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BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

- - - - - x
IN THE MATTER OF: : Docket Number
AES SPARROWS POINT LNG, LLC AND : PF06-22-000
MID-ATLANTIC EXPRESS, LLC :
- - - - - x

North Point/Edgemere Volunteer
Fire Co.
7500 North Point Road
Sparrows Point, Maryland
Monday, June 5, 2006

The above-entitled matter came on for public
meeting, pursuant to notice at 7:10 p.m.

MODERATOR: JOANNE WACHHOLDER, Environmental Project
Manager

1 P R O C E E D I N G S

2 MS. WACHHOLDER: Good evening. I'd like to get
3 started now. First, I'd like to thank you all for coming.
4 This is an amazing turnout. First off, my name is Joanne
5 Wachholder. I am the Environmental Project Manager for the
6 Federal Energy Regulatory Commission or FERC for short.

7 Seated with me here tonight is Alex Dankanich
8 with the U.S. Department of Transportation. In addition
9 from FERC, we have Laura Turner and Candalaria Giacomine
10 back at the table. Also present is the FERC environmental
11 contractor AMEC, represented by Richard Yuill at this table,
12 and Bob Honig and Randy Mathura, who are also at the sign-in
13 table. We also have representatives from the U.S. Army
14 Corps of Engineers and the U.S. Environmental Protection
15 Agency here.

16 The purpose of tonight's meeting is to provide
17 each of you with an opportunity to give us your
18 environmental comments on the proposed Sparrows Point LNG
19 Project. Tonight's meeting was supposed to be a joint
20 meeting, and somebody else isn't here yet. I'm sorry -- the
21 Coast Guard.

22 Basically, the purpose of the meeting is to allow
23 you opportunity to provide comments on the environmental
24 safety and security issues you think we should address in
25 our analysis of the Sparrows Point Project. First, I'd like

1 to provide a brief overview of the project.

2 This is Laura Weems with the U.S. Coast Guard.
3 The purpose of tonight's meeting is to provide each of you
4 an opportunity to give your environmental comments. It's a
5 joint meeting by FERC and the U.S. Coast Guard. We have
6 slightly different review processes that this meeting will
7 support, but, fundamentally, the whole purpose of tonight's
8 meeting is to provide each of you with an opportunity to
9 give us your comments and to tell us what environmental
10 safety and security issues you think we should address in
11 our respective analyses of the Sparrows Point Project.

12 Before we describe our review processes, I will
13 provide a brief overview of the project. Sparrows Point
14 proposes to conduct an on-shore LNG import and storage
15 terminal on the west shore of Sparrows Point, south of
16 Dundalk, Maryland. The facility would consist of a 500-foot
17 Marine finger-pier access trestle and unloading platform,
18 supporting two unloading berths. It would also include a
19 turning basin and an in-turn channel, three 160,000
20 cubic-meter net capacity, full-containment, LNG storage
21 tanks.

22 Also, as part of the process, Mid-Atlantic
23 Express proposes to construct an 87-mile long, 28-inch
24 diameter pipeline, extending north from the terminal to
25 local interconnects with the BG&E pipeline system and to

1 interconnect with existing pipelines of Transco, Tetco and
2 Columbia Gas Transmission near Eagle, Pennsylvania.

3 I will briefly describe the FERC process, then
4 Laura Weems will describe the Coast Guard process. And Alex
5 Dankanich will explain the DOT's role.

6 I would like to clarify that the Sparrows Point
7 proposal was not conceived by and is not promoted by any of
8 these agencies. FERC's reviews applications for the import
9 of natural gas, and Sparrows Point is in the process of
10 preparing an application to submit to FERC. The Sparrows
11 Point Project is currently in our pre-filing process. A
12 formal application has not yet been filed with FERC.

13 One thing I would like to stress about the
14 pre-filing process is that we are a permit processing agency
15 and have no ability to stop an applicant from deciding to
16 file an application. We do, however, by regulation, review
17 all applications, primarily filing requirements that must be
18 addressed in order for FERC to assess and begin processing
19 an application. Once the application is formally submitted
20 to FERC, our obligation is to review that application and
21 prepare an analysis of the environmental impact.

22 Other federal and state agencies have permitting
23 and review responsibilities associated with the project, and
24 we are coordinating our review with them. Some of the
25 agencies include the U.S. Army Corps of Engineers, the U.S.

1 Fish & Wildlife Service, the National Marine Fishery
2 Service, the U.S. Environmental Protection Agency, and the
3 U.S. Department of Transportation.

4 The first staff environmental and engineering
5 analysis will result in the generation of an environmental
6 impact statement or EIS. FERC is the lead agency tasked
7 with preparing the EIS. An EIS contains an analysis of
8 impact to resources.

9 That said, we request that your comments tonight
10 focus on the potential effects of the project.
11 Specifically, we are here to ask for your help in
12 identifying potential impacts to both the human and natural
13 environments.

14 We have already received several comment letters
15 addressing such issues as potential impacts of LNG ship
16 traffic on other Chesapeake Bay Patapsco River users,
17 including fishing and recreational boaters; safety and
18 security concerns in nearby communities; potential impacts
19 of dredging contaminated sediments on water quality and
20 estuarine fishery resources; and impacts from the
21 construction of pipelines through congested easements.

22 Even though we are still in the preliminary
23 review stages, we already know that we will be working very
24 closely with the U.S. Coast Guard in regard to the safety
25 and security of vessel traffic. Also, the U.S. Corps of

1 Engineers will provide their expertise and review of any
2 proposed dredging activities.

3 In our Notice of Intent issued on May 16th, we
4 requested your comments and assigned a deadline of
5 June 16th. We will take comments throughout our review of
6 the project beyond that date. However, we ask that you
7 provide comments as soon as possible in order to give us
8 time to analyze and research the issues.

9 As you know, a speakers list was located at the
10 back table and we'll use that list to identify individuals
11 wishing to provide verbal comments on the project. In
12 addition to verbal comments provided tonight, we will accept
13 your written comments. Many people have already submitted
14 their written comments to the docket. If you have comments
15 but don't wish to speak tonight, you may provide written
16 comments on the comment forms at the back table. You may
17 drop those off with us tonight or you mail them in at a
18 later date. It is very important that any comments you
19 send include our internal docket number for the project.
20 That's Docket Number PF06-22. It's written on all the forms
21 we gave you.

22 I would like to mention that the Commission
23 strongly encourages electronic filing of written comments.
24 The instructions are in the notice or can be located at our
25 website, which is www.ferc.gov, under the e-filing link. In

1 addition, we offer a free service called e-subscription,
2 which allows you to keep track of all the formal issuances
3 and submittals for specific projects which we organize into
4 dockets. If you register with e-subscription, you will
5 automatically be notified by email of these filings and will
6 be provided links to access the documents. You can register
7 for this service at our website under the e-subscription
8 link. There are some forms at the sign-in desk that provide
9 the Web address and instructions as well.

10 We consider the pre-filing process, amongst other
11 things, to be an extension of our scoping process. The
12 scoping process is a learning process. It is where we
13 educate ourselves about the project and the potential
14 issues.

15 During the scoping process, we are gathering
16 information and we are using a number of different sources
17 for that information. The more general sources that we are
18 using right now include information provided by the
19 applicant, input from other agencies, our own field work and
20 research of different issues, and most importantly,
21 information from the public. Once we gather the information
22 during the scoping process and an application is formally
23 filed with FERC, we will analyze it and prepare a draft
24 environmental impact statement, or draft EIS, that will be
25 distributed for comment.

1 There are two general ways you can get a copy of
2 the draft EIS. First of all, the Notice of Intent that we
3 send out has an attachment on the back of it that you can
4 fill out and mail back to FERC. Secondly, you can add your
5 name to the mailing list form at the table where you came
6 in. Please print your name and address and we will add you
7 to the mailing list. If you don't do one of those two
8 things, we won't be able to send you a copy of the draft
9 EIS. In either event, please indicate whether you would
10 like a CD-ROM copy or a paper copy of the draft EIS.

11 After the draft EIS is issued, there's a 45-day
12 comment period. During that period, we will normally hold
13 another public meeting similar in format to this one. We
14 will probably come back here to the same facility if it's
15 available and ask you to comment on the information provided
16 in the draft EIS.

17 At the end of the 45-day comment period, we'll
18 begin organizing all the information gathered to date and
19 preparing the final EIS. The EIS does not make a final
20 decision on the project. It is prepared to advise the
21 Commission and commissioners and to disclose to the public
22 the environmental impact of constructing and operating the
23 proposed project.

24 When it is finished, the commissioners at FERC
25 will consider the environmental information from the EIS

1 along with the non-environmental issues, such as
2 engineering, markets and rates, in making its decision to
3 approve or deny the project. If the Commission does vote to
4 approve the project, FERC's environmental staff will monitor
5 the project through construction and restoration, performing
6 on-site inspections to ensure environmental compliance with
7 the conditions of the FERC certificate.

8 At this time, Laura Weems will describe the work
9 being performed by the Coast Guard.

10 LTC WEEMS: Good evening, everyone. Thank you
11 very much for coming tonight. My name is Lieutenant
12 Commander Laura Weems. I'm with the U.S. Coast Guard. I'm
13 the chief of the prevention department in Sector Baltimore,
14 just across the waterways from you all. I'm here tonight to
15 describe what the Coast Guard does within this LNG process.

16 The Coast Guard is here to promote the process,
17 not the project. All we are are gatekeepers to make sure
18 all the boxes are checked as the company or the applicant
19 applies to have an LNG facility in this area. It would be
20 the same for any LNG facility in the U.S. The Coast Guard
21 just supplies the process for an applicant in getting
22 through the waterways suitability assessment so that we can
23 issue a letter of recommendation either to recommend that
24 the facility be made there or not.

25 Basically, the first step is a letter of intent.

1 The company will supply a letter of intent, saying they
2 intend to build a facility. The applicant usually submits a
3 preliminary, waterway suitability assessment. What we're
4 looking at is the waterway able to withstand the traffic,
5 the type of vessel that will be coming into the port in that
6 particular area.

7 Later we will work with the applicant, the
8 committee -- different committees, the Harbor Safety
9 Committee and the Area Maritime Security Committee -- to do
10 a follow-on, waterway suitability assessment. We are not
11 developing this assessment. All we do is review it and
12 validate it. Once it's been completed, we do a waterway
13 suitability report. The report is basically back to the
14 applicant, to FERC and to the U.S. Coast Guard, that says we
15 have reviewed and validated their assessment, and the
16 waterway is suitable. Given these are the different
17 criteria that they have to follow in order to make it
18 suitable, or it's completely suitable, then it's completely
19 suitable. It can have catches on it, saying they basically
20 will have to do X, Y and Z before it becomes suitable.

21 That goes hand in hand with FERC's environmental
22 impact statement. What they'll do is take that waterway
23 suitability report, add it to their environmental impact
24 statement and do the final impact statement. So the Coast
25 Guard is going hand in hand as a cooperating agency with

1 FERC this entire time. We don't lead the process; we're
2 part of the process. What we try to do is work with the
3 applicant to make sure each step is done properly.

4 To give you a little bit more details on that,
5 the Coast Guard has jurisdiction over the navigable
6 waterways and waterfront facilities throughout the upper
7 Chesapeake Bay for Sector Baltimore, and what we do strictly
8 relates to maritime safety and security for commerce, the
9 vessels, facility and personnel. Under Part 33 of the Code
10 of Federal Regulations, Part 127, we have jurisdiction over
11 the waterfront facilities handling LNG and liquified natural
12 or hazardous gases; therefore, we have the jurisdictions to
13 handle LNG facilities and look at the safety and security
14 issues of that facility, but primarily as it relates to the
15 pier and the waterways around the facility.

16 We also have jurisdiction under the new Maritime
17 Transportation Security Act, 33 CFR 105, to look at the
18 actual security issues of that facility. As we're
19 developing the waterways suitability report, we will keep up
20 with the safety and security issues of that facility. In
21 particular, for this facility, one can design the
22 construction of the wharf and the pier area, the equipment
23 operations, maintenance, personnel training, the
24 firefighting, and all the security issues surrounding that.

25 The Coast Guard follows our policy and guidance

1 for assessing the suitability of the waterways for LNG
2 maritime traffic to keep it consistent throughout the United
3 States. It's NAVIC 0505. Only parts of it are sensitive
4 security information, so if you wanted a copy of that, you
5 can get that on line.

6 Basically, what this NAVIC says is that there is
7 a process for determining if the water is safe for
8 navigational traffic and it has met all the requirements
9 under port security risk factors to determine what the risks
10 are and how they're going to mitigate those risks, or they
11 can eliminate those risks altogether.

12 Basically, as I said earlier, the applicant
13 prepares a waterway suitability assessment with help from
14 the stakeholders. Captain of the port, our captain, Captain
15 Kelly, reviews and validates that assessment, again with
16 help from the stakeholders. Then Captain Kelly, the captain
17 of the port, provide the waterways, suitability report to
18 FERC for inclusion under the EIS.

19 The Coast Guard in a different office also helps
20 review the EIS, the environmental impact statement, to make
21 sure that it covers all the impact to the waterways that we
22 are concerned with. Then the captain of the port issues a
23 letter of recommendation, as required by the port and the
24 Waterway Safety Act. It must be in compliance with the
25 National Environmental Policy Act.

1 Basically, the key elements of the waterway
2 suitability assessment that the Coast Guard is looking for
3 is making sure he has complete support characterization, it
4 has characterization of the LNG facility and tanker route,
5 and the risk assessment for the LNG tanker operations, and
6 that it addresses navigational safety and port security
7 risks; that they've done a whole risk-management strategy,
8 and they've looked at the resources needed and the resource
9 gaps, if there are any, for this type of operation.

10 So what it boils down to is the Coast Guard's
11 role is to assist FERC by reviewing information provided by
12 the applicant and providing input to the Environmental
13 Impact Statement regarding the maritime transportation
14 aspect and the whole range of risk-management strategies
15 being considered to responsibly manage the safety and
16 security aspects of the LNG maritime transportation in this
17 area.

18 Again, the Coast Guard is here to help provide
19 services for the process. We're not here to promote the
20 project itself; however, legally we must review all the
21 paperwork and determine whether or not we have a letter of
22 recommendation for that facility to operate in this area,
23 working hand in hand with FERC and the other agencies there
24 also, operating agencies.

25 MS. WACHHOLDER: Thank you, Laura.

1 Next, we'll hear how the Department of
2 Transportation's role fits in with this process.

3 Alex?

4 MR. DANKANICH: Good evening. My name is Alex
5 Dankanich. The Office of Pipeline, Safety, and Hazardous
6 Material Safety Administration is part of the USDOT,
7 Department of Transportation. Our programs are driven by
8 our mission to ensure the safe, reliable and environmentally
9 sound operation of our nation's pipeline transportation
10 system.

11 The cornerstone of our program is the inspection
12 and enforcement of our pipeline safety regulations by
13 qualified inspectors located in five regional offices
14 throughout the United States. Our regulations include
15 minimum safety requirements for all pipelines or liquified
16 natural gas facilities.

17 The Office of Pipeline Safety has established
18 pipeline safety regulations for hazardous liquid natural gas
19 as well as liquified natural gas facilities. The
20 regulations are contained in Title 49 of the Code of Federal
21 Regulations, Part 190 through Part 199, and include
22 requirements for pipeline design instruction, operations,
23 maintenance, personnel qualification, emergency response and
24 employee substance-abuse testing.

25 The Office of Pipeline Safety has regulatory

1 authority for the safety of land-based, liquified natural
2 gas facilities. The LNG-related regulations are codified in
3 49 CFR, Part 193, which incorporates many of the
4 requirements of the National Fire Protection Association
5 Standard 59A.

6 Prior to commencing operations, the facilities
7 operator must establish detailed procedures that specify the
8 normal operating parameters for all equipment. When a piece
9 of equipment is modified or replaced, all procedures must be
10 reviewed and modified if necessary to assure the integrity
11 of the system. All personnel must complete training in
12 operations and maintenance, security and firefighting.

13 The facilities operator must develop and follow a
14 detailed maintenance procedure to ensure the integrity of
15 the various safety systems. Gas detectors, fire detectors,
16 temperature centers will all automatically activate
17 firefighting and vapor-suppression systems. Emergency
18 shut-down devices activate when operational parameters
19 exceed the normal range.

20 The LNG facility operator must coordinate with
21 local officials and apprise them of the types of
22 fire-control equipment available with the LNG facility. OPS
23 regulations require tight security of the facility,
24 including controlled access, communication systems, and
25 enclosure monitoring and patrols. During construction, OPS

1 regional staff inspects to insure that the construction
2 complies with the construction requirements of Part 193.

3 OPS regional staff conducts a comprehensive
4 inspection of each LNG facility at a minimum of once each
5 year to ensure that all equipment has been properly
6 maintained and that the operator has and follows operation,
7 maintenance, security and emergency procedures that ensure
8 the continued safe operation of the facility.

9 We enforce violations when we find them.
10 Enforcement can include civil penalties or orders directing
11 action. In addition, if we find circumstances that are
12 hazardous, we can expeditiously require correction through
13 corrective-action orders. On the back table, I've laid out
14 some brochures that further describe the role of the
15 Department of Transportation's Office of Pipeline, Safety
16 and Hazardous Material. Thank you.

17 MS. WACHHOLDER: Thank you.

18 Now, we will begin taking comments from all of
19 you. As your name is read off the list, I'd like you to
20 come up to the podium and state your name for the record.
21 All of your comments will be transcribed and put into the
22 public record for the project. Because your comments are
23 being transcribed, please, only speak when you are at the
24 microphone in order for us to accurately record your
25 concerns.

1 In your comments, I ask that you try to be as
2 specific as possible with your environmental of safety and
3 security concerns. The meeting is scheduled to conclude at
4 10 p.m., and we have about 60 speakers. We may be able to
5 have the room longer, but just try to be helpful to the
6 other people on the list and stay within your time. At this
7 point, with about 60 people, I'm looking at about three
8 minutes per person. I know that's short, but, remember, you
9 can always send in written comments or additional comments
10 later too. We just want to give everyone a chance today.

11 Also, if your comments have been previously
12 stated by another speaker and you agree with their comments,
13 you can say I agree with Sharon Beazey's comments or
14 something like that.

15 (Laughter.).

16 MS. WACHHOLDER: We all know who she is.

17 Now, we're going to start with the list of people
18 that we have here.

19 Would you like to read the names?

20 Ronald Franks and Kendall Philbrick.

21 MR. FRANKS: Thank you very much. As a former
22 elected official, I find it very difficult to turn my back
23 on all these votes out here. I'm going to speak kind of
24 from the side. I'd like to also say, I'm Dr. Ron Franks,
25 Secretary of the Department of Natural Resources. Earlier,

1 Secretary Scott from the Department of Planning was here,
2 and we're also fortunate to have Mr. Frederick Davis,
3 director of the Maryland Energy Administration here as well.

4 At the state level, all Maryland agencies with a
5 role are coordinating their comments through DNR. We are
6 here tonight to listen to what you have to say and to more
7 fully understand your concerns so that you will fully
8 understand our position.

9 Governor Ehrlich has publicly discussed his own
10 concerns regarding the location of this plant. I'd like to
11 take this opportunity to outline the critical issues we
12 believe need evaluation and resolution to protect our
13 citizens, our environment, and our economy.

14 We believe there are major public safety
15 implications of locating this facility in Dundalk because of
16 its proximity to residential neighborhoods. The storage of
17 liquid natural gas and the daily operation of the facility
18 itself could create a constant, unacceptable risk to the
19 safety of the citizens of Dundalk. Vaporization of the
20 liquid and the subsequent distribution of natural gas in the
21 proposed pipeline, which will run through many Dundalk
22 neighborhoods, may heighten the danger and increase the
23 potential for a catastrophic event.

24 Transportation of this extremely volatile
25 material raises additional concerns. We believe that

1 assessments will likely demonstrate a high potential for a
2 catastrophic even during LNG transport. Further, given the
3 restricted zones anticipated for vessel traffic, the
4 potential for closure of major highways -- particularly the
5 Bay Bridge and the Key Bridge -- during LNG transport is
6 uncertain and a major concern.

7 An exclusion zone surrounding inbound LNG vessels
8 and the terminal will very likely recreational and
9 commercial marine traffic. Additionally, the role,
10 responsibility and funding for additional operations by the
11 Maryland Natural Resources police must be determined and
12 resolved.

13 Dredging the Patapsco will create additional
14 environmental concerns. The dredge material must be
15 characterized with regard to contaminants. Disposal
16 location for the material needs to be addressed within
17 regulatory requirements. The impact of additional
18 deep-draft vessel traffic in the vicinity relative to
19 increased siltation to the Chesapeake Bay and shoreline
20 erosion also needs comprehensive evaluation. The potential
21 short-term and long-term adverse impact to the health of the
22 Bay resulting from these activities may be contrary to
23 Maryland's Bay restoration efforts. The progress being made
24 to date must not be compromised.

25 There are also potential safety concerns, and

1 they may have far-reaching effects by prohibiting Bay access
2 by citizens, visitors and business interests for extended
3 periods of time. The close proximity to residential
4 communities could greatly diminish home values and create
5 residual negatives that far outweigh the perceived benefit
6 of locating this facility here at the proposed site.

7 To responsibly explore the impact of this
8 facility on the safety of the community, a comprehensive
9 risk assessment of all components of the proposal, including
10 both land and marine issues, is absolutely critical at this
11 time. The FERC evaluation must include a comprehensive
12 study of all hazards and risks associated with the vessel
13 transport of LNG, the offloading of LNG at the proposed
14 terminal, the vaporization of LNG into a gaseous state, and
15 the send out of the product through the proposed pipeline.
16 A comprehensive evaluation of the social, economic and
17 environmental issues I have outlined is also necessary.

18 Governor Ehrlich and the State of Maryland are
19 committed to working with FERC to ensure that the residents
20 of Greater Dundalk and all Marylanders have a voice in this
21 decision and are ultimately protected. Thank you.

22 (Applause.)

23 MR. PHILBRICK: My name is Ken Philbrick, the
24 Secretary of the Maryland Department of the Environment.
25 I'd like to confirm everything that Secretary Franks just

1 said. I also made a couple of notes here I want to fill in
2 with a few comments, which may add to everybody's
3 understanding about the public process that we're about to
4 enter into.

5 In addition to all the federal public process
6 that you heard here, MDE is the state-permitting agency with
7 respect to this project. I can assure you there will be a
8 very rigorous and vigorous public process associated with
9 this project should AES file an application, which they've
10 not done yet. Usually, state agencies are at the back end
11 of these things, after the local public process has
12 occurred. I want to say it's a privilege for both DNR and
13 MDE to be here at the front end of a project like this to
14 help the process along as well.

15 Without commenting on the project, because
16 nothing has been filed yet with our agency, the permitting
17 will become primarily from our air administration and also
18 from our water administration. In air administration, the
19 applicant would need a permit to construct. That's the
20 first step, and there is a public process for that. There's
21 also an opportunity for contested case hearings with respect
22 to that before that air permit is issued.

23 With respect to water administration, there are
24 several permits there. As you know, the pipeline will have
25 permits associated with it, and in that process there is

1 also the opportunity for contested case hearings,
2 unfortunately after the permit's been issued. That's the
3 way the law reads. But nonetheless, I want to assure you
4 that there is a rigorous public process associated with both
5 of these administrations within my department.

6 I want to mention one other thing because I
7 overheard some comments out in the parking lot while we were
8 waiting. As you know, Barletta Willis has been issued a
9 permit already. It was issued July 2005 to bring ships in,
10 break them apart, and to recycle the steel. Part of that
11 permit and the condition of that permit is that they need to
12 identify where they're going to place the dredge spoils.
13 They have not yet identified that.

14 In addition, if AES were to submit an application
15 here, they would need a deeper channel and a wider channel
16 than what Barletta Willis has been permitted for, which
17 means they're going to have to put an application in their
18 own name. The Barletta Willis permit is not transferable.
19 It is not transferable.

20 (Applause.)

21 MR. PHILBRICK: Could there be some collateral
22 benefit of dredging? Yes. But what I just said, based upon
23 the information that we have at MDE at this moment, that
24 channel is not deep enough, nor is it wide enough. In
25 addition, you have some displays up here, which show there's

1 a huge turning basin required. Again, we're talking about
2 millions of cubic yards of dredge spoils, which the location
3 for the dumping of those would have to be set up before the
4 permit could be enacted.

5 I think that's all I really wanted to fill in for
6 you this evening. Of course, my department is here to
7 listen to your concerns. As I tell everybody, my office is
8 open to you. All you have to do is give a call to my
9 office. I'd be glad to talk with any of you about this.
10 Thank you very much.

11 (Applause.)

12 MR. YUILL: Mr. Richard Murray?

13 MR. MURRAY: I don't want to turn my back on the
14 people with whom I stand, but you are the panel that has to
15 make the decision and has to hear us. And I think we're all
16 going to be directing our comments pretty much to you. The
17 comments we've heard thus far were more explanations of the
18 process. I think people in the audience needed to know
19 that, but, quite frankly, I'm here tonight, as you can see,
20 with hundreds of people as well as many elected officials
21 and various directors of Baltimore County's departments and
22 agencies to announce our opposition to the proposed location
23 of the liquified natural gas plant as proposed for Sparrows
24 Point.

25 LNG may be an excellent fuel source, but it is

1 brings with it safety, security and environmental hazards.
2 The public safety of our communities and waterways is a
3 critical responsibility of government, and the protection of
4 the environment is our legacy.

5 Numerous reports describe how LNG is highly
6 flammable. We know that a liquified natural gas explosion
7 in Algeria in just 2004 was responsible for the death of 27
8 people and is reported to have shattered windows as far away
9 as five miles.

10 In this post-9/11 world, it is impossible to talk
11 about an LNG facility without considering a potential
12 terrorist attack. Former United States counter-terrorism
13 official, Richard Clark, has indicated that LNG terminals
14 and tankers present "especially attractive targets" to
15 terrorists. We can't dismiss this kind of analysis.

16 As Baltimore County strives to continue the
17 renaissance and revitalization that's taking place in
18 Dundalk, Edgemere, and North Point, there are many reasons
19 why the LNG proposal targets the wrong location for a
20 facility. Baltimore County is working to bring companies
21 into the community that will provide good jobs and at the
22 same time support a community where families live and shop
23 as well as work.

24 Sparrows Point has the potential to grow as a job
25 creation center, while setting a new standard for

1 environmentally-sensitive redevelopment. Our opposition to
2 an LNG plant at Sparrows Point will not slow us down as we
3 pursue other economic development opportunities on the site.
4 The LNG facility is simply not the right project on that
5 site. It's not the right project for a location in this
6 community. It's just too high risk and environmentally
7 threatening. The location of LNG at Sparrows Point also
8 runs counter to all of the collaborative hard work of the
9 community, county, other jurisdictions, and the Port of
10 Baltimore on the Harbor Options Team.

11 Baltimore County has been in discussions with the
12 state of Maryland and the Port of Baltimore for several
13 years concerning the location of dredge material from the
14 Baltimore Harbor. Community leaders have worked closely
15 with county and state officials on this issue, and at
16 Baltimore County's request, the governor formed a task force
17 to look at dredge-disposal solutions.

18 That was the beginning of the Harbor Options
19 Team. For the first time ever, three local governments and
20 the communities they represent -- Baltimore County,
21 Baltimore City and Anne Arundel County -- agreed to work
22 together with federal agencies and the Maryland Port
23 Administration. The result of this collaboration is a
24 nationally-recognized plan for the comprehensive, long-term
25 management of 2.6 million cubic yards of dredge material per

1 year for all Harbor projects. The Harbor Options Team
2 proposes significant community and environmental
3 enhancements around the harbor's edge in connection with
4 providing the port's needed dredge material containment.

5 Estimates are that location of an LNG plant would
6 require that 4.2 to 4.5 million cubic yards of dredging
7 material be removed to prepare access channels and turning
8 basins to accommodate plant operations. That is more than
9 one and a half years of dredge material in the Harbor
10 Options Team Plan. For that one facility, the disposal of
11 so much material for this LNG plant would overwhelm our
12 Harbor Options Team Plan. Nothing should be done that could
13 possibly derail the progress that we've already made for the
14 port, for our county, and for the state.

15 The Harbor Options Team Plan also calls for the
16 creation of a shoreline walk, fringe wetlands, marinas and
17 boat launches, continued water-quality improvements, and the
18 creative use of the port's dredge material to construct a
19 new marine terminal at Sparrows Point that would provide
20 much needed capacity for port operations well into the
21 century.

22 The location of an LNG facility raises serious
23 concerns regarding the ability of a major new terminal
24 facility to attract high-value cargo, other harbor ships and
25 the thousands of recreational boaters traveling to and from

1 the inner Harbor, and our many marinas would also be
2 affected. To bring all of those daily shipments of
3 liquified natural gas up the Chesapeake Bay, under the Bay
4 Bridge, into one of the busiest ports in the United States,
5 and into a major population center is just not reasonable
6 and should not happen.

7 We come together tonight with great hope for
8 Dundalk, Sparrows Point, Turner Station and the surrounding
9 communities. I'm confident that when you've had the
10 opportunity to hear all the testimony that will be presented
11 this evening, that it will be very clear that the proposed
12 location of an LNG facility will be bad policy and the
13 absolute wrong thing to do. This project makes no sense
14 socially, economically or environmentally, and it endangers
15 the public safety of thousands of individuals in Baltimore
16 County.

17 Tonight I stand in partnership with families
18 throughout Eastern Baltimore County and urge you to
19 unequivocally state an intention to deny this permit at this
20 pre-filing stage before the process goes any further. For
21 your consideration of this matter -- I think Secretary
22 Philbrick has already made clear that the permit that has
23 been secured Barletta Willis cannot be used for the dredging
24 necessary for the proposed LNG facility.

25 I want to thank you for this opportunity to

1 comment on this matter of great importance, to the people of
2 Baltimore County.

3 Now, I'd like you to hear from the members of
4 Baltimore County's departments and agencies who have signed
5 up right behind me. We're going to start with our director,
6 and they're going to be concise and brief because, really,
7 this is your opportunity to hear from the people of
8 Baltimore County. They're just going to talk about the
9 specific areas of their expertise and responsibility that
10 are impacted by this particular proposal.

11 I'd like to first call on Richard Muth, Director
12 of Homeland Security and Emergency Management.

13 MS. WACHHOLDER: They signed up already. They're
14 on the list.

15 MR. MUTH: Good evening. My name is Richard
16 Muth, director of Homeland Security and Emergency Management
17 for Baltimore County. Since 9/11 we've broaden our focus to
18 look at a wider range of emergencies, and we regularly seek
19 input from experts in different areas. Because of the
20 ever-present threat of terrorism, we've had to inventory the
21 already numerous locations and the jurisdictions which could
22 present themselves as high-valued targets to someone or some
23 group with malicious intentions.

24 We have been striving to reduce and/or mitigate
25 the number of hazards in our community, not increase them.

1 We are very concerned at the prospect of locating an LNG
2 terminal in an area that is in such close proximity to
3 highly concentrated, residential and commercial settlers,
4 and, quite frankly, it simply does not make sense.

5 There are approximately 35,000 residents in
6 Baltimore County within three miles of Sparrows Point. That
7 does not factor in motorists, working individuals, and
8 school children that are in the area in any given day, nor
9 does it take into consideration portions of Baltimore City.
10 There's not enough space to have an adequately-sized buffer
11 zone for a facility of this type in this area.

12 Regardless of what our mass evacuation plans may
13 be, there is no effective evacuation from the type of
14 catastrophic event this facility could have. The immediacy
15 of an emergency at an LNG terminal would make any evacuation
16 efforts futile. For the safety of the citizens of Baltimore
17 County, I urge the Commission to reject this LNG proposal.
18 Thank you.

19 (Applause.)

20 MR. INANUCCI: I'm speaking on behalf of the
21 Baltimore County Department of Economic Development. We
22 join the county executive and our other colleagues for other
23 agencies in expressing our opposition to locating an LNG
24 proposal at Sparrows Point. Our focus is on location and
25 protection of jobs in Baltimore County. We're very proud

1 that Baltimore County has moved to the number two position
2 in the state of Maryland in terms of being a job center.
3 Our county is a diverse economy with strength in many
4 business sectors, which is crawling across the board.

5 The economic future of Baltimore County is
6 bright. The southeastern portion of Baltimore County has a
7 tremendous legacy as a manufacturing center. We are
8 grateful for the continued presence of major industrial
9 employers. We also see great potential for redevelopment of
10 the shipyard facilities and see opportunity for creating
11 high-quality jobs and underutilized land at Sparrows Point.

12 We've also worked very closely with the county
13 government and county executive on the renaissance efforts
14 to support nearby Dundalk and many of Baltimore County's
15 neighborhood downtowns. However, the proposal to construct
16 an LNG facility at Sparrows Point contradicts our efforts to
17 strengthen the local economy by attracting high-wage, high-
18 value companies.

19 An LNG plant with its inherent safety concerns
20 would make the area much less attractive to prospective
21 employers and make it much harder for the county to attract
22 and retain quality jobs here, working both consistent with
23 the Eastern Baltimore County revitalization strategy, which
24 was implemented in 1996, and the North Point enterprise zone
25 where the site is located. Both of these economic

1 development tools are aimed at increasing the economic
2 potential of this site.

3 We see the presence of an LNG plant at Sparrows
4 Point as inconsistent with the premise behind the
5 revitalization strategy and the enterprise zone as a plant
6 would add a low number of permanent jobs, and therefore only
7 moderate direct economic impact. Further, our efforts of
8 supporting the renaissance of Dundalk, accompanied by major
9 county financial investments in local projects would be
10 challenged by the perceived risk of living near an operating
11 LNG facility.

12 In summary, this department opposes the proposal
13 for an LNG facility at Sparrows Point. Thank you.

14 (Applause.)

15 MS. HARVEY: My name is Mary Harvey. I'm the
16 director of the Baltimore County Office of Community
17 Conservation. I'm here to join my colleagues in opposing
18 the proposed AES Sparrows Point. The communities of
19 Dundalk, Turner Station, North Point and Edgemere are
20 engaged in a revitalization effort that has begun to show
21 signs of success. Housing values have improved. There are
22 ambitious plans to improve education within our neighborhood
23 schools, and crime continues to decline.

24 Baltimore County, through the Office of Community
25 Conservation, has begun to invest millions of dollars into

1 housing, public infrastructure, parks and community-based
2 organizations created to implement local plans. The LNG
3 proposal flies in the face of the investment being made by
4 all levels of government and private citizens. The impact
5 this proposal will have on all the communities here in the
6 southeast is certainly a concern to Baltimore County. But
7 one community specifically, Turner Station, will bear the
8 greatest impact because of its proximity to the site.

9 Turner Station is one of 40 historic African
10 American communities in the county that has a long and proud
11 past. Settled in the late 1800's, this community of just
12 over 3,000 residents is struggling to maintain a quality of
13 life that meets the needs of today's families.

14 In 2003, Baltimore County worked with the Turner
15 Station community on a comprehensive plan that is currently
16 being implemented. The community is looking forward to the
17 completion of a roundabout at the entranceway to their
18 community, the construction of a help pass done in
19 conjunction with Hopkins Bayview, the renovation of ball
20 fields, and the shoreline enhancement project at Fleming
21 Park. The county has already provided much needed
22 improvement to sidewalks, storm drains, roadways, alleys and
23 tree plantings, and much more is on the way.

24 The community has formed a Turner Station
25 Conservation Team to channel positive civic energy into

1 positive change for this tightly-knit community. All of
2 these projects contribute to the believe that Turner Station
3 has a bright future, not one that is clouded by the risk of
4 living next to a liquified natural gas plant.

5 Tonight we join those living in the neighborhoods
6 and my colleagues impacted by this project, and ask that you
7 look elsewhere for as site, one that is not close to a major
8 population center.

9 (Applause.)

10 MR. BARRICK: Good evening. The Department of
11 Recreation and Parks expresses its absolute opposition to
12 this plan. We join our colleagues, the county executive,
13 and various county agencies. We're in the midst of a
14 recreation renaissance in this area; new ball fields, a
15 stadium complex, a soccer arena, and much, much more.
16 Millions of dollars of investment money have already been
17 spent, and there's much more on the way.

18 The plan is proposed to be constructed within a
19 three-mile radius of nine public parks, two schools, ten
20 marinas, and a senior center. These facilities are used
21 both by area residents as well as many others from outside
22 the community. Recreation is a vital component of the
23 quality of life for any community.

24 This area contains a very diverse population with
25 people of all ages, especially children. The recreation

1 needs are also very diverse and include activities such as
2 youth baseball, softball, fishing, boating and golf. There
3 are many families in the area who use the area parks for
4 picnicking, hiking, biking and other forms of exercise.

5 To construct such a potentially dangerous
6 facility in a densely population area is bad policy. It's
7 bad planning and unfair to the people in this area. The
8 county enjoys 3 million visitors alone in this area annually
9 to our parks, just this area alone; nearly 11 million in
10 Baltimore County annually.

11 I remind everyone that it would not take a
12 disastrous explosion, a terrorist attack or a hazardous
13 material spill or leak to make people realize this was the
14 wrong place to build this facility. Over time, sporadic
15 small problems that cause the community to be alarmed or
16 simply inconvenience the public would incrementally degrade
17 the quality of life. The constant fear of a major
18 malfunction at the LNG plant would cast a pall over this
19 beautiful community.

20 The people in the community don't deserve it.
21 The Baltimore County Department of Recreation and Parks and
22 the citizens of Baltimore County have a huge investment in
23 this community. The investment is starting to return major
24 dividends for all. There are enough dangers faced by a
25 community simply through ongoing and everyday events. To

1 purposely and knowingly place a community at risk is
2 unconscionable.

3 I am sure that there will be many other economic
4 opportunities for this site, and the department encourages
5 this committee to reject this proposal.

6 (Applause.)

7 MR. KOTROCO: My name is Timothy Kotroco. I'm
8 the director of permits and development management for
9 Baltimore County. On behalf of Baltimore County, I stand
10 before you tonight in staunch opposition to this proposal by
11 LNG to utilize this parcel of land in Sparrows Point as a
12 liquified natural gas transmission facility.

13 I've read the proposal by this applicant and I've
14 studied the manner in which they propose to utilize this
15 transmission facility. My staff in the Office of Permits
16 and Development Management have also reviewed it. We've
17 concluded this application is contrary to Maryland and
18 Baltimore County law.

19 The proposal under consideration this evening,
20 given its location on the shores of the Patapsco River, is
21 located within the Chesapeake Bay Critical Area. In March
22 of 1988, the Baltimore County Council, pursuant to Bill
23 Number 32-88, adopted the Chesapeake Bay Critical Area
24 Regulations and codified them within the Baltimore County
25 zoning regulations. The drafters of this landmark

1 legislation saw fit to specifically prohibit the
2 establishment of four particular uses from ever occurring
3 within the protective environmental area. Those
4 prohibitions still stand today and our found in Section 105
5 of the Baltimore County Zoning Regulations.

6 Those four prohibited uses are 1) a solid or
7 hazardous waste collection or disposal facility; 2) a
8 sanitary landfill; 3) a permanent sludge-hauling,
9 sludge-storage or sludge-disposal facility; and 4) a utility
10 transmission facility, such as what's proposed by this
11 applicant tonight.

12 I'm aware that the Congress has given authority
13 to FERC to preempt local zoning laws, however, the
14 Chesapeake Bay critical area is more than a zoning
15 ordinance. It is the linchpin of the environmental
16 protection of this irreplaceable Bay resource and should not
17 be violated under any circumstance.

18 I urge this commission to reject what would be an
19 unlawful proposal. Thank you for this opportunity.

20 (Applause.)

21 MR. HOHMAN: Good evening. My name is John
22 Hohman. I'm the fire chief of Baltimore County. It is
23 impossible to talk about a liquified natural gas plant in
24 the midst of a residential community without talking about
25 the hazardous properties of LNG. LNG is extremely cold and

1 it is believed to cause structural failure in nearby tanks,
2 vessels and supporting structures. The extreme temperatures
3 of LNG can cause severe injuries and death.

4 LNG is easily lighted by heat sparks and flame,
5 and results in extremely high-temperature fires. Its vapor
6 becomes extremely explosive when it comes in contact with
7 the air. Although LNG is lighter than air at normal
8 temperatures, when it transitions from liquid to gas, the
9 vapor cloud is extremely cold and initially heavier than the
10 surrounding air. Vapors can accumulate in storm sewers and
11 other low-lying areas until they find an ignition source.

12 Even in situations where there's been no ignition
13 source, there have been situations like the one in Indonesia
14 in 1993, where LNG entered a storm drain and underwent rapid
15 vapor expansion, resulting in extensive property damage from
16 the resulting explosion of expanding gas. LNG containers
17 may explode when heated and ruptured cylinders become
18 missiles threatening neighboring communities.

19 To give the committee an idea of just how
20 significant the LNG threat is in our communities, we only
21 need to review the evacuation zone requirements developed by
22 the United States Department of Transportation and its
23 Emergency Response Guidebook in 2004 for LNG emergencies
24 involving rail cars.

25 The immediate evacuation zone for a large spill

1 on a rail car is one-half mile down wind. Evacuation zones
2 for a fire involving a tank car is one mile in all
3 directions. Comparing the recommended evacuation zones to
4 the zones that would be needed to address a breach at the
5 Sparrows Point facility, rail cars hold a maximum of 33,000
6 gallons of LNG. The tanks proposed at Sparrows Point will
7 hold 94 million gallons of LNG.

8 Should this facility be located in the midst of a
9 residential community? The answer is crystal clear, and we
10 know the answer to that question. No.

11 Let me close with a few final reminders.
12 Accidental spills will pose a risk to individuals within
13 half a mile of the spill. A medium to large spill,
14 5 square-yard breach, would cause risk to people within one
15 mile. A large scale release will have a cascading effect
16 because of the effects of the cryogenic on the surrounding
17 tank structures and vessels.

18 This would involve a large fire or fire ball,
19 causing extensive property damage and place people more than
20 one mile away at risk. These risks do not even take into
21 account the land-based part of the operation, including
22 three large storage tanks, processing equipment to blow off
23 the LNG, and a compression system to pressurize the gas for
24 transportation through the high-pressure pipeline to
25 Pennsylvania.

1 In summary, I would like to add that as fire
2 chief, I have been asked repeatedly what the fire department
3 needed to adequately prepare to a response to a disaster at
4 an LNG plant. The response to that question is very
5 straightforward. There is no way to prepare for that kind
6 of disaster, and if we believe there is, we are simply
7 fooling ourselves and our citizens.

8 I ask the members of the Commission to stop this
9 proposal immediately out of respect for our safety and the
10 safety of our citizens in Eastern Baltimore County. Thank
11 you.

12 (Applause.)

13 MR. CARROLL: Good evening. I'm David Carroll,
14 director of Baltimore County's Department of Environmental
15 Protection and Resource Management. I'm not going to repeat
16 much of what has been said tonight, however, I think
17 everyone in this room is extremely familiar with the work
18 the state and the federal government has done in trying to
19 restore the extremely stressed Chesapeake Bay.

20 We have major commitments in the Chesapeake Bay
21 Agreement, which I believe will be compromised if this
22 facility is allowed to proceed. The existing Cove Point
23 brings tankers approximately 60 miles into the Chesapeake
24 Bay. This facility would double that intrusion into the
25 very heart of the nation's largest and most sensitive

1 estuary, putting us all at risk and putting at risk tens of
2 millions if not hundreds of millions of dollars on
3 restoration funds that we have worked so hard with, federal
4 agencies, local governments and citizens.

5 We believe that in fact you, representing
6 agencies who are signatories by virtue of agreement with the
7 EPA, must reject this proposal to be consistent with the
8 Coastal Zone Consistency Act that we have all signed and
9 have agreed to in Maryland, Virginia and at the federal
10 government level.

11 I would also point out that, as mentioned
12 earlier, the Baltimore Harbor Options Team is well into
13 identifying sites for future dredge material handling and
14 disposal. Those sites are sites which will be managed by
15 the state, owned by the state, run by the state. And we
16 would request tonight that, in fact, the state publicly
17 declares that those sites -- none of those sites that are
18 developed to handle Baltimore Harbor dredge material -- will
19 be available to any LNG facility in the future.

20 (Applause.)

21 MR. CARROLL: We want to make it very clear that
22 through whatever mechanism may be used, whether it's an
23 existing permit, or a revised permit, or modified permit,
24 whatever, that those permits and the disposal sites are not
25 and will not be available to this facility or any other

1 proposal for LNG in Baltimore Harbor. Thank you.

2 (Applause.)

3 MR. LEOPOLD: I'm Delegate John Leopold from Anne
4 Arundel County. I represent communities in the northern
5 part of that county who are very upset about this proposal.
6 They're justifiably apprehensive of the location of this
7 facility, communities such as Stony Beach, Orchard Beach,
8 and many other communities of Northern Anne Arundel County.

9 I want to associate myself with all the comments;
10 Secretary Philbrick, Secretary Franks, County Executive
11 Smith, and also the department heads regarding the public
12 safety risks. The risks are too great to justify this
13 proposal. I'd also like to single out the comment regarding
14 the partnership of the dredge spoil.

15 The Harbor Options Team includes Baltimore City,
16 Anne Arundel County, and Baltimore County. The dredge
17 spoils issue is extremely important. It's something that
18 the FERC ought to take great note of. But again, on behalf
19 of my constituents in Northern Anne Arundel County, I
20 strongly urge you to reject the LNG proposal.

21 (Applause.)

22 MR. MINNICK: I'm going to defer my comments to
23 Senator Stone in the interest of time.

24 MR. YUILL: Thank you very much.

25 SENATOR STONE: Thank you very much,

1 distinguished panel. My name is Norman R. Stone, Jr. I
2 happen to be the senator from this district in which this
3 proposed plan has been proposed to be built.

4 It's difficult. I'd like to incorporate by
5 reference, for the record, all the comments that have been
6 made by the previous speakers, and I say that on behalf of
7 my fellow delegates, Minnick and Weir, and Olszewski.

8 I'm new to the group; it's not that I don't know
9 the names. But we would like to make the job very easy
10 tonight by just saying, all in favor of this project, raise
11 your hand, and all opposed, raised your hand, and you all
12 decide that, but I know that's not possible.

13 In my 44 years of public office, I can look
14 around here and see the people that have fought different
15 projects in this area because of the nature of this
16 particular area, including landfills, chemical processing,
17 all kinds of things. And one thing about these -- not just
18 because we don't want them -- they're always for a good
19 reason. But I think this proposal is probably the most
20 serious and potentially the most disastrous project that
21 we've ever encountered.

22 As you're already aware and you've heard tonight,
23 this project is proposed in an area which is very heavily
24 populated, Turner Station being the closest, Edgemere,
25 Dundalk, North Point community being next. Actually, we're

1 unduly putting at risk probably in excess of 100,000 or more
2 people in this particular area.

3 You will hear from Turner Station how they are
4 land locked in that area and what evacuation problems there
5 are in that particular area. The applicants and their
6 experts will undoubtedly say to you that at some point in
7 this process, these facilities will be state-of-the-art.
8 They will be the most modern carriers and so forth and so
9 on, regardless of the width of the Bay. But the route, as
10 has already been stated, is twice that of Cove Point. It
11 will pass many residential communities and many other
12 strategic areas important to the security of our state,
13 including another LNG plant, and the United States Naval
14 Academy and the Chesapeake Bay Bridge.

15 It also should be noted that in addition to the
16 residential community, the plant itself is proposed to be
17 located in a relatively close proximity to the plants at
18 Scott Key Bridge, the Baltimore Harbor Tunnel, the Fort
19 McHenry Tunnel, the former Bethlehem Steel Corporation, now
20 Middle Steel, the Port of Baltimore, the United States Coast
21 Guard Station, which is right across the Patapsco and Curtis
22 Creek.

23 There are probably many others that I won't go
24 into. But all of these assurances that you've been told, I
25 don't believe even in the proposed plan itself that ships

1 carrying LNG are accident free or immune from terrorists or
2 terrorism. As we have painfully learned, these modern day
3 terrorists are not nomads living out in the desert in tents.
4 They are very highly organized, sophisticated, well-funded
5 groups and individuals willing to do anything to carry out
6 acts of terrorism.

7 Unfortunately, since the September 11th attacks,
8 we live under the threat of terror alerts, which heighten or
9 lessen depending on various intelligence reports and world
10 events. These residents of this area of the proposed
11 facilities should not have to be burdened by an additional
12 threat.

13 There are many other unanswered questions
14 regarding the safety of this plant itself, and I believe the
15 fire department rep and the Office of Homeland Security
16 already stated the rescue capabilities and lack of
17 capabilities of the existing fire and rescue services in the
18 event of an accidental discharge, either accidental or
19 otherwise.

20 In addition, there are serious concerns and a
21 number of questions about the 87-mile pipeline from the
22 proposed facility to Eagle, Pennsylvania. The first
23 question is, why Sparrows Point if the ultimate destination
24 of the natural gas is 87 miles away?

25 (Applause.)

1 SENATOR STONE: Moreover, what security -- and I
2 heard some of it. But what specific security is being
3 provided for such a long stretch of pipeline other than this
4 remote monitoring that I happened to read in one of the
5 reports. What authority was the proposed route authorized
6 and what measures will be utilized to require the rights of
7 way? Is that necessary? What are the environmental effects
8 of disturbing this land for the installation of pipeline
9 with all the failing gas stations and things of that nature?

10 In addition to security, health and safety
11 issues, and since I'm speaking for three of us, I think
12 there are numerous quality of life and environmental
13 concerns, including the overall impact of the daily LNG
14 traffic on other watercraft and others who use the
15 Chesapeake Bay, Patapsco River, and particularly residents
16 of Bear Creek, who will be virtually land locked at certain
17 times.

18 This is right in the mouth of Bear Creek. There
19 are many, many people who live in there and use that water.
20 The impact of both commercial and recreational fishing has
21 already been talked about, the considerable amount of
22 dredging, which will be necessary. And as already been
23 talked about, I believe that this dredge material is very
24 highly contaminated, containing PCBs and other toxins from
25 years of abuse of the area, and that disturbing this

1 material will only further degrade the water surrounding the
2 site and will have an adverse effect on the fishing of
3 crabs, which has just begun to make a dramatic recovery in
4 that area.

5 The location of the containment disposal
6 facilities for dredge material from the harbor is always and
7 will always be a controversial issue. We went through the
8 Hart Miller Island disposal for in excess of 13 years, I
9 believe it was, and fought that. Finally, it came about.
10 It became successful only because of our fight.

11 But we don't want to see that here. Please. We
12 don't want this to be successful at all.

13 (Laughter.)

14 SENATOR STONE: I am not aware of any plan in
15 place to dispose of the estimated 4-plus million cubic yards
16 of dredge material that is necessary for this project.

17 The effect that an LNG plant will have on the
18 revitalization efforts, that have already been discussed,
19 with millions of dollars and many hours of work by dedicated
20 citizens. Much planning has been spent in this
21 revitalization effort. It's important to continue that
22 momentum and allow the communities to continue to grow. To
23 authorize an industry of this magnitude with the safety,
24 security and environmental issues, in my opinion, would
25 greatly hamper this effort.

1 In conclusion, during the last session of the
2 general assembly, I tried to stop this. I sponsored a bill.
3 But guess what? I found out that we were preempted in
4 certain areas. I tried to amend the bill. Every elected
5 local official, council, and delegate -- the federal
6 officials, the governor, the county executives -- you've
7 heard from all of them, or you'll hear from all of them,
8 were in favor of supporting this bill. Unfortunately, we
9 found out about the preemption clause.

10 At any rate, I thank you for putting up with me.
11 I didn't do this all myself. I wanted to at least save some
12 of that --

13 (Laughter.)

14 SENATOR STONE: I respectfully urge, based upon
15 all you're going to hear tonight and all that you've heard,
16 that this application be dismissed, or any permit, or
17 pre-permit be dismissed, and that this plant not be allowed
18 to be erected.

19 (Applause.)

20 MR. MINNICK: That's just what I wanted to say.

21 (Laughter.)

22 MR. YUILL: Representative from Bill Cardin's
23 office.

24 MS. FINE: My name Bailey Fine, the district
25 director for Congressman Ben Cardin. I just wanted to ask

1 that the letter the congressman wrote in agreement with
2 Congressman Ruppertsberger, who represents this district, in
3 opposing the LNG terminal, the letter that was written in
4 March, we would like to have it entered as written testimony
5 for this evening. Thank you.

6 (Applause.)

7 MR. YUILL: Councilman John Olszewski.

8 MR. OLSZEWSKI: Good evening to the members of
9 the Commission. I would like to take this opportunity to
10 personally thank you for being here at tonight's hearing to
11 hear all the concerns of the most important people here this
12 evening, the constituents and the residents who live in this
13 area.

14 As the area representative for the Baltimore
15 County Council, I welcome this chance to present my comments
16 for the official record. Let's begin by putting to rest
17 that this opposition to the LNG plan falls under the NIMBY
18 standard, "not in my backyard".

19 We are talking about a community -- actually,
20 many communities -- who have had to live with their fair
21 share of smoke-stack industry, pollutants, toxic chemicals,
22 landfills, and a waste water sewage plant with spill overs
23 into the waterways. Recently, an oil recovery plant wanted
24 to locate it right in the middle of a residential area. We
25 stood strong on this issue and defeated it. We seek to

1 always be bound for our health and our safety.

2 One of the most important duties I have as a
3 representative is to protect the lives of my constituents.
4 The potential for explosions and terrorist attacks and the
5 uncertainty of the LNG proposal is a risk I am not willing
6 to take; neither are the residents of their communities.

7 The data shows that the potential for LNG spills
8 and vapor clouds extending over a four-mile radius, there is
9 the potential for a full fire causing the skin to burn up to
10 more than a mile away. I worry about the close proximity to
11 the blast furnace and air-product facility on the Middle
12 Steel property as an ignition source.

13 I am deeply concerned about the dredging that
14 would have to take place in order to accommodate the large
15 super tankers. This will mean dredging up decades of
16 dangerous toxins lying on the river floor. It also means a
17 change in the flow of the river and creek where the plant
18 will be located. Our area has an abundance of boating,
19 fishing and other water-related recreational activities. I
20 see all of this as being adversely affected.

21 Our area is on the brink of a large scale,
22 revitalization plan. We are preparing for new housing
23 development, businesses, and giving our older communities
24 the needed renovations long overdue.

25 The aging African American community of Turner

1 Station would be the closest to the LNG plant, a community
2 that hasn't always had its fair share and now it might find
3 itself staring down huge super tankers making the right turn
4 in front of the shoreline, where ball fields, churches, as
5 well as the Senior Center are located, as they bring in the
6 liquid gas. I worry about the well-being of this community
7 and the many others, such as Edgemere, Sparrows Point, North
8 Point, and Greater Dundalk.

9 There are no absolutes with this project. The
10 potential for serious mishaps, becoming a target for global
11 terrorism, are real. We need to make a decision on the
12 side of caution. For these reasons, I am asking -- no, I am
13 imploring -- the Commission to recommend that a permit not
14 be granted for this plant. We need this source of energy
15 but not at this particular site. Please do the right thing
16 and deny the permit. You know, we are the democracy, we the
17 people. And they are here speaking tonight, and I hope you
18 hear them all loud and clear.

19 And I also would like to finish on a little thing
20 that the county executive at the time, and now Congressman
21 Ruppertsberger told me one time. He said, "At local
22 politics, the rubber hits the road. Let's put all four of
23 those rubber tires on the road, hit the brakes, and stop
24 this project."

25 (Applause.)

1 MR. BAKER: Michael Baker representing Dutch
2 Ruppertsberger. The congressman just returned from Iraq
3 earlier this morning. I have submitted on his behalf
4 written testimony from the congressman opposing the project
5 vehemently. He truly hopes that you give the public, input
6 you are about to finally here from the people that actually
7 live in the area surrounding the proposed site, the highest
8 consideration in the decision you are about to make over the
9 next several months. Thank you very much.

10 (Applause.)

11 MR. YUILL: Is there another John Olszewski, Jr.?

12 MR. OLSZEWSKI: I'll be real quick. I guess
13 there is one.

14 Good evening. My name is John Olszewski, Jr.,
15 and I stand before you tonight in staunch opposition to
16 liquify the natural gas facility being proposed by the
17 company known as AES. As I will only read a segment of my
18 comments, I ask that my full written testimony be entered
19 into the official record.

20 Like most others, I have serious concerns, most
21 of which were mentioned tonight, about this facility.
22 Whether one discusses safety and security issues, imminent
23 domain concerns, quality-of-life points, or the health of
24 the environment, all answers point to no, to the question of
25 construction of a liquified natural gas plant. On the

1 question of full consideration of any one point, I contend
2 it should be enough to rule out an LNG plant at Sparrows
3 Point on its own merit. Taken as a whole, I believe that
4 any serious contemplation of moving forward with the plant
5 would not only be the wrong thing to do; it would be a real
6 injustice.

7 I just want to close with, as a government
8 teacher down the road at Patapsco High School, I teach my
9 students everyday about the principles that the government
10 is founded on. Among those, that includes consent of the
11 government and protection of rights of individuals. It's my
12 sincere hope that upon hearing tonight's testimony from the
13 people whom this will affect, you will help us uphold these
14 foundations and prevent the creation of this facility.
15 Thank you.

16 (Applause.)

17 MR. YUILL: Blair Baltus.

18 MR. BALTUS: Ladies and gentlemen, Blair Baltus,
19 the second vice president of the Baltimore Waterman's
20 Association, here representing the watermen of the state of
21 Maryland. We are vehemently opposed to this project. This
22 project not only affects the watermen of my county,
23 Baltimore, but the county of Anne Arundel, Calvert,
24 Charles, St. Mary's, Cecil, Harford, Kent, Queen Anne's,
25 Talbot, Dorchester, and Somerset. It affects crab buyers,

1 clammers, eelers, gill-netters, and the oyster industry;
2 basically, all parts of our industry.

3 Speaking as a crab potter, I make my living four
4 to five months along the channel edges, starting north of
5 the Bay Bridge, approaching into Baltimore Harbor, 10 to 12
6 miles of channel area there. We work on an eight-hour day,
7 according to state law, and we're going to be forced out of
8 these areas due to seclusion areas when these tankers come
9 up the Bay. We don't know for how long, how far away from
10 the channel we're to be. We're going to incur economic
11 hardship.

12 We gill net along all the channel edges for the
13 months of December, January and February. These areas will
14 be lost during the passage of the tankers and escort
15 vessels. Some of the last remaining skipjacks working the
16 Bay during November, January, February, March would also be
17 forced out of productive areas. At last count, there were
18 12, many of them over 100 years old. This is one place they
19 come and make a living. Oyster boats come as far as
20 Crisfield and Smith Island to work on the upper Bay. All of
21 this would be affected by the passenger tankers and escort
22 vessels.

23 As a citizen of the state of Maryland, I also
24 live in the area and have many safety and security problems
25 with this proposed LNG project. Thank you very much.

1 (Applause.)

2 MR. YUILL: Tom Simonton, followed by Robert
3 Farmer.

4 MR. SIMONTON: Thank you for allowing me to speak
5 tonight. My name is Tom Simonton. I don't have any
6 statistics. I don't have any environmental background to
7 make any kind of statement. But as a member of this
8 community with my family and I, we believe if there's a
9 small accident at this plant -- we can't guarantee it's not
10 going to happen -- it's going to affect the environment of
11 our home. If there's a big accident, it's going to affect
12 the environment of our children's lives, our own lives, et
13 cetera.

14 We've recently had homeland security funding cut
15 for this area. Who's going to bear the cost of that, the
16 company or is it the Coast Guard, the taxpayer? That's
17 going to affect the environment of our walks. It's going to
18 affect the environment of our right to live along the
19 national treasures, such as the Chesapeake Bay, where they
20 have to limit our access.

21 So the only comment that I have, other than that
22 environmental impact statement, is I urge the FERC
23 Commission to listen to the people that live here, that
24 reside here, that pay the taxes here, not to the company
25 from Virginia or wherever it's from, but to the people that

1 live here. Thank you very much.

2 (Applause.)

3 MR. YUILL: Robert Franks. There are seats up
4 front if you know you are coming up after Robin Farmer and
5 Sharon Beazey.

6 Robert Farmer?

7 (No response.)

8 MR. YUILL: Sharon Beazey is next.

9 MS. BEAZEY: Everybody's probably waiting for a
10 lot of statements. I've been talking for five months now,
11 and to the Commission, who I have been working with. And I
12 will tell you, they're very accommodating.

13 I want to say I am adamantly opposed. That's for
14 the record. What I really want to say is all of us are only
15 as good as our people. And I'm sitting here tonight, and
16 I'm listening, and I'm watching. And you know what's going
17 through my mind? Every community in this country could be
18 proud of this community tonight.

19 (Applause.)

20 MS. BEAZEY: My biggest comment is about thank
21 you. I want you to find another community, another county
22 in the whole USA that has every local official, every state
23 official, every department head, every environmental group
24 in opposition. You show them to me. And all of us have
25 every reason to be proud of where we live, who are neighbors

1 are, and one life is too many to endanger.

2 For 100 years, these people and myself -- I'm
3 only 55 --

4 (Laughter.)

5 MS. BEAZEY: I feel like 100 sometimes. For all
6 of these years, since 1893, this community has been abused
7 with toxins, pollutants, everything imaginable. It was a
8 trade off. Our aunts, our uncles, our fathers, our
9 grandfathers, they brought their paychecks home and fed us
10 all. They taught us to work hard. And you know what, guys?
11 A hundred years is enough. It is time that our people not
12 live in these environments any longer.

13 (Applause.)

14 MS. BEAZEY: Probably for the first time with
15 FERC, and you can tell me if I'm right, our community is
16 presenting an EIS to your staff that was done by probably
17 150 volunteers. Be assured we haven't left one issue out.
18 AES doesn't have enough money or doesn't have the
19 ability -- in his boxes there are all the environmental
20 reports from 1978 until present. In this box, there's no
21 emotion in the box; it's all factual.

22 It was all done by volunteers, and companies
23 would have spent millions to present this. Out of respect
24 for all of you, I am presenting these documentation on
25 behalf of our community to make your job easy.

1 (Laughter and Applause)

2 MS. BEAZEY: I love each and every one of those.

3 MS. WACHHOLDER: I'd like to note for the record
4 that they're going to hand these over to us, and we're going
5 to get them into the public record.

6 MR. NADWODNY: My name is Leonard Nadwodny. It's
7 a pleasure to be here tonight with Sharon. She's our hero.

8 We are pipeline and bulk-handling specialists.
9 You've heard just about everything that I could say. The
10 only thing I can say is three things is, 1) when the
11 incident's going to happen; 2) how big it's going to be; and
12 3) how many people are going to have to die. Thank you.

13 (Applause.)

14 MR. YUILL: Bart Fisher?

15 MR. FISHER: Good evening. My name is Bart
16 Fisher, counsel for the LNG Opposition Team.

17 (Applause.)

18 MR. FISHER: That, of course, is part of the
19 Greater Dundalk Alliance. I'm also counsel for the
20 Recreational Fishing Alliance, which represents America's
21 19 million anglers. Both groups adamantly oppose the
22 proposed LNG import terminal at Sparrows Point. In a word,
23 this is an ill-conceived project. It is the wrong project
24 at the wrong place, at the wrong time.

25 AES Corporation has proposed a project that would

1 be, as you've heard already from all these other speakers,
2 an environmental disaster, injurious to the economy of the
3 state of Maryland, unsafe and a target for terrorists, which
4 reduce the quality of life for the people in the Dundalk and
5 Turner Station areas, and injure the fishing and
6 recreational boating industry.

7 On May 12, 2006, I wrote Richard Darman, chairman
8 of AES Corporation, asking him to withdraw the AES plan to
9 construct and operate the LNG import terminal at Sparrows
10 Point in light of the overwhelming opposition of the people
11 and elected officials in Maryland. Mr. Darman ignored this
12 request. Instead, he's hired a bevy of high-priced
13 lobbyists. We predict their efforts will fail because the
14 state of Maryland is not for sale, and the Chesapeake Bay
15 and the treasure of the state of Maryland is not for sale.

16 What is precious to us is the health, safety and
17 quality of life of our people. It must not be subordinated
18 to the profits of the AES Corporation, a multinational
19 enterprise with revenues over \$12 billion a year. There are
20 better alternatives, and we will discuss them.

21 The environmental concerns have been more than
22 amply covered already, and there's no point in going over
23 the dredging issue except to say that the dredging would
24 dramatically harm the benthic community and aquatic life of
25 the Chesapeake Bay. This is well documented. Dredging this

1 witch's brew, this toxic sediment, would result in
2 catastrophic harm to the benthic community and the infusion
3 of deadly toxins, creating a toxic health impact on living
4 organisms in and connected to the Chesapeake Bay.

5 There's a reason for this. There would be a high
6 degree of lateral mixing. The technology has not yet been
7 invented that will preclude lateral mixing when we do this
8 kind of dredging. You can talk to EDF and RDC, and many
9 environmental groups. They will confirm this is the case.

10 In addition, as has been pointed out, this dredge
11 material has to be relocated somewhere. It has to go
12 somewhere. Our earlier assurances that sites in Maryland
13 would not be made available is very good to hear.

14 I can just tell you an experience I had in an
15 analogous situation, where I am counsel for the government
16 of the Dominican Republic, which has had to deal with AES'
17 dumping of waste on their beaches, and I was just there
18 interviewing sick people who had been injured by that
19 dumping.

20 The principle defense AES used was that a third
21 party did it and a contractor, a so-called independent
22 contractor. Well, what if the dredging happens here with a
23 so-called independent contractor and an accident happens?
24 Will AES use the same defense? "It's not us; look at the
25 other guy." They have over 700 affiliates they use to shield

1 themselves from legal liability around the world. They
2 buffer themselves very cleverly legally, so this is
3 something you need to consider; who's the applicant? Are
4 they a socially responsible company? This is very important
5 because if you give them a permit to do something, you have
6 to make sure they're going to do it and do it honestly.

7 To put on my legal hat for a minute, I will say
8 that despite the passage of the Energy Act of 2005, states
9 still have the ability to effectively veto an LNG facility
10 by denying permits associated with the Clean Water Act, the
11 Coastal Zone Management Act, and the Clean Air Act.

12 We urge the state of Maryland, and we are pleased
13 to hear that they intend to deny these permits, and we will
14 file appropriate documentation before these agencies, each
15 agency, to ensure that this LNG import terminal is not
16 approved in any way, shape or form by the state of Maryland.

17 (Applause.)

18 MR. FISHER: This is my job as counsel, and I
19 make this statement as a promise to the people of Maryland.
20 We wish to point out that FERC has already stated that its
21 authority was only clarified by the Energy Act of 2005. The
22 agency has asserted that "states still have the ability to
23 effectively veto an LNG facility by denying permits
24 associated with the Clean Water Act, the Coastal Zone
25 Management Act, and the Clean Air Act." Accordingly, we

1 urge the state of Maryland to deny these permits even if
2 FERC decides to grant a permit to AES Corporation.

3 The second issue of homeland security has been
4 covered in great detail and I won't rehash that, except to
5 emphasize that the core of the safety problem is the siting
6 of the proposed terminal. It is simply too close to densely
7 populated areas, including Turner Station, which at
8 1.2 miles from the site would be virtual Ground Zero in the
9 event of an accident or a terrorist attack.

10 According to the Congressional Research Service
11 in its report to Congress of May 27th, "Remote siting is the
12 primary factor in safety. The public can best be protected
13 by placing these facilities away from densely populated
14 areas." The Random House Dictionary of "remote" is pretty
15 interesting. If you look it up, it says, "far apart". In
16 no way can the proposed terminal be considered far away from
17 densely populated urban areas.

18 The third issue is the economy of the state of
19 Maryland. You've heard in ample detail the injury that
20 would be caused to the fishing industry, the recreational
21 boating industry, and the problems with increased
22 surveillance required in the harbor.

23 This would put pressure on the state of Maryland
24 and the port to do this surveillance and would put a real
25 strain on the port's operations and possibly disrupt the

1 flow of commerce. This would jeopardize the 42,000 jobs
2 associated with the port itself.

3 Balanced against this economic devastation, we
4 have the claim by AES this new entity will create 50 jobs.
5 Wow. While this may sound attractive in the short run and
6 the long run, as you've heard, there would be many more jobs
7 lost as many businesses would want to relocate to avoid the
8 security concerns posed by the AES facility.

9 Let's talk about alternatives because in the
10 reports I read, FERC's actions, they look at alternatives,
11 and the alternatives here are many and better. The
12 alternative vision it seems to me is to recognize that just
13 as America has moved from an agrarian economy to an
14 industrial economy, and beyond that to a service economy,
15 and to an information technology economy, so Baltimore has
16 followed and must follow that same route.

17 If you look at what has happened with Sparrows
18 Point, we look on from a situation where the site used
19 50,000 workers to produce steel to today, 2,000 workers.
20 The trend for that is obvious, and there's a reason. There
21 is no way this industry can compete with China, whose
22 workers earn \$1 a day, whose currency is undervalued by
23 40 percent, and we need to pursue where we have a
24 comparative advantage, which is information technology and
25 the intelligence of our people. So we have to look at

1 alternatives for the site.

2 The dream I have for the site is completely
3 different from the vision AES has for the site. The vision
4 I have is a sports and entertainment complex with hotels and
5 marinas to take advantage of the waterfront of the
6 Chesapeake Bay.

7 (Applause.)

8 MR. FISHER: The area I would use as a model
9 would be like the Meadowlands of New Jersey. And we have in
10 fact been contacted by real estate developers interested in
11 pursuing that vision to give the community what it wants: a
12 good partner or good neighbor that can provide services and
13 use. We owe at least that much to our children so they can
14 have air that is not contaminated to breathe, and don't have
15 to eat contaminated food or play fearfully in the shadow of
16 a terrorist attack. One hundreds year, as Sharon said, of
17 getting dumped on is enough.

18 So I say stop the madness so we can pursue
19 alternatives that make much more sense for the people of
20 America and the people of Maryland. Thank you.

21 (Applause.)

22 MS. WACHHOLDER: We're going to let our next
23 speaker cut in line because he has a very busy schedule.
24 We'd like to welcome Governor Ehrlich.

25 Who wants to go before the governor?

1 (Laughter.)

2 MS. WACHHOLDER: Michael Vivirito, do you want to
3 go before the governor?

4 MR. VIVIRITO: Good evening, commissioners.
5 Thank you very much for allowing me to represent our
6 community. I'm president of the Bowleys Quarters
7 Improvement Association. If you're not familiar with that
8 area, it's Bowleys Quarters Peninsula and Carroll Island
9 Peninsula.

10 We have a beautiful, beautiful Chesapeake Bay to
11 be proud of as well as the rivers off the Chesapeake Bay.
12 Many of our people saw that movie describing what would
13 happen if there was an accident, and I'll tell you, it was
14 very, very scary.

15 In addition to it, as a lot of the leaders up
16 here mentioned earlier on, we are waterfront, recreational
17 boater, swimmer, fishermen, crabbers. We have charter
18 boats, and we're just in the process, after Isabel, of
19 cleaning up and trying to restore our property that now is
20 worth a lot of money on the water. And what we want to do
21 is keep it that way; keep it for the recreational boaters.

22 We're trying to make sure that our property
23 values are going to stay there. And my own position -- just
24 to let you know from my personal standpoint -- many, many
25 years I thought about, wouldn't I love to live on that

1 waterfront. I spent 16 years in the Navy counting my
2 reserve time. I love the water. My wife and I both do, and
3 looking at it from our perspective, we saved and saved and
4 saved to try to obtain a nice little place on the water.

5 Now we're confronted with not only this LNG
6 project but the Crane Power Plant recently talked about
7 bringing in coal from overseas. They are getting a permit
8 to dredge. We had a meeting with one of the officials from
9 I think the state, and we talked about the dredging might
10 bring up unexploded ordinance, not to mention toxics, and so
11 forth.

12 And as the lady said here a while ago, a hundred
13 years is enough. When are they going to stop? We're
14 boaters. And from my personal standpoint, as I said a while
15 ago, we travel by boat pretty much to every little nook and
16 cranny of this bay, all the way down the Intercostal, all
17 the way to Florida. We'd like to go over to the Eastern
18 Shore. We'd like to go over to Rocky Point. We'd like to
19 go anyplace we want to go on the Bay.

20 From what I heard about this ship coming up
21 today, you can't be within two miles of the stern of that
22 ship or a mile on the bow, and a half a mile on either side
23 of that ship. And I don't know how many ships are going to
24 be coming in, how often they're going to be coming in, and
25 how long it's going to take them to come up, not to mention

1 what everybody here said tonight in regard to an explosion.
2 I understand. I looked up some of the safety records, and
3 it's not really one to be proud of. I understand when a
4 fire starts, you can't put it out. It's going to have to
5 just burn itself out.

6 As I said, we enjoy water activities. We have
7 Edgewood Arsenal. We have Aberdeen proving grounds. There
8 are explosions that go off because they're trying to get rid
9 of mustard gas and whatever other chemicals they're trying
10 to get rid of. We're being inundated from the north and now
11 coming up from the south.

12 What is their pleasure going to be? Why save all
13 these years after retirement now to enjoy the water to now
14 have something like this coming up? I just hope you all can
15 put yourself in my shoes. My few days that I've got left to
16 retire, I want to enjoy this water. Thank you very much.

17 (Applause.)

18 MR. DONNELLY: Russell Donnelly. In 1893,
19 Bethlehem Steel at Sparrows Point began mass production,
20 which spans over 100 years. During this period, billions of
21 tons of toxic pollution were released into the air, soil,
22 water, and ground water, creating a toxic parfait. This
23 pollutant process progressed unchecked until approximately
24 1980.

25 During the decade from 1980 through 1990,

1 environmental programs were designed and implemented to
2 address, control and subdue this highly toxic situation. A
3 multi-governmental task force studied the Baltimore Harbor,
4 Patapsco River Basin. A plan was developed to intensely
5 dredge out as much toxic sediment as was humanly possible
6 and feasible at one time, after which only periodical
7 maintenance dredging was to occur in the main channels.

8 Two sites in the Baltimore Harbor/Patapsco River
9 Basin were designated EPA as Superfund sites. The first was
10 Allied Chemical at Baltimore Harbor. The site was not
11 dredged due a entirely toxic nature. Instead, an 8-foot
12 thick concrete burma oil was installed in the water around
13 the area. Next, a 6-foot thick concrete cap was poured over
14 the top of the site. Today, 20 years later, condominiums
15 and hotels are being built at this site. The toxins still
16 remain, too high priority and too hot to remove.

17 The second type was Sparrows Point Shipyard.
18 This site was the most toxic of the entire Baltimore
19 Harbor/Patapsco River Basin, containing 172 toxic, pollutant
20 constituents. The site was transferred from Superfund to
21 RCRA, due to the fact that 25,000 workers were still
22 employed at Sparrows Point Shipyard. The task force could
23 have closed the company. Instead, the decision was made to
24 dredge 400,000 cubic yards.

25 In 1988, the EPA imposed the dredge cap in that

1 no further intensive dredging at Sparrows Point should be on
2 site. No intensive dredging has occurred at this site since
3 then. Also, no analysis testing has occurred at this exact
4 site either. The last chemical and physical core sediment
5 analysis was performed at the Sparrows Point Shipyard by EA
6 Engineering Science and Technology in 1985. The results
7 designated the Sparrows Point site highly toxic, high
8 priority, and extremely hot to a 5-foot depth level in the
9 sediments.

10 Translated in today's science language, there
11 exists at this site an overall 30 percent concentration of
12 NAPL at a 5-foot sediment depth of listed high-priority
13 toxins. Any plan allowing for a dredge project at the
14 Sparrows Point site will be a blueprint for disaster for the
15 Chesapeake Bay region. The Chesapeake Bay is already
16 severely impaired. Another impact of this magnitude would
17 most likely be irreversible. The release of toxins from the
18 sediment from the water will regenerate the pathway of a
19 decline, and ultimately the demise of the entire benthic
20 community life and aquatic community life that also impacts
21 human life.

22 The physical environment impact is one more
23 aspect to be considered. The Chesapeake Bay contains a
24 growing number of dead zones. This dredging project would
25 remove more sediment from one finite area that was

1 originally removed from the entire Baltimore Harbor,
2 Patapsco River Basin Project. This would cause a highly
3 noticeable change in the geophysical nature of the
4 surrounding area. Also, this dredging project would create
5 the largest single dead zone in the entire Chesapeake Bay.

6 Another serious concern in this matter is the
7 disposal for approximately 4 million cubic yards of toxic
8 waste dredging material. Several alternatives have been
9 suggested, yet no one clear plan has been offered. This is
10 an unacceptable means by which to obtain a site permit.

11 AES suggestions are as follows from meetings:
12 barge transport the toxic waste sediment to the Atlantic
13 Ocean, to dump it in ocean water; that's one; 2) incinerate
14 the toxic waste sediment and incorporate the residual ash
15 into a cement mixture as a saleable by product; 3) simply
16 incorporate the toxic waste sediment as is into an aggregate
17 and Portland cement composite to be sold for light
18 industrial, commercial and residential applications; 4)
19 off-site transport of the toxic waste sediment by truck
20 and/or train to disposal designations, mines, landfills,
21 et cetera; 5) land-use applications.

22 There's a critical concern for suggestion
23 number 3, incorporation of the toxic waste sediment listed
24 above. If this method of disposal were adopted and allowed,
25 a chronic human health pandemic would occur over time. In a

1 widespread area where this product was used, the toxic
2 pollutants would leach out of the cement. The manifestation
3 of occurrences would not be readily traceable to any
4 specific source.

5 In closing, let it be known that the LNG
6 Opposition Team adamantly opposes the AES' Sparrows Point
7 LNG LLC proposal. The dangers of these facilities are
8 well-documented and easily referenced. More important are
9 the environmental impact concerns of the AES dredge proposal
10 for the Sparrows Point. If permitted, this project would be
11 the cause of a irreparable acute and chronic damage to
12 Maryland's aquatic life and human health and environment.
13 The outcome of this project would set back 30 years of
14 Maryland's effort to restore the Chesapeake Bay. Thank you.

15 (Applause.)

16 MR. YUILL: We'd like to hear from the governor
17 now.

18 (Applause.)

19 GOVERNOR EHRLICH: Welcome to Eastern Baltimore
20 County. You've heard a lot of science tonight, and you've
21 heard a lot from, hopefully, our secretaries in the
22 Department of Natural Resources and the Environment. We
23 have a lot of senior folks in our state agencies. My
24 purpose is not to repeat for you what has been stated in the
25 various correspondence from my office over the past several

1 months.

2 You've heard the science. You've heard the
3 facts. You've heard the potential environmental hazard.
4 You've heard the inappropriate venue, in my view, the
5 strongest argument we could make. You've heard about
6 potential economic impact with respect to an incident.
7 You've heard about the permitting process.

8 As I said, a lot of paperwork, a lot of facts.
9 We think the facts stand for themselves. I am here tonight
10 for a really more fundamental reason. There's nothing more
11 fundamental than fact, but I come here as governor but also
12 someone who's represented this area for a long time,
13 including four terms in the Congress of the United State.
14 And I wanted to just take a minute or two to present some
15 context to you as to why so many people showed up tonight,
16 so many people are emotional about this issue, and so many
17 people are involved.

18 All of you know, I hope, this is a very unique
19 area. This area grew up around industrial-era America.
20 Dundalk became even a romanticized town because it was
21 classic, industrial-era America. It grew up around a
22 shipyard. It grew up around a steel facility. It grew up
23 as a community holding promise to a lot of folks who did not
24 have a lot of money, the second, third, fourth generation
25 immigrants. And that's just a fact of it, and it had a

1 glory day. And it had thriving neighborhoods, and people
2 were making good money here.

3 And then in the '70s, '80s and '90s, as you know,
4 post-industrial America and the post-industrial world was
5 born. And I was involved in a number of the trade fights
6 with respect to steel and other goods, fair trade practices,
7 and unfair trade practices, and various appearances before
8 committees of the United States of America as a member of
9 the Congress.

10 During this era, there were related events in
11 these communities -- when I say engineers, Dundalk, Middle
12 River, a lot of these really terrific communities on the
13 east side of Baltimore County. Concomitant with the loss of
14 the industrial base obviously came other social and economic
15 ills.

16 Despite the fact a lot of terrific people
17 remained in these communities, the Point became less
18 vibrant, less economically viable. The shipyard began to
19 have problems. Jobs disappeared. When jobs disappear,
20 people disappear. Young people disappear. Quite frankly,
21 hope disappears as well.

22 I have been involved -- as a member of the
23 legislature, a member of the United States Congress, and now
24 the governor -- in various causes that have been incredibly
25 emotional on the east side of Baltimore County. I just

1 painted some back drop for you, but in addition, there have
2 been other issues that have been incredibly emotional
3 because they've attacked the central essence of this
4 community, which is neighborhood and work ethic, from
5 property tax revolts to housing issues, to whatever is toxic
6 that happens to end up to Eastern Baltimore County it seems,
7 over the years.

8 So in addition to what's occurred in the
9 employment situation -- not just with respect to this
10 community but in similar communities around the country,
11 other social ills have followed. Yet the communities are
12 resilient. The people are still here and the young people
13 are coming back, which is precisely why I wanted to come by
14 tonight.

15 Five years ago, as a member of the United States
16 Congress I could not have made these representations to you,
17 let alone 15 years ago. But today I cannot just promise
18 you, not just use words to describe what's happening, but I
19 can back the words up with deeds concerning the
20 revitalization of Dundalk and its neighborhoods.

21 Turner Station, what you just heard is pride.
22 All right, calm down everybody.

23 (Laughter.)

24 GOVERNOR EHRLICH: You see this pride. I was
25 raised in this exact type neighborhood, the same thing, just

1 on the west side, not the east side. So these are folks who
2 did not go away. They made a stand through all the
3 problems. And now in this new millennium with a
4 post-industrial America and post-industrial jobs beginning
5 to show up in these communities, and commitments from the
6 state of Maryland, and from Baltimore County, and the
7 federal government, and dollars, and small businesses, and
8 young people, and even tourism -- which would have been
9 unthought of five years ago -- we're beginning to turn it
10 around.

11 We've taken a lot of hits from the world it
12 seems, and now, because folks in this room and tens of
13 thousands of others did not leave, they made a stand, these
14 neighborhoods are coming back stronger than ever. With
15 gentrification, whatever it happens to be, housing's been a
16 huge issue here. We're getting some of the rental housing
17 that's been part of the problem over the years.

18 So the bottom line is this; these folks are
19 restoring stability to historic neighborhoods and historic
20 communities. They've stayed when others have left. They've
21 done the right thing. They get involved. They belong to
22 social organizations. They belong to unions. They give you
23 their opinion of you in the morning of every Fourth of July
24 whether you like it or not --

25 (Laughter.)

1 GOVERNOR EHRLICH: -- because that is what these
2 communities are about. What you see is what you get, and
3 what you get today is far different than the recent past.
4 What you get today is hope, and opportunity, and new jobs,
5 and dollars, and commitment, and young people, and
6 everything that goes along with it.

7 I respectfully request consideration of our
8 administration's view to oppose this facility. Thank you
9 very much.

10 (Applause.)

11 MS. WACHHOLDER: Thank you, Governor.

12 Next we have Tracey Boylston.

13 MS. BOYLSTON: I can't believe I have to follow
14 the governor.

15 I'm here today as a concerned citizen. I don't
16 have the resources to stand here and give you environmental
17 statistics, but I can speak for my neighbors. I live in
18 Dundalk. More specifically, Carnegie Flats, next to Turner
19 Station, and Edgewater's Edge. We are the bordering
20 communities right outside your 1-mile radius of the LNG
21 terminal.

22 I have before me a document that was submitted to
23 you of 30 pages or so, filed on behalf of AES where they go
24 over a summary of alternative sites. What's interesting to
25 me is that it's based on their own criteria, which I find

1 very helpful. The criteria listed 1 through 6.

2 The first one, geographic location, which makes
3 the most financial sense. The second one, geographical
4 location for their ships, which makes the most financial
5 sense.

6 What do you think is the last criterion? I will
7 read it for you word for word; "Ability to avoid or minimize
8 potential impacts to the environment, cultural resources,
9 and stakeholders associated with the proposed project."

10 We're sixth on the list of six. We should be
11 number one on the list of six. Money shouldn't be First.
12 There is absolutely no benefit to this deal for our
13 community. The risks clearly outweigh the minuscule
14 benefits that the LNG terminal supposedly brings to Dundalk.

15 The water quality of both the Patapsco River and
16 Bear Creek our finally getting better. It has been a haven
17 for industry to dump, as you've heard. They've hidden,
18 they've buried, they've dumped. Their crap chemical by
19 products have been in Bear Creek and Patapsco for over
20 75 years. There have been fines imposed. And more
21 specifically, finally, to Bethlehem, just in time for them
22 to claim bankruptcy.

23 (Laughter.)

24 MR. BOYLSTON: Dredging the terminal would only
25 bring out the carcinogens and toxins that have festered

1 under the salt and sludge in the Patapsco and Bear Creek
2 areas.

3 Dundalk has always been known as the most
4 patriotic town in the country, but in the last 20 to
5 25 years, we've also become known as the highest cancer rate
6 per capita in Maryland. You can ask anyone here, how many
7 of your family members have died of cancer? How many of
8 your neighbors have died of cancer? How many of your
9 neighbors are going through cancer treatment right now?

10 It's not because we bought more cigarettes than
11 anyone else. It's because they've been dumping on us for
12 too long. It's time to take a stand. This community
13 doesn't want to be the dumping ground anymore. Thank you.

14 (Applause.)

15 MS. ROSSO: Good evening. I want to thank all
16 the politicians that were here tonight. Excuse me; our
17 elected officials. I never did like that word,
18 "politician".

19 I'm here from the Anne Arundel County Council on
20 the Environment. I have a written statement to give you. I
21 was just going to sort of -- there were two things that
22 weren't mentioned. I want to thank the governor and all the
23 other elected officials who have come before you as well,
24 and the county executive and his department. I think this
25 really pays tribute to how sincere the government is about

1 preventing this in the state of Maryland, so I hope FERC
2 takes them seriously. I hope it makes a big difference.

3 One of the things that wasn't mentioned that I'm
4 concerned about. Actually, we mentioned environmental
5 justice but we didn't mention the asbestos, the things that
6 are on site when they start digging up what's going to be
7 happening, what already currently exists in the buildings
8 and the structure the AES proposes to demolish .

9 The contaminants are there, aside from asbestos.
10 The AES proposed to erect foundations for the tanks. And it
11 goes on about the demolition, and all the things that are
12 going to be concerned about that. It's a brownfield site,
13 whatever. There is contamination existing there. When that
14 disturbance comes, whether it's water or in land, those
15 people are going to be impacted by it.

16 I am from Anne Arundel County. I did live right
17 on the water, but right now I'm in the Glen Burnie area.
18 Our group is really concerned about what's happening with
19 this LNG proposal, the environmental justice, which is one
20 of my big issues when I was in office, for a brief episode,
21 but it was successful. I had an environmental justice
22 concern then.

23 We have an environmental justice commission. I
24 think this would actually violate the terms of the
25 environmental justice, especially as it concerns Turner

1 Station. In the '80s, I was there when Hawkins Point
2 community was the first African American community ever in
3 the state of Maryland to homestead their own homes. They
4 were actually moved out because of the contamination and
5 hazardous waste landfills and MES sites that were all
6 proposed right adjacent to them.

7 This is an environmental justice issue not just
8 for Turner Station but for communities of impact. I really
9 sincerely hope that you will check what the FERC regulations
10 are if you have that implemented within the environmental
11 justice issue. I know that EPA has something in there. I
12 don't know if it's a FERC regulation, but that's a real
13 important procedure that needs to be looked at when you make
14 this decision. Thank you.

15 (Applause.)

16 MR. WOJEK: Thank you, ladies and gentlemen, and
17 the Commission for allowing me to come forward and have a
18 few words this evening. My name is Harry Wojek, president
19 of North Point Municipal Community Coordinating Council.

20 I don't know how to follow all the eloquent
21 comments that were already made by the previous speakers,
22 but I just wanted to focus on a couple of things that might
23 go unnoticed at your review of the EIS. No actual test has
24 ever been made on an LNG tanker of the size that would
25 traverse the Bay and come up here into our neighborhood. No

1 test has ever been made to try to evaluate what the
2 potential disaster that could occur from such a leak on
3 explosion were. But if this cloud ever found its way into
4 the wrong places -- and we've already mentioned a wrong
5 place that it could migrate to a place like Turner Station
6 or even down into Edgemere or Middletown where I live.

7 But I'd like to call your attention to the fact
8 that we have 2,400 people still working right next-door to
9 this potential site, that's the Middle Steel Company, not to
10 mention the ethanol plant that's under consideration to be
11 built on the same site, the shipyard site.

12 How about the gasoline storage and distribution
13 facilities if that cloud ever got ignited and traversed that
14 far? How about the Maryland Port Authority. Right now it's
15 considering removal of all of the toxic, chromium
16 contaminated soil that's buried underneath of it. How about
17 the two tunnels that cross the Inner Harbor? If any of this
18 gas ever got sucked into the air ventilating system, that
19 would be separating through the tunnel, a tremendous point
20 of ignition as far as I'm concerned.

21 It's also been mentioned already here this
22 evening about the Chesapeake Bay Bridge would have to be
23 shut down. How about if an LNG tanker wasn't blow up but
24 just sunk right underneath the Key Bridge? What impact
25 would that have on the port? Stopping all traffic from even

1 traversing that area.

2 It's mind-boggling to me to think about any kind
3 of a liquid natural gas tanker coming up the Bay and trying
4 to make its way on the weekend when there's hundreds and
5 maybe thousands of boaters coming in and out underneath the
6 bridge. It would be a real potential for disaster.

7 Finally, I would mention the soon-to-begin
8 construction of a veterans facility down on Fort Howard.
9 Thirteen hundred apartments are planned to be built there.
10 This facility is in very close proximity to the LNG
11 terminal; not a very distinguished way to handle our
12 veterans.

13 Finally, I just want to say, Murphy's Law. If
14 anything can go wrong, it will. And if it does, all of
15 these things will be affected.

16 (Applause.)

17 MS. NELSON: Good evening. I'm Gloria Mason,
18 representing the Turner Station community.

19 Governor, thank you very much and all of the
20 officials and elected officers on the state level we
21 appreciate very much. I'm also a member of the Harbor
22 Opposition Team, and I want to build the record to concur
23 with previous speakers, such as the county executive, Jim
24 Smith, David Carroll and others, who have stated about the
25 dredged landfill material, and the hard work we've done over

1 the years in our plan proposed for dredge management as well
2 as the studies.

3 For the sake of time, myself, along with Alice
4 Mason, yield our time to Dunbar Brooks. Thank you.

5 (Applause.)

6 MR. YUILL: Dunbar Brooks?

7 MR. BROOKS: First, thank you to the Commission
8 for hearing our comments tonight. My name is Dunbar Brooks,
9 a Turner Station resident. I'm chair person, president of
10 Turner Station Corporation, which also includes our Turner
11 Station community. I brought visuals.

12 The first thing I want to communicate to you,
13 because we have a number of Turner Station residents here
14 tonight, is that the entire Turner Station community
15 unequivocally opposes the placement of this AES Corporation
16 facility at Sparrows Point. We adamantly oppose it.

17 Turner Station is the closest residential
18 community to the proposed LNG facility and its associated
19 tanker traffic. We are the community that would be most
20 impacted by catastrophic events associated with the public.

21 First, under the public health and safety
22 threats, the analysis we conducted, a multiple LNG modeling
23 study, especially from the Sandia National Laboratory,
24 indicates that AES assessments of LNG pool fire's vapor
25 cloud dispersion, thermal radiation, and their combined

1 effect underestimate the density and severity of these
2 incidents to residential populations. A substantial portion
3 of the population of Turner Station are within the
4 calculated distance for burns from both accidental and
5 incidental spills.

6 FERC-sponsored research stipulates that current
7 models, especially the CFT, computational fluid dynamics,
8 model, really underestimate the impact on the calculated
9 distance.

10 Second, you've already heard tonight that
11 permission by FERC for this project would simply exacerbate
12 and continue the federal government's non-compliance and
13 callous disregard of President William Jefferson Clinton's
14 Executive Order 12898 of February 11, 1994, that makes
15 achieving environmental justice, especially in the siting of
16 hazardous facilities, part of the mission of every single
17 federal agency that is participating in this EIS process.

18 (Applause.)

19 MR. BROOKS: Given the possible impact of this
20 site to Turner Station residents, catastrophic events
21 associated with this site would not only increase the
22 incidence of disease already there, and excess mortality
23 associated with the past federal and state government
24 inaction. Dredging concerns have already been dealt with.
25 We will simply say that when you begin to raise these toxic

1 compounds -- or parfait, as it was mentioned -- you bring
2 them to the surface and put them aboard barges, and you then
3 expose them to the air, which could, in effect, make these
4 materials air borne. They become air borne in the Brewerton
5 channel, adjacent to the Turner Station community. You will
6 see why that's an important point that I will raise in a
7 minute.

8 Quality of life issues. Permission by FERC to
9 site this LNG facility 1.3 miles from Turner Station will
10 create a real estate market price decline that collapses the
11 community development strategies identified at the Turner
12 Station Community Conservation Plan, adopted by the
13 Baltimore County Council in December 2003.

14 In a community that has lost half of its
15 population in the last 30 years, such a site sitting
16 offshore from its homes would not raise property values as
17 AES asserts. It would rather hasten the exodus from the
18 community, and thereby suppress property values. In real
19 estate, pricing perception is reality. As such, falling
20 property values will squander Baltimore County government's
21 investment of over \$130 million in the Dundalk community
22 over the past 12 years.

23 Waterways suitability assessment. The residents
24 of Turner Station concur with the assessment by Congressman
25 C. A. "Dutch" Ruppertsberger that placing another LNG

1 facility in the area of the Bay Bridge and the Port of
2 Baltimore would stretch the U.S. Coast Guard's surveillance
3 and prescribed monitoring ability to the limit, and thereby
4 reduce the overall security level of the entire Bay area.

5 Congressman Cardin also expressed similar
6 concerns about this to the Coast Guard and U.S. Corps of
7 Engineers in his March 24, 2006 letter to the FERC chairman.
8 Reduced Coast Guard capacity only invites, or at minimum
9 heightens the vulnerability, of both the LNG facility and
10 the LNG tankers to attack, or incidents which endanger our
11 communities.

12 Local and state first responder capacity.
13 Neither AES nor FERC has estimated the resources needed by
14 state and local first responders to address catastrophic
15 incidents associated with this site, based on accidental or
16 intentional breaches of the LNG facility. Immediate
17 responses will be the province of state and local fire
18 police HAZMAT officials.

19 In addition to healthcare workers and disaster
20 relief organizations, first, to site this facility creates a
21 huge, unfunded mandate on local governments already trying
22 to protect the Port of Baltimore, our waterways, our
23 airports, and other key installations.

24 Now, about AES and their credibility issue with
25 Turner Station.

1 Residents of Turner Station view the interest of
2 AES as hostile to the continued existence of our community.
3 Statements and correspondence sent clandestinely by AES led
4 Turner Station residents to doubt the veracity of almost any
5 communication with AES officials. The denigration of the
6 Turner Station community by AES officials has led to
7 widespread distrust of the company and its intentions.

8 At an AES information meeting held in Turner
9 Station at the Union Baptist Church in early 2006, AES
10 official, Aaron Sampson, questioned the assembled audience
11 of 200 Turner Station residents about their opposition to
12 the facility by stating, "Why are you all upset or against
13 this? There aren't that many of you." This is an insult to
14 our community, that AES devalues our health and safety and
15 our very lives.

16 The inference that was taken from that meeting by
17 people in our community was that AES operates in many Third
18 World countries of color that currently offer little or no
19 opposition to AES interests. It appears that Turner
20 Station, a community of color in the USA, is to be treated
21 like Third World citizens.

22 Residents of Turner Station came into the
23 possession of a letter, dated March 27, 2006, sent by AES to
24 members of the Maryland State Finance Committee, in which
25 they sought support for the project at Sparrows Point. Also

1 embedded in the letter was what we perceive as disparaging
2 remarks about Turner Station residents and suggestions that
3 money could be made available for unspecified projects in
4 Turner Station. Since no such monetary offer were ever made
5 to groups in Turner Station that we are aware of, we are
6 forced to infer that some sort of implied payoff had been
7 promised to undisclosed people.

8 This is the height of insult to our community.
9 The Turner Station community cannot help but view these
10 actions as anything but a crude attempt to either bribe or
11 divide our community.

12 (Applause.)

13 MR. BROOKS: We will make a suitable comment on a
14 variety of issues. I won't go into that. But there is one
15 important thing you need to understand about this community,
16 and you've heard it already alluded to tonight.

17 First, we in Turner Station can only demand that
18 FERC deny this AES LNG facility application. But we further
19 demand that the appropriate federal agencies begin to
20 research the cumulative health and excessive mortality
21 effects of the industrial activity that has plagued this
22 community for more than half a century.

23 Do you understand what I mean? This is a clear
24 environmental justice issue.

25 (Applause.)

1 MR. BROOKS: Turner Station is a poster child for
2 communities devastated by environmental racism. The health
3 effects associated with the inordinate number of industrial
4 sites was not a result of deliberate government action, but
5 rather the result of federal actions and indifference to
6 poor and minority communities.

7 Turner Station as a community was founded on the
8 environmental racism prevalent in the 19th and 20th
9 centuries. The community was created to provide housing for
10 African American citizens migrating from the south to work
11 at Bethlehem Steel's Sparrows Point plant. And the number
12 of new black employees and their families grew in the 20th
13 century, and you needed to define an area where blacks could
14 live.

15 Since residential housing segregation was rampant
16 and pervasive, no blacks could live in Dundalk or Essex.
17 The area ultimately mapped out for Negroes by developers at
18 that time was the inhospitable plot of land on the Dundalk
19 peninsula that was directly upwind from the Bethlehem Steel
20 Sparrows Point plant where no whites wanted to live. This
21 upwind location merely guaranteed that the air pollution in
22 the early 20th century steel plants -- with little or no
23 abatement equipment, along with the cumulative pollution
24 generated by the surrounding airport, coal-burning BG&E
25 riverside power plants, General Motors, Western Electric and

1 other industrial facilities -- would blanket this community.
2 I won't go into the demographics of it, but I will tell you
3 that Turner Station will be considered a majority African
4 American, low-income neighborhood in the definition of
5 environmental justice.

6 In addition to the economic stress associated
7 with the community, Turner Station is surrounded by
8 industry. Through the years, Turner Station has had tons of
9 suspended particulates dumped on it from a variety of
10 sources. The Baltimore region itself is a severe,
11 air-quality non-attainment area under EPA guidelines for air
12 quality conformity for volatile organic compounds and
13 nitrous oxide. The community is surrounded by polluting
14 industry on the west. It is bordered by Dundalk Marine
15 Terminal.

16 The state of Maryland has entered into three
17 different consent decrees to assess the impact of
18 chromium-filled DMT on which it is built since 1984, but
19 there has been remediation, no on-site or off-site testing
20 to measure surface contamination, and no testing of Dundalk
21 marine terminal workers, many who are Turner Station
22 residents.

23 As a result of this careless indifference on the
24 part of EPA and the state of Maryland to human health
25 conditions for workers or communities, toxic chromium has

1 now been found in the soil in Turner Station. In fact, the
2 very community dedicated last year by Baltimore County
3 executives and Baltimore County councils in our state
4 legislature has tested positive for chromium. This means
5 our residents are consuming a known carcinogen.

6 The clergy in our churches are now imploring our
7 congregations not to eat from gardens in Turner Station for
8 health reasons. It is clear that the contamination has not
9 occurred because of the run off from the marine terminal.
10 It strongly indicates the contaminant is air borne. Federal
11 and state government indifference and inaction may well be
12 poisoning or even killing our residents.

13 Just south of the Dundalk Marine Terminal is the
14 Riverside Power Plant. Remember, this is Turner Station.
15 There is DMT. There's Riverside Power Plant, and below it
16 is what used to be a synthetic natural gas facility. And
17 there's been a succession of about four different industrial
18 sites there. We don't even know what the composition is
19 anymore.

20 We talked to Merchants Terminal Corporation who
21 wanted to move there, and they were quite reticent about
22 moving into that area until they did soil samples. They
23 believed it might be a brownfields site.

24 (Applause.)

25 MR. BROOKS: Now, these two areas down here on

1 the other side of the Key Bridge contain to BGE power
2 plants. We don't have conclusive information on that. We
3 only have what we read from the papers. According to a
4 Baltimore Sun article, dated May 28, 2006, these plants have
5 collectively generated 12,739 air pollution violations since
6 January 2003.

7 To the immediate south and east of Turner Station
8 is the steel mill, and it's associated industry. It is
9 important to remind the Commission that the U.S. EPA in its
10 1993 report on environmental equity, it concluded that
11 socio-economic conditions and race are the major factors
12 determining environmental discrimination. The report stated
13 that communities inhabited by poor whites are also as
14 vulnerable to toxic threats.

15 Turner Station also falls under the guidelines
16 established by the U.S. Department of Housing and Urban
17 Development on the placement of hazardous facilities and
18 acceptable separation for residents. According to their
19 guidelines in Title 24, Code of Federal Regulations, CFR,
20 Subtitle A, Subpart C, Appendices 1 and 2, measures that
21 should be implemented, are the U.S. guidelines that would
22 create an acceptable separation distance for fires
23 associated with LNG spills and pool fires would lead to AFC
24 distances of 2.37 to 2.56 miles from the fire for air fuel
25 explosions. That would move the radiation beyond Turner

1 Station into Greater Dundalk. That would move it here. It
2 does not appear from our review -- and remember, Dundalk has
3 the largest portion of HUD-assisted housing in Baltimore
4 County -- it does not appear that that has been taken into
5 consideration.

6 It's clear that Turner Station is located in an
7 industrial area. It's clear that we're in close proximity.
8 We have only anecdotal evidence for a multitude of funerals
9 and early deaths, mounting asthma, and other respiratory
10 ailments among young and old, and the prevalence of chronic
11 illnesses that something is wrong. It appears that the
12 federal agencies are charged with guarding our community's
13 health and safety weren't the least bit interested. We want
14 you to deny this application and for EPA to investigate the
15 cumulative health effects.

16 Finally, let me get to our review of some of the
17 literature. After reviewing Sandia National Laboratory's
18 results of all four models for various incidents from LNG
19 spills and the resultant impact, we conclude that, one,
20 asphyxiation is a hazard to ship crew, paddleboat crews,
21 emergency response personnel. If these personnel are
22 incapacitated, then there's even greater damage that would
23 ensue following their incapacitation.

24 Cryogenic burns affect the same personnel and it
25 could even cause death or injury. Cryogenic spills would

1 degrade the LNG ship structural integrity, which in turn
2 will create cascading spills that will lead to larger
3 events.

4 A summary of the skin-burn distances in the
5 Sandia National Lab's report of December 2004 has ranges
6 that ranged from a low of 490 meters to 1,900 meters,
7 depending on wind conditions and wave actions. This could
8 create second-degree burns well into Ryan's Homes in Turner
9 Station and Bay Village, which is here.

10 The Fleming Center, which houses the Head Start
11 Program, and our senior center would be placed most at risk
12 since it is right there. A summary of thermal intensity
13 level distances from a low of 554 meters to 2,118 meters,
14 will place thermal radiation on shore in Turner Station at
15 Fleming Center and Ryan's Homes.

16 An assessment of passable vapor dispersion to the
17 lower LFL limit for intentional event could travel from a
18 distance of 2,400 meters to 3,600 meters. At a distance of
19 3,600 meters, with the dispersion of a vapor cloud from the
20 Sandia Report, the entire Turner Station community at
21 Water's Edge would suffer affixation in addition to all the
22 personnel working at the Riverside Power Plant and perhaps
23 even personnel working in the southeastern section of the
24 Dundalk Marine Terminal.

25 If that vapor cloud were to ignite, it would be

1 catastrophic. Turner Station has reviewed these reports and
2 assessed parameters for worst-case scenario. We always
3 chose the worst-case scenario because we can't naively
4 believe that we won't encounter a worst-case scenario. It
5 would be irresponsible and fool-hearted not to plan and
6 expect a worst-case scenario, even based on the models that
7 have severe gaps and limitations and likely underestimate
8 the impact.

9 We have been admonished by AES to trust the
10 science. The science tells us it can't predict the worst
11 case or the likely case. I remind the Commission that most
12 of the engineers were adamant that a major crash or fire at
13 the Twin Towers in New York City would not topple these
14 buildings. On September 11th, the engineers were proved
15 wrong and thousands of people perished. Many engineers
16 believed the science that levees in New Orleans would
17 somehow withstand a Category 5 hurricane. Again, they were
18 proved wrong. And within the past two weeks, our engineers,
19 whose science we trust, have admitted to flawed design and
20 human error in the construction and maintenance of levees.

21 The residents of Turner Station do not wish to
22 become victims of a flawed design and hasty judgment
23 incurring injury and death to make the point that we told
24 you so. The science is not sufficient for siting this
25 facility and the associated activities in such close

1 proximity to Turner Station. AES must find a more remote
2 site. We urge the Commission to deny this application and
3 to protect the interest of some of our nation's most
4 vulnerable citizens. Thank you.

5 (Applause.)

6 MS. WACHHOLDER: Thank you. I'd like to remind
7 people to try and keep their comments a little shorter than
8 that.

9 (Laughter.)

10 MS. WACHHOLDER: I didn't interrupt the governor,
11 so I wasn't going to interrupt you.

12 We have still about 20 people left to speak. We
13 can get this place until around 11. I want to give people a
14 chance to speak still.

15 Next up is Guido.

16 MR. GUARNACCIA: Good evening, Chairman, ladies
17 and gentlemen. As a resident of Dundalk and member of the
18 Position Team of LNG, I am strongly opposing LNG at this
19 Sparrows Point site. LNG may be an excellent fuel source,
20 but brings with it certain environmental concerns. I'm not
21 going to touch on environmental issues due to the fact that
22 everyone already touched on it. But I will remain on the
23 issue of security.

24 I am submitting my concern with this report, a
25 video. This testimony contains confidential and sensitive

1 information that may compromise national security. This
2 information is intended only for the use of the FERC
3 Commission to be shared with other government agencies, such
4 as the Coast Guard, the Department of Transportation and
5 other agencies, even the Homeland Security. In these days
6 after 9/11, it may be considered sensitive and may
7 compromise also homeland security.

8 No one should lose sight of the minimal progress
9 made on port and border security since the attack on the
10 World Trade Center. It is hard to believe that five years
11 since 9/11, we are still only inspecting 5 percent of the
12 containers that are entering our ports and 3 million
13 illegals enter the south border with false documents. For
14 terrorists, travel documents are as important as weapons.
15 Terrorists must travel clandestinely to meet, train, plan,
16 and gain access to attack, causing heavy and costly
17 casualties.

18 Recently, I have received a letter from my
19 congressman, Ruppertsberger, chairman of the Select Committee
20 in the United States Intelligence. It's a two-page letter.
21 I will touch only one segment.

22 He quotes, "When a crisis occurs such as
23 September 11th, new laws are passed to enhance our
24 government's ability to determine who should be allowed to
25 enter the country. It is not in America's best interest to

1 allow immigrants to hide in the shadow and remain
2 undocumented. As the 19 hijacker deportees were on expired
3 visas, we must work toward securing our border to stop
4 illegal immigration.

5 To work toward this goal, I introduced," he said,
6 the congressman, "H.R. 78, which aims to increase the number
7 of Border Patrol agents by 20 percent each fiscal year from
8 2010." He also voted for House Amendment 648, H.R. 4437,
9 the Border Protection Anti-Terrorism and Illegal Immigration
10 Control Act of 2005. I'm glad for my congressman.
11 Evidently, he showed that he has a good backbone.

12 In conclusion, the result of your action is to
13 deny LNG at Sparrows Point. Thank you.

14 (Applause.)

15 MR. McCLELLAN: Lee McClellan. I'm a retired
16 Bethlehem Steel worker, 36 years at the plant. I have a
17 couple of questions and a couple of facts.

18 I still haven't heard whether the Bay Bridge is
19 going to be closed. It's a clearance of 185 feet. These
20 ships are somewhere between 140 plus feet high.

21 Is the bridge going to be closed?

22 The Key Bridge is .85 miles from Number 3 Green
23 Buoy, east of Fort Carroll, .85 miles from the center stand.
24 What's the effect on that bridge?

25 I've got a couple of points. To be a weapon

1 caster within three-eighths of a mile east of the ship is
2 the proposed site. They turn out the steel. They put it in
3 the caster. It's all hot metal. It's 24/7. And the
4 proposed turn around area in the buffer zone to the west of
5 the proposed site only leaves .34 miles to the entrance of
6 Bear Creek from the pier, a 2,000-foot buffer zone, and then
7 a 1,500-yard -- the ships are still turning and you still
8 can't get near them. So that leaves less than a quarter of
9 a mile entrance to Bear Creek marinas and restaurants -- by
10 the Key Bridge toll booth. It's only 8 to 10-foot deep.

11 That's one of the questions I'd like to know.

12 I just think it's too close to the area, and it's
13 only 1.26 miles. That's from the pier at Turner Station.
14 That don't include a 2,000-foot turn around area.

15 If somebody can tell me the Bay Bridge is going
16 to be closed and the Key Bridge is going to be closed,
17 what's the effect going to be on the Key Bridge?

18 (Applause.)

19 MR. YUILL: Don Burton?

20 MR. BURTON: That's right. Don Burton with the
21 Chesapeake Bay Yacht Club Association. We're here
22 representing the recreational boaters. There's over 65,000
23 people in the Chesapeake Bay who boat for recreation. This
24 is an addition to the people, commercial fishermen and so
25 forth, sport fishermen. We're talking about \$2.3 billion a

1 year of the economy. That equates to about 20,000 full-time
2 jobs. And the hub is probably the Patapsco River. You
3 start clogging that up or cutting it off for our ability to
4 get in and out, people aren't going to come to Baltimore
5 anymore. They're going to go to New River. They're going
6 to go to Rock Hall or some other place. So it will have a
7 major, negative effect on the Bay.

8 As boaters, we're very concerned about clean
9 water. That's really our main focus. We also have a seat
10 on the Citizens Advisory Committee, the Dredge Management
11 Program, and on the dredging, that's a big concern of ours.
12 We stay abreast of it.

13 The one thing I haven't heard is -- and I would
14 ask that the permitting people note this -- they talk about
15 dredging 4 to 5 million yards of material. For the turn
16 basis and the channel, that's fine. That leaves a 50-foot
17 hole and about 18 feet of water. How long does that takes
18 to fill in? Probably about a year. They will be dredging
19 that area for as long as the LNG plant is there, so it's not
20 going to be a one-time deal to try to contain it and try to
21 avoid the damage that can be caused by dredging and so
22 forth.

23 This is going to be a repeated thing. And those
24 that are dredging in the channels and the Chesapeake Bay
25 know that it's 3 to 4 million yards a year to keep the boats

1 coming into Baltimore. So if you're dredging 4 million for
2 the channel just for the big boat, the LNG boats are
3 probably going to have another million yards a year of
4 material to get rid of. I haven't heard anybody address
5 that.

6 I've read a lot of the literature that AES has
7 put out and the Coast Guard reports too. It made me feel
8 like they had this thing under control; probably so. It
9 reminds me of something that I read a while back.

10 In Galveston, Texas, for years they were handling
11 ammonium nitrite fertilizer in Galveston Bay. They brought
12 it in in ship loads. The smartest people available, safety
13 engineers and all, said, worst-case scenario, a fire; it
14 would burn. Well, lo and behold, they had a fire, and it
15 started burning, but then it detonated, and it destroyed the
16 city of Galveston, and I don't know how many tens of
17 thousands of people were killed, one of the worst natural
18 disasters we've had. So I don't know if this could ever
19 happen with LNG. But when people say it can't happen, I
20 think back to the time when things did happen and people
21 said it couldn't happen.

22 We as boaters are against the LNG facility there.
23 We think the offshore concept is the way to go. Texas has
24 probably the ideal situation. Thank you.

25 (Applause.)

1 MR. YUILL: We'll take about two-minute break.

2 (Recess.)

3 MR. YUILL: Let's get started again. We have
4 about 15 speakers.

5 MR. KOLBERG: My name is Rebecca Kolberg. I live
6 in Pasadena, Maryland, in Anne Arundel County Maryland,
7 where the Patapsco meets Chesapeake Bay. I'm here on behalf
8 of a lot of people in Pasadena. I'm a Greater Pasadena
9 council representative to the Port Study Committees. I was
10 also on the governor's committee.

11 I'm going to raise concerns that other people
12 haven't raised; safety. The proposed terminal would have
13 two births. I would hope that a safety setting would factor
14 in the worst-case scenario times two for Sandia because if
15 you have two ships there, double it or go down to one birth,
16 please.

17 Also, the Key Bridge is the only hazardous
18 material transit on the major industrial area of Baltimore.
19 Hazardous materials cannot go through the tunnels. So it
20 would pose potential risks for terrorists staging some sort
21 of act on the bridges, a diversion to get response crews
22 there. Then you go over and you get two LNG tankers over at
23 the terminal.

24 In terms of toxic material, a lot of it's been
25 covered, but one small thing slipped into the resource

1 statement that AES filed with FERC in May. It says that AES
2 may use some of the dredged material to backfill behind the
3 bulkhead and straighten out its shoreline.

4 That does not constitute a contained area for the
5 deposit of spoil. If so, shouldn't this contained area go
6 through the same review as other contained disposal
7 facilities in Maryland? Under current Maryland law, the
8 redeposit of dredged soil within five miles of Hart Miller
9 Island is prohibited within four miles of Hart Miller
10 Island.

11 I also have concerns, aside from toxics, just the
12 lowering of the vast area in Patapsco, the turning basin at
13 6 foot in diameter and tripling the width of the channel. A
14 depth as shallow as 14 feet will be lowered to depths of
15 45 feet. That will likely have major impact on the
16 dissolved oxygen in that area of the Patapsco River.

17 All of the regulators and Army Corps of Engineers
18 are required to mitigate, to re-oxygenate the river if
19 oxygen levels drop in that area. The minimum -- Chesapeake
20 Bay Program and the Patapsco Back River Tributary Team have
21 set levels -- the Maryland Department of Environment have
22 set levels of dissolved oxygen in the river. When you get
23 low levels of dissolved oxygen, you get a dead zone. And
24 sometimes this water can also travel out of the dead zone to
25 nearby waters, such as the shallow waters of Sparrows Point,

1 which are rich in aquatic life and also to Bear Creek.

2 So the bottom line is, almost unanimously
3 everyone I've talked to in Pasadena, from boaters to people
4 concerned about their health, to people concerned about
5 aquatic life, are opposed to the LNG terminal at Sparrows
6 Point.

7 (Applause.)

8 MR. YUILL: Joe Broseker.

9 MR. BROSEKER: I'm Joe Broseker with the Yacht
10 Clubs of Maryland, an organization of several thousand
11 boaters who are right here in the local area of Sparrows
12 Point. We frequently boat on these waters. I would
13 certainly agree with the comments that have been made before
14 by many other speakers, and I don't want to reiterate a lot
15 of those. But we certainly support positions about boating
16 of all of the other speakers.

17 There is one point I want to emphasize. I went
18 to the first public forum AES held several months ago on
19 this, and they kept talking about a one-mile safety zone;
20 that everything was fine because there were no residences
21 within a one-mile zone, and, therefore, it wouldn't really
22 be a hazard.

23 We invited everyone to go look at the Sandia
24 report to verify what they were saying. Well, I did that,
25 and it sounds like a lot of other people in this room

1 tonight did that too. That taught me that AES has no
2 credibility.

3 I went back for another public forum that AES
4 had. I raised an issue about intentional spills caused by
5 terrorists. Sandia states that the hazard zone for
6 intentional spills, and very small spills at that, is
7 actually 2,500 meters. There are various portions of the
8 Sandia report that even state that some spills, the
9 hazardous zone, extends out to 3,500 meters. These are for
10 small spills that might be caused, according to the Sandia
11 report, by two 5-square meter holes in a tanker. Two holes
12 in a tanker can cause enough instability if the LNG gets
13 between the hulls to cause a structural failure of the ship.

14 I would remind folks that I believe it was the
15 USS COLE that had a hole much larger than 5 square meters
16 burned into it by a couple of terrorists on an inflatable
17 raft. And we have many of those inflatable rafts all over
18 this area everyday whenever the weather is nice.

19 So I think that the real safe zone is not one
20 mile as AES has suggested. And as I have seen all the news
21 reports, print and on TV since these hearings started, it
22 really is more like 2,500 meters at least, probably 3,500
23 meters if you look at the Sandia report. Those distances
24 are based on intentional spills, terrorist attacks. Those
25 are the kind of accidents or spills we have to plan for.

1 The Sandia report raises these other distances as
2 a worst-case scenario, and that's what we have to plan for.
3 I would say not only is it a worst-case scenario, it's the
4 likely scenario that we have to plan for.

5 Thank you for the opportunity to be here tonight.
6 I commend the Commission members for their attentiveness
7 during this meeting.

8 (Applause.)

9 MR. PALMER: My name is Bob Palmer. Joe
10 Bartonfelder asked me -- he's a county councilman -- to say
11 that he's opposed to it for the health, safety and welfare
12 of all of his constituents. He asked me to make that
13 statement for him because he had to leave. Thank you.

14 (Applause.)

15 MR. YUILL: Suzanne Donnelly followed by Linwood
16 Jackson.

17 MS. DONNELLY: My name is Suzanne Donnelly.
18 First off, I'd like to point out that with this LNG guide,
19 they say right in here, "LNG is not explosive or flammable,"
20 and that's a lie.

21 I was born and raised here, and that was a whole
22 different way before all these changes took place. My dad
23 worked at Bethlehem Steel. We went through the fish kill.
24 That was right off where we lived, two blocks from my house.
25 And if I look to the right, I can see Bethlehem Steel, the

1 whole thing. So we're close too.

2 More recently, in January of this year, America
3 received taped threats from bin Laden, then this push for
4 the LNG plant came up right after that. So the permanent
5 danger of terrorists causing an explosion, the result would
6 be similar to -- if you've ever seen Terminator 2, the
7 vision that the woman had, of kids, people and everything
8 just turning to ash because this stuff burns so intensely
9 that there wouldn't be anything left or very close to it.
10 And it would go farther than they're guesstimating that it
11 would go.

12 People living around this area would literally be
13 turned to ash; buildings, homes and people who reside in or
14 near the proposed LNG plant, Sparrows Point Project. It
15 wouldn't be habitable for a long time after that if it
16 happened, and this is the likelihood that it could.

17 I have three children I raised as a single
18 mother, and I lived about seven years down here with my
19 children. I used to say when I was a kid, I love this area.
20 I want to live here forever. But when this proposal came up
21 with all the dredging that would be needed to be done and
22 talking about dumping it in the oceans, that's not good at
23 all.

24 To follow the residents, businesses and
25 recreational facilities, I beseech you to not allow the LNG,

1 Sparrows Point Project to be approved. If this project is
2 allowed, I have very strong suggestion for all the
3 inhabitants. Move to the mountains. The area as we call
4 home will not be fit for human habitation. There's only one
5 resolution; no to LNG. Thank you very much.

6 (Applause.)

7 MR. YUILL: Linwood Jackson, and then John Smith.

8 MR. JACKSON: First of all, I'm going to plead
9 guilty. My name is Linwood Jackson. I am opposed to the
10 proposed LNG plant at Sparrows Point Shipyard. The foremost
11 reason I oppose this plant is because I worked at this
12 facility for 30 years when it was Beth Steel and then BMI.
13 I was employed in the paint department, 76 and 75
14 departments. I applied and removed paint from the ships
15 that generate toxic waste from the air and in the water.

16 Many paints contain copper, zinc, lead and tin.
17 Most of the work on a ship was done in a place that AES
18 would like to dock their ships. The name of that location
19 is called graving dock basin. The basin is approximately
20 3 football fields long. It was built to construct super
21 tankers and an assortment of other ships. All the work on
22 the ship was done there, including the painting and blasting
23 and assembling.

24 The basin has a large floating gate that is
25 removed to release the ship in the water. The water is

1 floated out of the basin to the sea. The base of the basin
2 is washed down, which allows the toxins out of the work area
3 and then come back in. The same water that took the toxins
4 out and the waste out, then returns to the same water in the
5 basin to be polluted again.

6 The smell of the toxin and the dead fish was
7 overwhelming. The large task was assembling the ships and
8 sandblasting on the ships. The debris from the sandblasting
9 became toxic in the air and water. So these toxins
10 were washed out of the basin into the air.

11 I live in Turner Station with my family. I have
12 generated many of the toxins and pollution that exist today
13 in the water near my home. We have seen what toxic water
14 can do and what it has done to our life. To even consider
15 removing or thinking of removing dredge from the water near
16 the mouth of the graving dock or the basin will be 30 years
17 of toxic waste. It would be awaking a sleeping giant that
18 was known and unknown to mankind.

19 As I write this correspondence, something
20 personally came to mind. Over 30 years, many authorities
21 believe that Agent Orange was toxic to the soldiers who
22 fought in Vietnam. The soldiers assumed that it was
23 harmless to us. I am one of them soldiers. Today I live
24 with a host of medical problems that stem from unknown toxic
25 explosion.

1 There are many men and women from both the war
2 and the years of Bethlehem Steel that are not alive today to
3 speak of the hard and unknown risks that we take with our
4 lives. I would not like to see anyone else go through what
5 I go through, and I'm going to share this with you.

6 Don't fall asleep on a graving dock. For those
7 that don't work in a shipyard, here's what they haven't told
8 you. At the end of that graving dock is a gate. That gate
9 is 60 feet high. In order to remove that gate, you must
10 suck in the water from out the Bay into the dock gate, then
11 a tug boat removes it. Two tugs on a windy day is equaled
12 to you trying to walk down the street with your umbrella
13 turned inside out. All of that stuff is down -- as long as
14 the water is soluble, it's okay.

15 Now, they're talking about this stuff up out of
16 the river. I don't care what you do. I'm telling you
17 all -- also the county alluded to, if they put a ship into
18 that dock, it has a 70-foot wall enclosure. What Bethlehem
19 Steel did say -- we cannot put acetylene torches in the
20 graving dock. The gas is so heavy, it went down in the
21 graving dock. You couldn't smell it, you couldn't taste it,
22 and one spark could blow it up.

23 But also -- I'm going to leave with this -- I
24 have trusted people with my health for all my life. When we
25 were concerned about Agent Orange, they got a board of

1 people and they got chemists. They sat there and put drops
2 of water into a glass and drank it to convince us that it
3 was harmless; nothing it could do.

4 Thirty-five years later, the VA is calling me up
5 testing me. I got Type II diabetes and 40 percent of my
6 kidney is not functioning. Also, they said the third step
7 is that you get colon cancer. I'm not going to put my life
8 on the line for this country over and over again. The only
9 thing that we're asking you is to understand, 30 years from
10 now, would anybody on this panel be willing to tell my great
11 grandchildren we made a boo-boo? I don't think so.

12 If you go down to the VA, you see veterans that
13 died because of the toxic waste. And the only reason we're
14 getting compensated is because this country wants to have
15 normalization with Vietnam. And part of the deal with the
16 Vietnam thing is they're going to clean up Vietnam to do
17 business with. Our vice president is right in Vietnam today
18 trying to negotiate business.

19 You go down to the VA, you have veterans that
20 have colon cancer, tumors, all the things we did, what you
21 guys told us to do. Go to war. Don't worry about the Agent
22 Orange. Go ahead and drink the water; everything's going to
23 be all right. And now I am ashamed of myself for letting
24 somebody stupe me into believing that a guy can take three
25 drops of Agent Orange into the water and drink it, and swear

1 by God with documents this high that "nothing's going to
2 happen to you, soldier. Go ahead and fight." And now we're
3 fighting everyday for our lives.

4 I'm going to leave with this. Three years ago,
5 Baltimore County had a fire at that Sparrows Point shipyard
6 with nothing but mulch. It burned for two weeks. The Coast
7 Guard sat out there with Baltimore City Fire Department and
8 pumped water on it. They didn't know what to do with a
9 mulch fire, and now what?

10 They never had to courtesy to come to Sparrows
11 Point, come over to Turner Station and say how are we making
12 out. Smoke just came billowing over, and we sit there and
13 watched something burn for two weeks. They turned it over,
14 they pumped water in it. Then Baltimore then said, wait;
15 we're spending too much water on it; let it burn out.

16 As an African American, we are constantly aware
17 of Katrina. We look at it on TV. We see what this
18 government couldn't do in a crisis. They had no idea what
19 to do.

20 Now, if this company is going to come into our
21 neighborhood, we should have the right to know that we can
22 survive. If you can't put out a mulch fire -- now think
23 about that. If we sit there for two weeks and watch a mulch
24 fire just burn, burn burn, until somebody says, well,
25 economically it's costing us too much money to keep pumping

1 water on it --

2 The Coast Guard sat out there like the president
3 was over there golfing. So I'm telling you, you need to go
4 back and really look at this thing from our perspective. We
5 sit in our bedroom and listen to the plates being dropped at
6 the Sparrows Point seal yard. We can hear whistles. We can
7 hear bells. This company told us in church -- they said,
8 look; here's what we're going to do for ya'll. So that you
9 can sleep at night, we're going to install horns, that when
10 these horns go off, you can evacuate.

11 We live in a community that has three horseshoes
12 to get out of. Ernest Lyons is a horseshoe. Bay Village is
13 a horseshoe, and Old Turners. God forbid, if something
14 happened and we all left at the same time, we could not get
15 out. I really think it was a shame that nobody is coming
16 down to Turner Station and looking at this. The only thing
17 they're operating on is on paper and data. Paper and data
18 don't save lives; precaution and understanding and being
19 knowledgeable. And guess what? We're going to stay on top
20 of this. Win, lose or draw, we're in for the long haul, and
21 we ain't going away.

22 (Applause.)

23 MR. YUILL: John Smith has left.

24 Frank Ingells? Norris McDonald?

25 MR. McDONALD: My name is Norris McDonald. As

1 president of the African American Environmental Association.
2 We work on environmental justice issues all over the
3 country. We also monitor and testify on LNG all over the
4 country. Our concerns are many.

5 The gentleman made an eloquent description of the
6 environmental justice issues, so I won't go back over those.
7 But it goes beyond just the environmental justice issues
8 that are apparent for a community such as this. There's a
9 similar situation in Chillum. They want to build a peak
10 shaver, a peak shaver, LNG storage tank down there,
11 12 millions gallons. Same communities, minority
12 communities, African American communities, target.

13 My concern in these areas and my concern with
14 these projects is not only do they endanger these
15 communities -- and we support the community. We support
16 them. Unfortunately, even though all the politicians and
17 all the communities oppose these facilities, these
18 facilities still end up being built. That's where my
19 concern lies, and that's what I would like for you to look
20 at in the Environmental Impact Statement.

21 Nationwide, African Americans don't own any
22 component of the energy sector, not one oilfield, not one
23 coal mine, not one gas pipeline, not one tanker, not one oil
24 tanker; no component of the energy industry sector, yet
25 these sorts of projects are being built in these

1 communities.

2 What I would like for the EIS to look at would be
3 the economic effect of some sort of equity ownership of the
4 stakeholders in this entire process. That's rarely looked
5 at in the EIS in these sorts of situations, and we would
6 like that analysis to be conducted, whether it's the
7 community --

8 I mean, it's a double environmental justice.
9 They talk about NIMBY. In this case, it's not in my black
10 backyard. But if it's going to end up in your black
11 backyard, at least have some examination of the economics,
12 equity issues, that could be examined.

13 We already submitted our written statement for
14 the record. It's already been e-filed. Thank you.

15 (Applause.)

16 MR. YUILL: Doris Kuhar.

17 MS. KUHAR: Good evening. It's getting late, and
18 I thank you all for your patience and indulgence, but I
19 think this is very important.

20 My name is Doris Kuhar. I have lived in Dundalk
21 all of my life. I now live in North Point, and it seems to
22 me I've spent the majority of my adult live being a
23 community activist, working toward a clean environment and a
24 reasonable safe place in which to live.

25 Many battles I have fought, but I don't think any

1 are as important as this issue, the LNG proposal. I have
2 been frightened by the potential of this plant locating
3 here. I've done my homework, reading everything I can get
4 my hands on about LNG, and the uncertainty of the operation.
5 I fully understand the need for energy sources. But when
6 you are talking about locating a plant, an operation of this
7 magnitude, within the close confines of a river, creek and
8 various communities, it is simply not worth the risk factor
9 that keeps popping up in all the data that I am reading.

10 We live on a peninsula made up of many
11 communities. Recreational boating, fishing, crabbing are
12 major activities along our shorelines. For decades, we have
13 lived in the shadows of a giant steel mill with all the good
14 and bad it provided. I suppose you could say we coped and
15 persevered, and, yes, thrived economically. But we also
16 paid a price with our health and environment.

17 We in the nation are more attuned now to a
18 healthier environment and progress has been made. At the
19 same time, we have a newer and greater fear, and that is
20 global terrorism. It is the unseen out there fear that
21 hangs over all of us at this point in time.

22 Super tankers the length of three football fields
23 and 12 stories high plying our Chesapeake Bay, coming under
24 the Bay Bridge, and making its way into the Patapsco River
25 and Bear Creek to offload the LNG with all the safety and

1 security risks that are well known and talked about is far
2 too perilous to even consider.

3 The dredging that will have to be done to prepare
4 for this operation is another cause for concern. The steel
5 mill and shipyard that operated at full peak for decades in
6 the Sparrows Point area filled the river and creek with a
7 multitude of dangerous contaminants. All of that is lying
8 in the river bed and should be left as is. An 85-mile
9 pipeline will have to be installed along the highways
10 hitting north to Pennsylvania, and probably in some cases,
11 through imminent domain and taking property.

12 I am fearful of what this whole proposal means
13 for the community that I dearly love. My heart goes out to
14 the many fine African Americans who have lived for
15 generations in Turner Station. There was hope for good
16 things to happen in that community with the revitalization
17 about to take place, and now the fear of LNG-laden super
18 tankers within easy eyesight of ball fields, houses,
19 churches and a senior center has diminished the hope they
20 felt, and raised the specter of fear and apprehension.

21 I'm asking the Commission to give this issue all
22 due thought and consideration and be mindful of the
23 testimony you've heard here tonight. We are not reactionary
24 citizens shouting out, "Not in my backyard." We are good
25 salt-of-the-earth, hard-working citizens struggling for a

1 decent life. We do not, and indeed should not, have to live
2 with the fear of an LNG plant in our midst. Please
3 recommend that a permit not be granted. Thank you and good
4 evening.

5 (Applause.)

6 MR. YUILL: Fred Thiess and Bud Howard are next.

7 MR. THIESS: Good evening. My name is Fred
8 Thiess, the president of Wells McConnell Citizens
9 Improvement Association. We border on Edgemere. We're very
10 close to the facility. I have prepared a statement that I'm
11 just going to submit for the sake of time. I would like to,
12 though, say a few things.

13 I'd like to thank our political leaders for their
14 support, and this group of people here for their hard work.

15 (Applause.)

16 MR. THIESS: At some of the meetings I've
17 attended, I have seen some of the comments about money for
18 communities and things like that. These people have done
19 all of this because they care; that's it. Money's not
20 involved. They spent a lot of money.

21 But I'd just like you to explain to me how we can
22 say to this community we're going to bring in ships a
23 hundred and some miles inland, through the Chesapeake Bay,
24 through all the communities that rely on the water, under
25 the Bay Bridge, in front of Turner Station. It's absolutely

1 ridiculous. For those kids in Turner Station to sit on
2 those ball fields looking out less than a quarter of a mile
3 at what they will perceive as a potential bomb and have to
4 live through that is ridiculous, just the perceived fear.

5 In addition to that, at a couple of the meetings
6 with AES, they stood up there and were bantering the fact
7 that one of the leaders there, they attempted to put one in
8 his neighborhood. The key word was "attempted". His
9 neighbors didn't want it. So thank you.

10 (Applause.)

11 MR. YUILL: Do we have Bud Howard anymore?

12 MR. FARMER: My name is Robert Farmer. I'm
13 84 years old now. But what I want to say is we all live
14 together out here and work together. We built this place up
15 from nothing. We had it all going from Port Harford all the
16 way up to the city line. But Turner Station, Dundalk, all
17 around here, before the rich men come in this state and
18 started building up and destroying farmland and all -- now
19 you come up. You want to put a gas line down the Point.
20 That ain't gonna help this state, this section here. We
21 don't need that.

22 What we need is people coming here with clean,
23 honest, good work. New York, California, everything
24 building up -- now the people in the state of Maryland, on
25 this side of the Chesapeake Bay. They don't know where

1 they're getting their food from. They don't know where it
2 comes from; don't know who's making it at all. When you had
3 farms from Port Harford all the way up to the city line, we
4 had work for everybody out here. We had it good out here.
5 But when the rich man come in from other states and built
6 this place up, it left us with nothing.

7 I remember there were great times in the
8 shipyard. Super tankers, the government told them they
9 couldn't put them over there. They had to wait till high
10 tide comes to get them ships out of there. They should
11 leave us alone just like it is. That's a time bomb when you
12 put that down, in this country, and the way try to get in
13 here and set bombs on something and blow it up. They
14 should stay away. Thank you.

15 (Applause.)

16 MR. YUILL: Mark Jones, then Francis Taylor?

17 MR. TAYLOR: My name is Francis Taylor, chair of
18 the State of Maryland Citizens Advisory Committee. Our
19 committee is charged with outreaching to communities, and
20 getting suggestions, and making the suggestions known to the
21 Management Committee, which ultimately goes out to the
22 governor.

23 You heard about the -- we've been working since
24 2003 and identifying certain projects and sites. One of the
25 sites is at Sparrows Point. It's not only community groups,

1 it's government agencies and it's port interests. This is a
2 monumental task. It's been a problem and a contentious
3 issue for years and years. Now this is finally working.
4 And one of the great concerns we're having in our committee
5 right now is that one of the key components to this, which
6 is community support, could be negatively affected if this
7 project is approved.

8 We realize, and it's been brought out in other
9 presentations, that in the near future -- not in the very
10 near future, but there's going to be an issue of where to
11 put dredged material. And if this site loses community
12 support and the site doesn't go through, then there's going
13 to be a problem with doing the maintenance dredging. Where
14 will the material go? If you can't do the maintenance
15 dredging, it's going to increase the risk of groundings,
16 accidents, and spills.

17 So there's definitely an issue with future
18 problems as far as the placing of this material. I think I
19 speak for the committee that anything that is detrimental to
20 our project for future sites, our committee would ge
21 against. Thank you.

22 (Applause.)

23 MR. YUILL: Mike Palmer, than Art Cox.

24 MR. PALMER: My name is Bob Palmer. I'm
25 representing the Baltimore County Marine Trades Association,

1 a group of over a hundred people -- organizations I should
2 say -- that support the recreational boating and the sport
3 fishing and the waterman type of repairs, selling boats and
4 so on.

5 In Baltimore County, there are over 28,000
6 registered boats on Bear Creek. We have six plus facilities
7 there, which will have a significant impact of the boat
8 operation that's envisioned for this facility. But it's
9 also the entry to the harbor itself downtown. There's over
10 5,000 pleasure-craft docks down there that will be
11 transiting this particular area. So given the other safety
12 concerns, just the guidelines that have been explained as to
13 how the ship operation will have to be given certain
14 clearances and all of that, we just feel there's going to be
15 a very significant impact on this industry.

16 We have over a thousand employees. We do over
17 \$200 million worth of business every year, so some of the
18 economic impact after this construction is done is peanuts
19 compared to what is already here, which is going to be
20 reduced. So I think there has to be a good look at
21 economics as well as safety. But part of the safety is
22 affecting our economics, that you need X feet of separation
23 from every ship operation.

24 So I think our total association is opposed to it
25 from, if nothing else, the economic impact. And I think it

1 needs to be very well thought through of what are the
2 impacts, pros and cons, before somebody says, well, we're
3 going to give you 40 jobs for the rest of whatever time. It
4 really doesn't add up to a whole lot for this particular
5 area.

6 Again, the only point I'm making right now is an
7 economic impact as well as the health, welfare and all that
8 sort of thing. I appreciate your taking the time to hear
9 what these people have had to say because I'm concerned.
10 About safety, you've heard enough about that. But the guys
11 that actually have marine facilities in Bear Creek are going
12 to be probably be, in a sense, not shut down but they will
13 dwindle away just because of the traffic that won't be there
14 when the ships are in and all that sort of thing. Thank
15 you.

16 (Applause.)

17 MR. YUILL: Art Cox.

18 MR. PALMER: He has left.

19 MR. YUILL: How about Jay Hancock?

20 VOICE: I didn't write my name down or anything.
21 I want to express my opinion.

22 MR. YUILL: State your name.

23 MR. HODGE: Douglas Hodge, Jr., formerly an
24 Edgemere resident. My dad, my cousin and my uncle worked at
25 Bethlehem Steel. My daughter, she just turned six years old

1 this past Friday. I don't want to go on worrying about her
2 not being able to live her life. I want to know that she's
3 going to live.

4 We don't need this LNG in our shipyard here. I'm
5 sure everybody that has kids would want to see their kids
6 live and see their future.

7 (Applause.)

8 MR. BODT: Good evening, panel. My name is Barry
9 Bodt. I'm neighbor to the north in the Harford County. I'm
10 on the science and engineering staff of Aberdeen Proving
11 Ground. I want to thank the gentlemen -- tonight you've
12 heard an exhaustive presentation of catastrophic
13 consequences, exploding LNG storage containers, the
14 vulnerability of ships, the terrorists attacks or accidents.
15 And although not mentioned, there certainly will be in
16 Harford County the potential ruptured pipelines.

17 But truly that can't happen. The civil,
18 environmental and mechanical engineers and scientists will
19 guarantee it does not happen. "Guarantee," that's a strong
20 word. Can they really?

21 As a PhD in statistics, I am concerned about the
22 so-called formal risk assessment to be employed. I'm
23 especially concerned about the invitation on the working
24 groups because if I were AES, this is where I would fight
25 this battle. They could undo all the good sense that was

1 made tonight by expertly manipulating that activity.

2 I encourage a more open risk-assessment process
3 with advanced publishing of the decision scientists' model
4 that will be used to quantify this risk. Sitting around a
5 work group over doughnuts isn't going to cut it. I urge you
6 and those contractors providing input to avoid finding the
7 solution and adjusting the parameters to support the
8 position post-talk.

9 FERC and the LNG industry are widely criticized
10 for low balling both the catastrophic impact and the
11 probability that the impact occurs, the elements at risk.
12 They do this by studying studies or simulations representing
13 the minimum or low-end hazard or talking about redundant
14 safety controls in place as if technology is going to
15 protect us.

16 As to probability of incident models, they're
17 just that, models. They already have empirical elements
18 suggesting non-trivial probabilities in a catastrophic
19 event. As to acceptable safe distances, I've read competing
20 studies with the ranges varying by miles, not just hundreds
21 of yards.

22 I am reminded of another time that government
23 engineers and a contractor, both proclaiming themselves
24 expert in risk assessment, assured those concerned not to
25 worry; nothing was going to happen. That was on the eve of

1 the launch approximately 20 years ago. Part of the
2 aftermath of the catastrophic Challenger disaster was the
3 realization that NASA and Morton Thiokol got it wrong. The
4 reliability assessment was incorrectly done. The basic
5 probability understanding in those agencies was inadequate.
6 The error occurred in quantifying risks. Approximately
7 seven people died, and the government agency was turned on
8 its head as a result.

9 I urge you tonight to turn down this permit.
10 Don't make Sparrows Point LNG terminal or the pipeline in
11 Baltimore, Harford, Cecil County and MPA, FERC's only
12 Challenger disaster. Thank you.

13 (Applause.)

14 MR. YUILL: Michael Grosscup.

15 (No response.)

16 MS. WACHHOLDER: That's the last person on our
17 list.

18 Is there anyone else who would like to get up to
19 speak at this point?

20 MR. MINNICK: Delegate Minnick. I want to thank
21 you for your patience with us, but I want to thank everyone
22 that testified tonight. They did an excellent job, and I
23 commend every one of you. Thank you very much.

24 (Applause.)

25 VOICE: Everybody here tonight, we're scared. We

1 don't want to get blown up. We don't want to get our
2 Chesapeake Bay ruined by another big company. There's
3 people that are in the community that didn't come tonight,
4 plenty of people that didn't come tonight because they think
5 that we can't do anything about it. I hope they're wrong,
6 and I hope you guys will do everything you can to stop them
7 from issuing this permit.

8 (Applause.)

9 MS. WACHHOLDER: Is there anybody else who would
10 like to speak?

11 (No response.)

12 MS. WACHHOLDER: Seeing nobody, I would like to
13 thank you all very much for your attendance at the meeting.
14 This meeting is adjourned.

15 (Whereupon, the meeting was adjourned at
16 10:35 p.m.)

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