

***American LNG Marketing, Titusville, Florida (sister company of the Hialeah Facility):***

The company proposed to site, construct and operate an LNG export facility in another densely populated area of Florida. American LNG stated that TICO has secured an approximately 65-acre site (Site) in Titusville, Florida, for the proposed Titusville Facility. American LNG stated that construction of the Titusville Facility was expected to commence in February 2015. “American LNG anticipates that the Titusville Facility will have a total production capacity of 1,000,000 gallons of LNG per day (82.6 million cubic feet of natural gas per day), with a storage capacity of approximately 5,000,000 gallons. American LNG states that it will purchase some or all of the output of the proposed Titusville Facility from TICO.”

Again, the DOE authorized LNG exports from this facility (See American LNG Marketing LLC, FE Docket No. 15-19-LNG- Order granting long-term, multi-contract authorization to export LNG in ISO containers loaded at the proposed Titusville facility in Titusville, Florida, and exported by vessel to Free Trade Agreement Nations – DOE/FE Order No. 3656).

An abutter to the site filed a formal request with PHMSA’s Legal Department to see if the facility would be subject to compliance with Title 49, Subpart B, Part 193.2155(b) concerning siting of an LNG tank within one mile of an airport runway (Space Coast Regional Airport is 5/8<sup>th</sup> of a mile away). As a result, PHMSA requested that the developer provide PHMSA with an *Environmental Assessment*.<sup>32</sup> Concerned citizens retained an attorney to ensure compliance all of the Federal Safety Standards for LNG Facilities. Please note that, whenever an *Environmental Assessment* is required, proposed LNG projects seem to die on the vine. This appears to have been the case with the proposed Titusville LNG project.

***FERC OR NON-FERC? Homestead, Florida, Peak-Shaving Facility:***

A new 270,000-gallon LNG peak-shaving facility has been proposed for Homestead, Florida. Part of the Park of Commerce LNG site is located in the “secondary crash zone” for the Homestead Air Reserve Base.<sup>33</sup> The facility will not be producing LNG, but we understand LNG will be supplied by the American LNG export facility in Miami. The stored LNG will be regasified and returned to the grid at the Homestead facility. If gas from the American LNG export facility is ultimately transported interstate via pipeline, should the Commission exert jurisdiction over the liquefaction facility in Miami? We do not know if the facility will file a *Petition for Declaratory Order* with the Commission. A citizen has alerted PHMSA about this proposed project.

***U. S. Department of Energy is usurping FERC’s authority under the Natural Gas Act:***

Companies, such as Strom Inc., Crystal River, Florida, that planned to utilize a new “Plug-and-Play” system are receiving authorization from the DOE to export LNG to both FTA and non-FTA-nations.

In Strom’s Application to the DOE to export LNG, Strom opined that their proposed project **will not be subject to FERC jurisdiction by the Natural Gas Act because the company “shares the same underlying relevant characteristics as the facilities and proposed activities that Emera and Pivotal LNG, Inc.’s Petition for Declaratory Order to which FERC granted exemption”** (See Strom, Inc.’s Application to the DOE for long-term authorization to export LNG to non-FTA countries, Footnote 16). Interestingly, Strom had filed a *Petition for Declaratory Order* with FERC, but the company failed to include the application fee (\$24,260), and FERC closed the Docket.<sup>34</sup> The DOE was aware of this fact when it granted export authorization.