



The League of Women Voters of New York State
62 Grand Street, Albany, New York 12207
Phone: 518-465-4162 Fax: 518-465-0812
www.lwvny.org E-Mail: lwvny@lwvny.org

**THE LEAGUE
OF WOMEN VOTERS**
of New York State

March 16, 2015

Docket Management Facility (USCG-2013-0363)
U.S. Department of Transportation
West Building, Ground Floor, Room W12-140
1200 New Jersey Avenue, S.E.
Washington, DC 20590-0001

Docket Submission for USCG-2013-0363
Re: Draft Environmental Impact Statement for the Port Ambrose Project Deepwater Port
Application

To whom it may concern:

The League of Women Voters is a non-partisan, non-profit organization and has long held positions supporting clean air, clean water and protection of natural resources. It is in pursuit of these goals that on January 22, 2013 on this Docket, the League of Women Voters of New York State joined the League of Women Voters of New Jersey to oppose the application for Liberty Natural Gas's Port Ambrose, a Liquefied Natural Gas (LNG) facility off the New York and New Jersey coast.

This year on January 7, 2015, the League of Women Voters of New York State (the "League") submitted comments on the draft Environmental Impact Statement on this Docket stating, "the Draft Environmental Impact Statement (DEIS) for the Liberty Natural Gas LLC, Port Ambrose Liquefied Natural Gas Deepwater Port License Application for the importation of natural gas is incomplete without inclusion of Liberty Natural Gas' financial status and its ability to take responsibility for the risks and hazards presented by this proposed project, the Port Operations Plan and absent an adopted policy which precludes import ports from being switched to export ports without an additional environmental impact review." These omissions undermine the credibility of the DEIS as an import document, Liberty Natural Gas' financial ability and a Port Operations Plan to address the security and flow of commercial traffic coming into the Port of New York and New Jersey, the largest Port on the East Coast of the United States. Based upon our review of the DEIS filed by Liberty Natural Gas (the "Company"), the League reaffirms its opposition to the Company's application.

Further to our conclusion, we offer the following comments:

While the League has not had the opportunity to fully examine the economics of an import facility, it has noted the need for the Port in the DEIS as an import port for peak winter and summer demand in downstate New York City and Long Island markets and for future demand. The peak demand varies by the weather. At the Nov. 7, 2013 presentation to the League of Women Voters of New York City by Liberty, it was stated, "Port Ambrose is a privately funded \$600 million energy infrastructure project." The significant cost involved in constructing the project appears to be excessive for short-term supply. However, if its application is approved, the company would be in a prime position to apply for and convert its use to an LNG export terminal when it determines the conversion to be economically beneficial. While we are aware that there is a proposal by the Maritime Administration (under DOT) to change the import to export policy by requiring an independent export application process including an EIS, this new policy has not yet been adopted. We strongly advocate that this independent application process is adopted before any decision is made regarding Liberty Natural Gas' pending application.

The comments below focus on the security and safety concerns of Port Ambrose set forth in Section 5.0 and Section 1 Quick Reference of the DEIS, and the Independent Risk Assessment (IRA) Appendix N Phase I (as Phase II is confidential).

As we stated in our January 7th comments, "the public has a right to know whether Liberty Natural Gas has the financial resources to support such a large investment for the construction and operation of the port, pipeline and two LNG regasification vessels, staff, offices, etc. and whether the Company carries sufficient insurance or has available cash reserves in case of accidents or malfunctions involving the Company's delivery of liquid natural gas to the port, regasification and further delivery of gas to the existing Transco Pipeline." In Docket No. MARAD-2007-26841, it states that insurance underwriters were concerned about inexperienced crews. The League seeks confirmation as to how this concern and other concerns highlighted in the docket have been addressed. This information is necessary to determine the viability of commerce and the safety of the Port of New York and New Jersey.

In 2003, The Department of Homeland Security included LNG tankers among a list of potential terrorist targets. The Taliban destroyed 27 NATO oil tankers in Pakistan on April 20, 2010 causing concern for LNG tankers. An LNG on-land tank was hit by shrapnel April 2, 2014 near the Washington-Oregon border with 1,000 residents forced to evacuate. In addition, the LNG storage tank explosion on Staten Island on February 10, 1973 that killed forty people, stopped approval of new LNG projects in New York State for 40 years. In 1982 in Amory Lovins and L. Hunter Lovins' "Brittle Power", p. 87, it was stated, "the energy content of a single standard LNG tanker...is equivalent to...about fifty-five Hiroshima bombs." Further, in September 2003 in the Congressional Research Service Report for Congress, Liquefied Natural Gas Infrastructure Security: Background

and Issues for Congress, The Library of Congress Order Code RI 32073, Sep. 9, 2003 Summary found that LNG “is a hazardous fuel and in CR-8 that LNG “can be vulnerable to terrorist attack.”

LNG is highly flammable. If ignited, it can kill people and damage steel. According to the IRA, the following is a list of worst-case scenarios resulting from accidental or intentional breaks in the Liquid Natural Gas Regasification Vessel (LNGRV) hull and one or two cargo tanks due to vessel collision or hijacking:

In the event of a large break in the storage tanks carrying approximately 5.1 million cubic feet of LNG, there is a possibility the LNG would float on top of the water and a pool of LNG would form. With close proximity to an ignition source, the pool would catch fire and could kill or burn the 156 crewmembers and damage the LNGRV.

If the pool of LNG is not immediately ignited, a vapor cloud would form which could spread rapidly, including to a second LNGRV at the other buoy or into the Ambrose to Nantucket Traffic Lane (2.2 nautical miles from the Port) depending on the wind direction. Figure 5.4-2 from the DEIS (attached) shows that if the cloud were ignited at the lower flammability limit, the fire would flash back to the source of the spill, likely causing death or serious burns to all individuals it encounters either aboard ship or aboard nearby vessels. With a 20-minute window for the fire to travel from one buoy to another, there would be little advance notice for the second LNGRV to commence emergency disconnect operations and shut down the regasification; a process which takes 15 minutes. (DEIS 5.4.3.2)

Section 5.3 of the DEIS describes scenarios that would cause a large break in the storage tanks: “The more extreme result would be associated with an intentional event where no attempt is made to reduce the speed of the striking vessel. However, similar results could be produced by a vessel that is moving at standard speeds but inadvertently strikes an LNGRV calling on the Deepwater Port.” Other forms of terrorist scenarios -- such as acts of war, i.e., hijacking, attacks by planes, torpedoes, missiles, drones, pre-placed explosives, etc. -- are not discussed in the IRA Phase I, and there is no guarantee they would be considered in Phase II. Therefore we strongly recommend that these potential scenarios be considered, accompanied by a risk assessment and appropriate emergency response plan.

The 18.8 nautical mile 26” diameter subsea main pipeline (“Mainline”), two lateral pipelines from each of the buoys to the Mainline and gas connections from the LNGRV to the existing Transco Pipeline are to be built by Liberty Natural Gas and must comply with the pipeline safety laws and regulations administered by the U.S. Department of Transportation (DOT), Pipeline and Hazardous Materials Safety Administration (PHMSA), and Office of Pipeline Safety. We wish to note that Jeffrey Wiese, the

associate administrator for pipeline safety, testified before Congress on September 2013 stating that his agency, the PHMSA, has “very few tools to work with” in enforcing safety rules even after Congress in 2011 allowed it to impose higher fines on companies that cause major accidents. (<http://insideclimatenews.org/news/20130911/exclusive-pipeline-safety-chief-says-his-regulatory-process-kind-dying>) The public remains unprotected when rules are not enforced.

The maximum LNGRV Sendout Rate is 750 MMscf/d, whereas the capacity of the Transco Pipeline is 614 MMscf/d. (Section 1 Quick Reference of DEIS) This discrepancy needs explanation; specifically, it should be clarified how the LNGRV can send out more gas than the existing Transco Pipeline can accept.

Section 5.6.3 of the DEIS states that, “The worst credible case for an offshore pipeline rupture would result in a loss of all natural gas occurring along the pipeline’s length.” The length of the Main Pipeline is 18.8 nautical miles (NM) and the Laterals are 0.76 NM and 1.54 NM respectively; accordingly, the loss of natural gas in a worst-case rupture would result in a substantial release of natural gas (750 MMscf/d) into the water and air thereby contributing to unwanted pollution and potential added impact to climate disruption.

Section 5.6.3 further states: “An anchor or a net snagging the pipeline risers or delivery terminus interconnect could result in damage to the proposed capital Project’s infrastructure or the third-party vessel.” Anchor and net snagging, a recreational boat problem, will always be a concern when the LNGRV is not at port and the ‘No Anchoring Area’ and ‘Area to be Avoided’ are overlooked. For example, on July 9, 2014, a whale watch boat in Boston wandered into restricted waters and its propeller got caught in the LNG’s anchor lines damaging the propeller of the whale watch boat. If an LNGRV had been moored here carrying LNG, the outcome could potentially have been different and more dangerous.

<http://www.bostonglobe.com/metro/2014/07/29/the-whale-watch-boat-hit-offshore-natural-gas-port-what-that/7QwY0X9NiJrDRIAdF8lCII/story.html>

The outstanding application of Long Island—New York City Offshore Wind Project in the same area of the ocean raises obvious navigational safety issues in this location which cannot be properly addressed by the public without first seeing the Port Operations Manual as well as the Company’s proposed designated setback between an LNGRV underway or at port and a windmill. As the Bureau of Ocean Energy Management stated in its July 19, 2013 Scoping Comments on the Port Ambrose Deepwater Port Application regarding the safety and navigational issues, if both projects were built, [it] “may impact the overall viability of one or both projects.” Thus, while the Company did provide a 6,562-foot ‘Area to be Avoided’ and ‘No Anchoring Area’ around each buoy which is intended to allow at least 5,562 feet for the almost 1,000-foot LNGRVs to manoeuver, the DEIS nevertheless remains incomplete without calculations

addressing a safe setback to a windmill from the LNGRV's and buoys and other information relevant to the planning of windmill sites, anticipated construction and operation of the wind farm.

The foregoing comments, which are illustrative and not exhaustive of the risks presented by the proposed LNG facility, demonstrate that the security and safety of the Port of New York and New Jersey is at stake if this project is approved. Accordingly, The League respectfully requests and recommends that you deny the proposed permit for the Liberty Natural Gas LLC, Port Ambrose Liquefied Natural Gas Deepwater Port.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Sally Robinson".

Sally Robinson
President
League of Women Voters of New York State

A handwritten signature in cursive script that reads "Elisabeth A. Radow".

Elisabeth Radow
Chairperson, Committee on Energy, Agriculture and the Environment
League of Women Voters of New York State

cc: The Honorable Andrew M. Cuomo
Mr. Joseph Martens, Commissioner of DEC

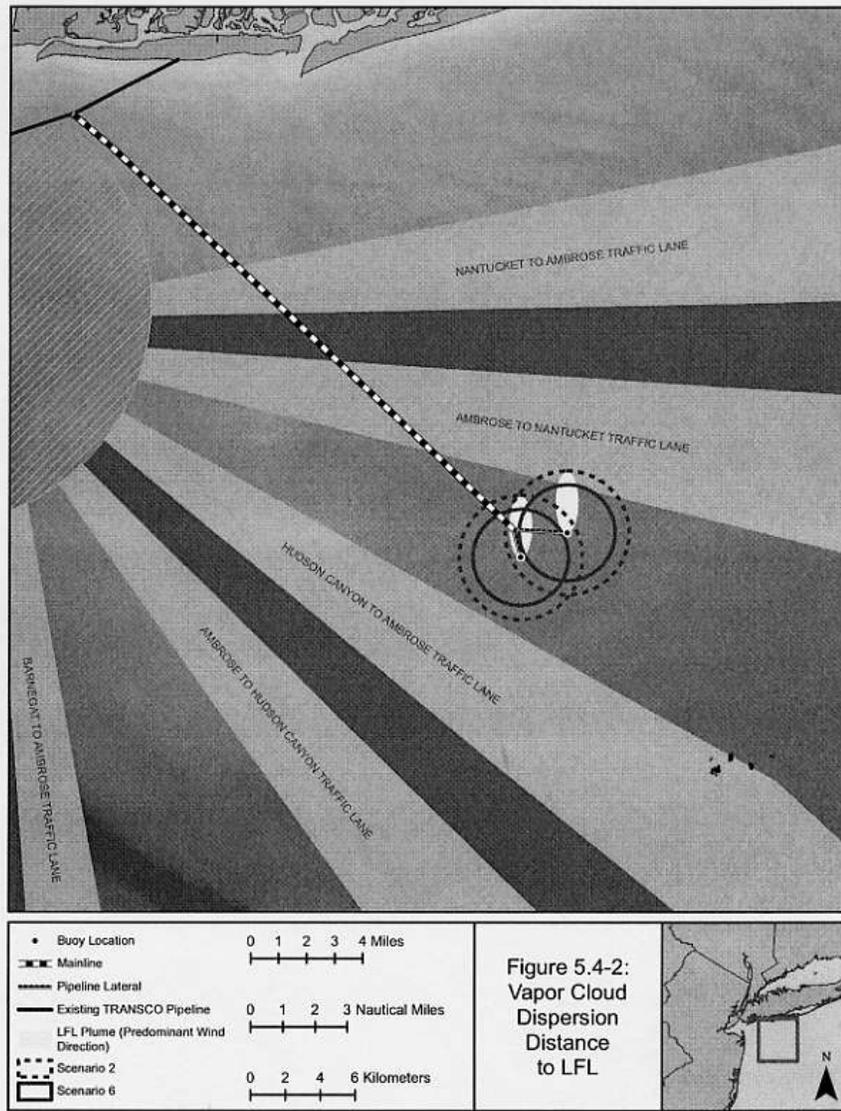


Figure 5.4-2:
Vapor Cloud
Dispersion
Distance
to LFL

Figure 5.4-2. Vapor Cloud Dispersion Distance to LFL