

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Petition For Rulemaking of WWALS Watershed Coalition,) RM22-__-000
Inc., LEAD Agency, Inc., Kissimmee Waterkeeper, Our Santa)
Fe River, Center for a Sustainable Coast, Three Rivers
Waterkeeper, and Lumber Riverkeeper

**PETITION FOR RULEMAKING ON FERC OVERSIGHT
OF SMALL-SCALE INLAND LNG EXPORT FACILITIES
BY WWALS WATERSHED COALITION, INC., LEAD Agency, Inc., Kissimmee Waterkeeper, Our Santa Fe River,
Center for a Sustainable Coast, Three Rivers Waterkeeper, and Lumber Riverkeeper**

Pursuant to Rule 207(a)(4) of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“FERC” or “Commission”), 18 C.F.R. § 385.207(a)(4) (2017) and section 553 of the Administrative Procedure Act, WWALS Watershed Coalition, Inc. (“WWALS”) submits this Petition for Rulemaking (“Petition”), and respectfully request that the Commission issue a Notice of Proposed Rulemaking (“NOPR”) to ensure that the Commission is carrying out its statutory responsibilities under the letter of the law, specifically the Commission’s jurisdiction under section 3 of the Natural Gas Act (“NGA”), by revisiting and reconsidering Commission decisions that a Liquefied Natural Gas (“LNG”) facility must be connected to a pipeline to qualify as an LNG terminal, or that such a facility must be located where ocean-going ships directly load LNG for export to be considered an LNG export facility, and instituting a regulatory clarification and certification policy (see Section VI below).

I. INTRODUCTION

Since the Commission disclaimed jurisdiction over inland LNG export facilities¹ (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 gas to a port or export facility.

¹ *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