sup>TM</sup> Terrace, Suite 300  
Doral, Florida 33166

**PHMSA-2016-0073**

Dear Mr. Davis:

On April 13, 2016, TICO Development Partners LLC (TICO), wrote to the Pipeline and Hazardous Materials Safety Administration (PHMSA) and requested a special permit for variance from the Federal Pipeline Safety Regulations of 49 CFR 193.2155(b), concerning structural requirements for operating a liquefied natural gas (LNG) facility.

On October 12, 2016, PHMSA published TICO's request in the Federal Register (FR 81 62796). A Draft Environmental Assessment (DEA) was not submitted with the application. On November 15, 2016, staff from TICO and PHMSA met to discuss the requirements of the DEA. During the discussion, PHMSA reminded TICO that the application process includes the submission of site drawings, maps, and other supporting documents. TICO asked that the meeting re-convene the following day (November 16, 2016), to obtain the LNG site drawings from its construction firm and present them to PHMSA. PHMSA staff agreed to the meeting but TICO's construction engineer was not available to meet on November 16, 2016. TICO expressed an intent to reschedule the follow-up meeting, provide the required supporting documents, and further discuss the requirements of the DEA. To date, TICO has not provided the documents necessary for PHMSA to move forward with consideration of the special permit request.

Accordingly, PHMSA is denying this request, without prejudice, because it remains incomplete. If provided with copies of the relevant site drawings and other requested information, PHMSA would consider a new special permit request from TICO.