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BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

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:
FERC SCOPING MEETING : Docket No.
CROWN LANDING LNG : CP04-411-000
AND LOGAN LATERAL PROJECTS : CP04-416-000
:
- - - - -x

Holiday Inn
One Pureland Drive
Swedesboro, New Jersey

Tuesday, March 29, 2005

The above-entitled matter came on for scoping
meeting, pursuant to notice, at 7:09 p.m.

1 PARTICIPANTS:

2 Speakers from FERC and agencies:

3

4 Robert J. Kopka, FERC environmental project manager for the
5 Crown Landing LNG and Logan Lateral Projects

6 William Jenkins, U.S. Army Corps of Engineers

7 Lieutenant Commander Timothy Myers, U.S. Coast Guard

8 Alex Dankanitch, U.S. DOT, Office of Pipeline Safety

9

10 Speakers from the public:

11

12 Richard Myers, Delaware River Keeper Network

13 Tony Spadaccini, LNG Community Focus and resident of Logan
14 Township

15 Bob Grant, resident living very close to the proposed site

16 John Reynolds, Rice Unruh Reynolds Co., supplier of
17 logistics to 80 percent of U.S. LNG's

18 Bill Moran, Hueber Launch

19 John Zwack, resident of New Castle county, Delaware

20 Ray Blickle, resident of Pedricktown, N.J. (near the
21 proposed site)

22 Jane Nogaki, Coalition Against Toxics, Middleton, New Jersey

23 Roy Jones, South Jersey Environmental Justice Alliance

24 Sharon Finlayson, Board Chair, New Jersey Environmental
25 Federation

1 PARTICIPANTS (continued):

2

3 Alan Muller, Director, Green Delaware, and resident of Port
4 Penn, Delaware

5 Carolyn Grasso, member of the community advisory panel for
6 the LNG Project

7 Gene Dougherty, resident of Gloucester county

8 Rodger Nogaki, area resident

9 John D. Flaherty, Common Cause of Delaware

10 Charles Pratz, area resident

11 Scott Bradbury, resident of Logan Township

12 David Heider, resident of Logan Township

13 Jim Lee, area resident

14 Tom Mueller, British Petroleum

15 Charles Spires, resident of Logan Township

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

2 (7:09 p.m.)

3 MR. KOPKA: Okay, I'm going to go ahead and get
4 things started. Will folks take a seat.

5 (Pause.)

6 MR. KOPKA: Good evening, everyone. I would
7 like to welcome you here this evening. My name is Robert
8 Kopka. I work for the Federal Energy Regulatory Commission,
9 also referred to as FERC, the F-E-R-C, or the Commission,
10 located in Washington, D.C. I am the environmental project
11 manager at FERC for the Crown Landing LNG and Logan Lateral
12 Projects.

13 This is a public meeting to take comments on the
14 draft environmental impact statement, or DEIS, issued by the
15 FERC as the lead federal agency for the projects.

16 Tonight's comments and written comments received
17 on the DEIS will be addressed in the final EIS for these
18 proposed projects. We issued the DEIS on February 18th,
19 2005, with comments due on April 18th, 2005. Let the record
20 show that this public meeting began at 7:09 p.m. on
21 Wednesday (sic), March 29, 2005, at the Holiday Inn in
22 Swedesboro, New Jersey.

23 The DEIS was written by FERC staff with input
24 from other federal cooperating agencies, several of which
25 have representatives here tonight.

1 Also representatives from our third party
2 environmental contractor natural resources group, or NRG,
3 are also here helping with the meeting tonight. From NRG we
4 have Randy Duncan and Naomi Jensen, who are outside at the
5 sign-in table.

6 And I also want to mention if you do want to
7 speak tonight, it would be helpful if you sign in or sign
8 the speaker list. But I'll also at the end of the meeting
9 take additional commentors.

10 From our cooperating agencies we have to my far
11 right Lieutenant Commander Timothy Myers from the U.S. Coast
12 Guard. And we have Alex Dankanitch from the U.S. DOT
13 Office of Pipeline Safety. We have William Jenkins from the
14 U.S. Army Corps of Engineers.

15 And to my immediate right we have our court
16 reporter, which I'll go into at the end of my speech.

17 The EIS process -- no, excuse me. These
18 representatives have asked to address you this evening
19 before we take your comments. Other federal agencies who
20 are cooperators include the U.S. Fish and Wildlife Service,
21 the Environmental Protection Agency, and the Department of
22 Commerce National Oceanic and Atmospheric Administration.

23 On September 16th, 2004, Crown Landing filed an
24 application under section 3 of the Natural Gas Act in docket
25 number CP04-411-000 with the FERC to construct a liquified

1 natural gas or LNG terminal in Logan Township, New Jersey,
2 with a pier extending into Delaware to store up to 450,000
3 cubic meters of LNG and to send out natural gas at a base
4 load rate of 1.2 billion cubic feet per day.

5 On September 17th, 2004, Texas Eastern
6 Transmission filled an application under section 7(c) of the
7 Natural Gas Act to construct about 11 miles of 30-inch
8 diameter pipeline to transport .9 billion cubic feet per day
9 of natural gas from the LNG terminal to its existing
10 pipeline system in Brookhaven, Pennsylvania.

11 It is expected that Columbia Gas Transmission and
12 Transcontinental Gas Pipeline Corporation, which has
13 existing pipeline facilities on the Crown Landing site,
14 would also file in the future seeking to transport gas from
15 the Crown Landing LNG terminal. And the project is covered
16 in more detail in the draft environmental impact statement.

17 I know many of you are aware that Delaware issued
18 a coastal zone status decision, which determined that the
19 proposed LNG offloading pier is prohibited under the
20 Delaware State Coastal Zone Act of 1971. Crown Landing is
21 appealing that decision. And the project is still active at
22 the federal level.

23 The Federal Energy Regulatory Commission, which
24 at this time is composed of four commissioners appointed by
25 the President, would decide if the authorization of the

1 Crown Landing and Logan Lateral Projects are in the public
2 convenience and necessity.

3 As part of the decision-making process, the
4 Commission must consider environmental impacts of the
5 project and comply with the National Environmental Policy
6 Act of 1969 as amended, or also referred to as NEPA.

7 In order to comply with NEPA we produce the draft
8 EIS so that the public has an opportunity to review the
9 proposed project. A cooperating agency has jurisdiction by
10 law or special expertise related to a project-specific
11 environmental impact. And those agencies may adopt the EIS
12 to meet their own obligations for compliance with NEPA.

13 At this time I'd like to introduce the
14 representatives of the federal agencies here tonight and let
15 them address you for a few minutes.

16 Bill, would you like to start? I'll start with
17 Bill Jenkins of the U.S. Army Corps of Engineers.

18 MR. JENKINS: My name is Bill Jenkins. I'm an
19 environmental engineer with the U.S. Army Corps of Engineers
20 -- the district and the Corps of Engineers project manager
21 for the Crown Landing LNG Logan Lateral Project and the
22 Corps' hearing officer today.

23 The U.S. Army Corps of Engineers, under the
24 authority of section 10 of the Rivers and Harbor Act of
25 1899, regulates work in navigable waters. And under section

1 404 of the Clean Water Act it is the federal agency that
2 regulates the discharge of dredged or fill material into all
3 waters of the United States including wetlands.

4 The Corps of Engineers has received concurrent
5 permit applications from Crown Landing LLC and Texas Eastern
6 Transmission LP requesting Department of the Army permits to
7 perform work in navigable waters including the discharge of
8 dredged or fill material into federally regulated waters and
9 wetlands to facilitate the construction of one of the
10 project alternatives identified in the Crown Landing LNG and
11 Logan Lateral Project's draft environmental impact
12 statement.

13 The Federal Energy Regulatory Commission is the
14 lead federal agency with respect to the preparation of the
15 environmental impact statement for this project. They are
16 the federal agency with particular expertise regarding the
17 planning, design, and construction of energy projects.

18 From the Corps' perspective the purpose of this
19 hearing is to acquire information that will be considered in
20 determining whether a Department of the Army permit should
21 be issued to Crown Landing LLC and Texas Eastern
22 Transmission LP for the pending permit applications, as well
23 as for the Federal Energy Regulatory Commission to receive
24 comments on the draft environmental impact statement.

25 The decision whether to issue a permit will be

1 based on an evaluation of the probable impact of the
2 proposed activities on the public interest. That decision
3 will reflect the national concern for both protection and
4 utilization of important resources.

5 The benefits which reasonably may be expected to
6 accrue from the proposed project must be balanced against
7 any reasonably foreseeable detriments. All factors which
8 may be relevant to the work, including their cumulative
9 effects, will be considered.

10 Among those are conservation, economics,
11 aesthetics, general environmental concerns, wetlands,
12 cultural values, fish and wildlife values, flood hazards,
13 flood plain values, land use, navigation, shore erosion and
14 accretion, recreation, water supply and conservation, water
15 quality, energy needs, safety, food and fodder production,
16 mineral needs, consideration of property ownership, and in
17 general the needs and welfare of the people.

18 A U.S. Army Corps of Engineers permit will be
19 granted for the alternative identified in the final
20 environmental impact statement as the Federal Energy
21 Regulatory Commission preferred unless we determine that it
22 would be contrary to the public interest.

23 This hearing affords interested parties an
24 opportunity to present their views, opinions, and
25 information on the proposed work. All oral and written

1 testimony that we provide today, as well as written
2 statements received no later than April 18, 2005, will be
3 part of the public hearing record and will be considered in
4 rendering a decision on the pending permit application.

5 You will have the opportunity to provide us with
6 your comments on the FERC preferred alternative when it is
7 identified in the final environmental impact statement. The
8 availability of that document for review and comment will,
9 again, be advertised by public notice.

10 Thank you.

11 MR. KOPKA: Thank you.

12 Next I'd like to introduce Lieutenant Commander
13 Timothy Myers of the U.S. Coast Guard.

14 LT. COMMANDER MYERS: Thank you, Bob. I am
15 Lieutenant Commander Tim Myers. I represent Captain
16 Jonathan Sarubbi, who is the captain of the port and the
17 federal maritime security coordinator for the area here.
18 And my office is in Philadelphia. It's the Coast Guard's
19 sector Delaware Bay office.

20 The Coast Guard, as Mr. Kopka said, is a
21 cooperating agency with FERC, the Office of Pipeline Safety,
22 the Army Corps, and other federal agencies in the review and
23 citing approval of the Crown Landing facility.

24 The Coast Guard's role is to address the
25 suitability of the waterway for LNG operations, which

1 includes both navigational safety issues and maritime
2 security issues.

3 The navigation security issues will be considered
4 under the Coast Guard's role as the captain of the port.
5 And the maritime transportation security issues will be
6 considered as the Coast Guard captain of the port's role as
7 a federal maritime security coordinator.

8 As a cooperating agency we're providing input to
9 FERC for inclusion in their environmental impact statement.
10 Additionally, the Coast Guard will be issuing a letter of
11 recommendation, after the environmental impact statement
12 comes out, that addresses the suitability of the waterway.
13 And that's addressed to the local government officials as
14 well as the applicant.

15 In addition to those responsibilities, the Coast
16 Guard also reviews the facility's operations manual and
17 their emergency manual and reviews and approves the
18 facility's security plans under the Maritime Transportation
19 and Security Act.

20 And we're here tonight as a cooperating agency to
21 see what input that you, the public, has. And we'll be
22 taking any input that you, the public, has. And we'll be
23 taking any input that you have into consideration in our
24 review process.

25 MR. KOPKA: Thank you. Our next agency

1 representative will be Alex Dankanitch of the U.S. DOT.

2 MR. DANKANITCH: Thank you. My name is Alex
3 Dankanitch. I'm representing the Office of Pipeline Safety.
4 And it's an office within the Department of Transportation.
5 I work out of the Washington, D.C., office. The Office of
6 Pipeline Safety has offices -- has five offices throughout
7 the United States.

8 What I'd like to do is just briefly explain the
9 role of the Office of Pipeline Safety, the inspection role
10 that we conduct during construction and after construction
11 during normal operation of the LNG plant.

12 The Office of Pipeline Safety has regulatory
13 authority for the safety of land-based LNG facilities.
14 These regulations apply to the construction, operation, and
15 maintenance of the land-based facility.

16 The Office of Pipeline Safety regulations are
17 codified in 49 CFR, part 193, which incorporates many of the
18 requirements of the National Fire Protection Association
19 standard 51(a).

20 During construction the Office of Pipeline Safety
21 regional staff will conduct inspections to insure that the
22 construction complies with the requirements of part 193.
23 Prior to commencing operations the facility's operator must
24 establish detailed procedures that specify the normal
25 operating parameters for all equipment.

1 When a piece of equipment is modified or
2 replaced, all procedures must be reviewed and modified.
3 When a piece of equipment is modified or replaced, all
4 procedures must be reviewed and modified, if necessary, to
5 insure the integrity of the system.

6 All personnel must complete training in operation
7 and maintenance, security, and firefighting. The facility's
8 operator must develop and follow detailed maintenance
9 procedures to insure the integrity of the various safety
10 systems such as gas detectors, fire detectors, and
11 temperature sensors.

12 The Office of Pipeline Safety's regulations
13 require tight security for the facility. This includes
14 controlled access, communications systems, enclosure
15 monitoring, and frequent patrolling.

16 The Office of Pipeline Safety regional staff will
17 inspect each LNG facility at a minimum of once each year to
18 insure that all equipment has been properly maintained and
19 that the operator has and follows operating, maintenance,
20 and security procedures and emergency procedures that will
21 insure the continued safe operation of the facility.

22 The Office of Pipeline Safety enforces all code
23 violations it finds. Enforcement can included civil
24 penalties or orders directing corrective action.

25 Thank you. I'll be available after the meeting

1 to answer any specific questions.

2 MR. KOPKA: Thank you, Alex. Hopefully this
3 microphone will work for us.

4 Because the Commission has responsibilities to
5 treat all parties to the proceeding equally, we must make
6 certain that our process is open and public. For this
7 reason we at FERC are constrained by what are known as ex
8 parte rules. This means that there can be no off-the-record
9 discussions or correspondence between staff and the
10 interested parties regarding the merits of this case.

11 Therefore I either urge you to speak tonight on
12 the record or put your comments in writing and file them
13 with the secretary of the Commission. Again, the directions
14 to do so are in the first few pages of the draft DEIS.

15 I also encourage you if you are not speaking
16 tonight and would like to send in comments to do so early so
17 we receive them by April 18. And you may also file comments
18 electronically. And those directions are also in the DEIS.

19 You may have noticed we have a court reporter
20 from Ace Federal Reporters here to my right, who is
21 transcribing the meeting. This is so we can have an
22 accurate record of tonight's comments. If you would like a
23 copy of the transcript, you can make arrangements with the
24 court reporter or Ace.

25 The transcript will be available to the public at

1 FERC's public reference room and as part of the record on
2 the FERC Web site under the project docket numbers.

3 Let me also emphasize that this meeting is not a
4 hearing on the merits of this proposal. It is, as I said
5 earlier, a meeting to give you, the public, an opportunity
6 to comment on a draft DEIS.

7 We will address comments on the draft in the
8 environmental impact statement, which we expect to issue in
9 early summer.

10 I will call up individuals to speak in the order
11 listed in the sign-up sheet. We also have some forms at the
12 table outside if you would rather put your comments in
13 writing tonight, which you can get to after the meeting for
14 inclusion in the public record.

15 For those speaking tonight, when you come up to
16 speak, please spell your last name for the record and
17 identify any organization you may be representing.

18 Let me just hang on and check with the folks here
19 at the hotel about the microphone. Just give us a couple
20 minutes.

21 (Pause.)

22 MR. KOPKA: The person who signed up to speak --
23 he was the fourth person. They signed their signature. I
24 can't quite make it out. If you know who you are, could you
25 come on up?

1 I think the initial -- it looks like Rich.

2 MR. GRANT: My name is Bob Grant.

3 MR. KOPKA: Bob Grant? Okay. Thanks.

4 Let's go ahead with the first speaker. And
5 hopefully it will work -- the microphone will work in the
6 meantime.

7 Our first speaker is Richard Myers, representing
8 the Delaware River Keeper Network.

9 MR. MYERS: My name is Richard Myers, M-y-e-r-s.
10 Just several comments that I have this evening on the
11 project and from reviewing the documents.

12 The first issue, the issue of the coastal zone, I
13 think is an important issue, first of all, because
14 exceptions to the Coastal Zone Management Act set precedents
15 which in the long term weaken the act. And I think you have
16 to look to the intent of the original Coastal Zone
17 Management Act. And some of the arguments that are being
18 made as far as the state boundaries are --

19 MR. KOPKA: Do you mind please stopping for a
20 minute because we're going to change the microphone.

21 MR. MYERS: Sure.

22 (Pause as the microphone is changed out.)

23 MR. KOPKA: Sorry for the interruption.

24 MR. MYERS: As I was saying, first of all, I
25 think the coastal zone issue is an important issue.

1 Exceptions to the Coastal Zone Management Act I think in the
2 long term tend to weaken the act. And looking at the
3 original intent of the act, which was to minimize the amount
4 of industrial development in the estuary, particularly in
5 this case in the portion of the estuary that is within the
6 boundaries of the state of Delaware, I think it's important.

7 I think many of the arguments on this issue miss
8 the point. It's not an argument on where state boundaries
9 are or should be or should have been made 300 years ago. It
10 is an argument that deals with the integrity of the coastal
11 zone itself and the intent of the legislation, which was
12 supported by the residents of the various states who have
13 adopted coastal zone management acts.

14 So I think that determination is something that
15 is important. The applicant knew the possibility that that
16 would become an issue so that it was something that the
17 applicant obviously faced at their own risk on this.

18 They feel that they have arguments that will put
19 them in a situation where they meet one of the exceptions to
20 the act. That will obviously be determined by Delaware in
21 their proceedings.

22 The second is an issue that is not necessarily an
23 issue that would be the responsibility of BP. But I think
24 it is a responsibility of the Federal Energy Regulatory
25 Commission, which does regulate these proposals. And that

1 is the question of conservation and energy efficiency, which
2 really never gets discussed as it should be because
3 basically these projects tend to be looked at as a supply-
4 side solution.

5 And I think one of the failings of the
6 legislation that sets up the agency is that those issues
7 don't have to be taken into consideration first. And I
8 don't fault necessarily BP for not taking that into
9 consideration because they are basically in the business of
10 selling energy supplies, not creating energy efficiency.

11 But it's the Federal Energy Regulatory Commission
12 that oversees this project and the many others that are
13 actually in existence or being proposed. I think it's a
14 responsibility that needs to be taken more seriously.

15 Finally, with respect to the safety aspects of
16 the project, I've looked at many of the scenarios that were
17 set out in the draft environmental impact statement. And
18 one of the things that I've never really seen in this
19 document or any of the other information that's put out
20 there is the possibility of a high explosive device being
21 introduced directly into the storage tanks, whether it be
22 the tanks on site or in one of the transport vessels.

23 One of the things that I see with that is I
24 understand the aspects of the issues where they looked at
25 external explosive devices, rockets, whatever being fired at

1 a ship. But I think the one aspect that at least hasn't
2 been addressed publicly -- perhaps it has been addressed
3 privately -- is the possibility of an explosive device
4 which is actually introduced internally into the tank.

5 Some of the difficulties I see with that is since
6 the liquified natural gas is in fact a liquid, you have a
7 situation where an explosive device is introduced into a
8 container with a liquid, which is basically, I assume,
9 incompressible, much like water is, that during the
10 explosion would result in the actual rupture of the
11 containment vessel.

12 The second problem with a scenario of that type
13 is the almost instant vaporization and atomization of the
14 cargo as a result of that type of thing. And because it is
15 at an extremely low temperature, you will also face the same
16 situation you have with a steam boiler explosion, where much
17 of the initial explosive force is not due to the actual fire
18 or burning, but the liquid itself attempting to become a
19 vapor almost instantaneously due to the application of heat
20 from an explosive device, where the liquid is basically
21 trying to expand over 600 times its volume in a very short
22 period of time, which would also tend to disperse the cargo
23 and make it, I would think, much more susceptible to
24 ignition after the initial explosion.

25 So basically those are the concerns that we have

1 looked at to date. Possibly there are other things when we
2 finish reviewing the document. But we would like to take
3 them into consideration.

4 Thank you.

5 MR. KOPKA: Thank you.

6 Our next speaker is Tony Spadaccini.

7 MR. SPADACCINI: Hi. My name is Tony Spadaccini.
8 That's S-p-a-d-a-c-c-i-n-i. I'm with LNG Community Focus.
9 I'm a resident of Logan Township.

10 About a year ago in May and June of 2004 the FERC
11 held three scope meetings. One was in Logan. One was in
12 Chester, PA. And the other one was in Claymont, Delaware.
13 And they asked for public comment.

14 I personally spoke at all three scope meetings.
15 With all the safety concerns surrounding LNG, LNG tankers,
16 plus BP's poor environmental and safety history, in 2004 I
17 thought there would be no way that our federal government
18 would approve BP's proposal to construct an LNG terminal in
19 Logan Township, New Jersey.

20 Well, I was naive and finally realized it became
21 apparent that the FERC's main objective in these meetings is
22 to approve LNG import terminals no matter what the public
23 has to say.

24 I was also naive since I thought there would be
25 no way that our elected officials would stand by and allow

1 residents living within one mile of an LNG import terminal
2 to be placed in harm's way.

3 Again, I was wrong since most elected officials
4 have remained silent except for a few New Jersey elected
5 officials who appeared to have a great deal of interest in
6 an LNG facility in Logan Township.

7 I'd like to point out that there's elected
8 officials in California, Alabama, New England -- there's
9 dozens of them -- that have even gone down to Washington,
10 D.C., to protest on behalf of their residents. And why New
11 Jersey has quiet politicians and people that want these
12 things -- it's hard for me to understand.

13 Some people in the room here may not realize that
14 BP reviewed eight other facilities before they selected
15 Logan Township. One of the sites BP investigated was their
16 own property located in Paulsboro, NJ. BP determined that
17 the Paulsboro site was not appropriate since there were too
18 many people located within one mile of the site. Plus the
19 Paulsboro site was only 130 acres and BP felt that the
20 thermal radiation and vapor dispersion exclusion zones could
21 possibly extend beyond the boundaries of the site.

22 BP considered the Paulsboro site not suitable
23 since 1,761 people lived around a potential Paulsboro LNG
24 import terminal. However, BP considers it suitable if a few
25 dozen people are living around a Logan Township LNG import

1 terminal.

2 Also BP considered the 130-acre Paulsboro
3 unsuitable since it was too small. However, BP considers
4 the 175-acre site at Logan to be suitable. It's hard for me
5 to believe that BP is concerned about thermal radiation and
6 vapor dispersion for a 130-acre site while BP considers a
7 175-acre site to be safer.

8 It is important to note that BP owned a site in
9 Paulsboro until May 2005, when BP graciously leased the 130-
10 acre property to the city of Paulsboro for the annual cost
11 of \$1.00 per year.

12 Also BP's Paulsboro site was contaminated,
13 however, has been or is still in the process of clean-up.

14 The draft environmental impact statement has not
15 eliminated any of my safety concerns with the proposed LNG
16 import terminal. I would like to go on federal record
17 tonight and state that I remain extremely concerned about
18 the safety of my family, friends, and all residents of the
19 Delaware Valley.

20 I am convinced that

21 (1) the U.S. Coast Guard cannot adequately
22 protect LNG tankers travelling the Delaware River,

23 (2) that local, county, state, and federal
24 governments cannot provide adequate security protection of
25 the LNG import terminal in Logan Township,

1 (3) if an LNG tanker or LNG storage tank erupted
2 into a large fire, that this fire cannot be extinguished
3 with water or chemicals and a potential catastrophe could
4 occur,

5 (4) BP's safety and environmental record is
6 extremely poor and that the FERC must consider BP's poor
7 record in their approval process, especially as from the
8 comments from one of the speakers stating that documentation
9 and following safety regulations are required,

10 (5) the Crown Landing site created prime
11 terrorist targets with three large LNG storage tanks. And
12 whenever LNG tankers travel along the Delaware River, your
13 power plants, oil refinery, bridges, and major population
14 centers.

15 These dangers could readily be avoided by
16 locating the LNG terminal at a different location, such as
17 100 miles off the coast of New Jersey in the Atlantic Ocean.
18 They are considering that in California. It's 10 to 20
19 miles off the coast in the Pacific Ocean.

20 An LNG terminal at Crown Landing site creates
21 unnecessary dangers to the communities in New Jersey,
22 Delaware, and Pennsylvania that could be far more deadly
23 than the March 23rd, 2005, explosion at BP's Texas City,
24 Texas, oil refinery.

25 I am submitting this written request to the FERC

1 that they reject BP's application to install an LNG import
2 terminal in Logan Township, New Jersey.

3 Thank you.

4 (Applause.)

5 MR. KOPKA: Thank you.

6 Our next speaker is Bob Grant.

7 MR. GRANT: Okay, my name is Robert Grant. I
8 live on Route 130 about 1,000 yards from where they plan to
9 put this thing.

10 PARTICIPANT: (Laughing.) We're in Frederick
11 county.

12 MR. GRANT: Okay. I'm a lot closer than you are.

13 There's a lot of people over there. Now, these
14 people came up and said, "Oh, it's an unpopulated area. We
15 can put this -- land this thing here. It won't hurt
16 anybody."

17 -- from the DMV today -- I was having fun down
18 there getting my registration renewed -- which was a
19 surprise. Quick trip. I counted at least 17 houses within
20 a 200-yard radius of where I live. And some of those homes
21 are occupied by little children.

22 Now, do we really want something like that in our
23 township?

24 PARTICIPANTS: No, no, no.

25 MR. GRANT: I know I don't. My wife feels the

1 same way about it. And she works for Exxon in Paulsboro.
2 But she doesn't want this thing down here either.

3 I'm not a -- speaker like Tony was. I'm just a
4 dumb, old truck driver that's disabled and on retirement.
5 But I don't want it. And I hope you people don't want it
6 either.

7 Thank you.

8 (Applause.)

9 MR. KOPKA: Our next speaker is John Reynolds.

10 MR. REYNOLDS: My name is John Reynolds,
11 R-e-y-n-o-l-d-s. My company is Rice Unruh Reynolds. And
12 my company supplies logistic services to 80 percent of all
13 the LNG ships in the United States.

14 I'm a graduate of the New York State Maritime
15 Academy. I'm a retired naval reserve officer. I've held a
16 Coast Guard license for 40 years. In the 1960s I brought
17 bombs to Vietnam on a merchant ship.

18 I live in Chester county, PA, near four nuclear
19 power plants -- Limerick, Peach Bottom, Salem, and Three
20 Mile Island. The colonial pipeline runs beneath my farm.
21 I'm telling you all this because I believe I understand
22 something about risk assessment, safety, and environmental
23 impact.

24 Because my company is so involved with LNG, each
25 time I speak at these meetings I try to speak about what I

1 perceive to be your concerns. I'd like to give you some
2 facts and not opinions.

3 The BP LNG plant will be state of the art. The
4 other four facilities currently operating in the United
5 States with safety are more than 25 years old.

6 The LNG ships that BP are building will also be
7 state of the art. Our Delaware River pilots, 80 in all, are
8 the best in the nation. Many of my employees live near
9 these four existing facilities and are comfortable with its
10 presence. The communities surrounding these facilities have
11 received enormous economic impact.

12 I support this project. Thank you.

13 (Applause.)

14 MR. KOPKA: Okay, our next speaker is Bill Moran.

15 MR. MORAN: It's Bill Moran, M-o-r-a-n. I
16 operate a small maritime company which deals with various
17 forms of transportation such as tankers, ships in general --
18 ports of Philadelphia.

19 One of the transportation services we provide is
20 a -- service -- small boats, which will going alongside
21 these LNG tankers should they come in. We go up against
22 tankers, you know, on a daily basis now moving people -- and
23 so on -- provisions and so on.

24 I was just thinking about it, sitting back there.
25 And it pains me to say it, but I've got over 30 years of

1 maritime experience in the Philadelphia now. And I just
2 feel that 30 years have gone by, but it happens.

3 I have had the opportunity to review the draft
4 EIS. And most of my comments have been read into previous
5 meetings that FERC has had over the last year. And on the
6 current draft EIS I generally concur with the
7 recommendations of the draft EIS that are included in there.

8 Thank you.

9 (Applause.)

10 MR. KOPKA: Our next speaker is John Zwack.

11 MR. ZWACK: Good evening. My name is John
12 Zwack, Z-w-a-c-k. I live in New Castle county, Delaware.
13 My family and friends live and work here locally in south
14 Jersey in Logan Township, Mickleton, Paulsboro, Swedesboro.
15 I actually was married -- my wedding was here in this very
16 hotel.

17 And I support this project. I support it because
18 it's good for the regional economy. It's good for the
19 national economy. And it's good for the environment.

20 From a regional economy standpoint I support this
21 project because we need to keep energy costs of our business
22 in line so we can keep compete in a global marketplace.
23 People need places to work for jobs.

24 I support it on a national standpoint because
25 Alan Greenspan admits that the energy in our country -- we

1 need to increase our supply of natural gas through LNG.

2 From an environmental standpoint I support this
3 project because natural gas is the cleanest and most
4 efficient fuel available. I work quite extensively in the
5 power business. And I've seen over the last couple of years
6 a trend from clean-burning efficient natural gas in combined
7 cycle power plants to coal fire power plants.

8 And even with the latest technology available for
9 a coal fire power plant, it's still going to produce more
10 pollutants and mercury than a natural gas power plant.

11 You know, my state of Delaware and its Coastal
12 Zone Act I think is wrong. You know, it was quoted in the
13 paper, the Danrick Secretary, just Saturday that pollution
14 is up at the Indian River power plant. But Danrick -- John
15 Hughes says in a statement that officials hope that the
16 long-term trend is lower and with controlled releases.

17 Well, he says that. And they deny the fuel
18 source that's going to get that trend for pollutions to come
19 down. You know, power plants run on natural gas -- they've
20 seen their price increase, the fuel sources increase by over
21 100 percent. I've seen in my own utility bills. The price
22 has increased quite a bit.

23 I'd like to say I support this project. And I
24 support it knowing that my family and friends live locally.
25 I know a little bit about LNG. I'm a mechanical engineer.

1 And I think the project is -- my family will be safe. Our
2 economy will benefit. And the environment will benefit.

3 Thank you.

4 (Applause.)

5 MR. KOPKA: Our next speaker is Ray Blickle.

6 MR. BLICKLE: Hi, my name is Ray Blickle. Last
7 name is B (as in boy)-l-i-c-k-l-e. I'm here tonight because
8 I live in the next town over, which is Pedricktown, which --
9 we're the next town over from Logan. We're probably within
10 the mile from where this proposed plant is going to be
11 built.

12 One of the main reasons I'm here is safety. When
13 I moved here a few years back with my family, I took a good
14 walk around one time looking for a home and realized the
15 wetlands and the birds and the deer -- and if you really
16 anytime going down 130 early in the morning before the
17 traffic picks up, you'll know what I mean by the wildlife
18 that's in this area.

19 And how anybody can stand here and say that
20 there's not going to be an environmental impact because of
21 the location of this plant, I find that hard to believe.

22 My second reason being is my family, my
23 neighbors, my friends -- we live in the backyard here. This
24 is our backyard. This is our home. This is why we moved
25 here -- to get away from all this build-up like any other

1 areas of north Jersey, central Jersey.

2 That's why I moved here a few years back.

3 Because I liked the way this area was. And I just felt that
4 to put this plant here and the safety -- even there's a
5 school in Pedricktown that -- I don't know. I guess there's
6 a couple hundred students who go there. Nobody's addressed
7 the safety of the school that is within a mile or maybe a
8 mile and a quarter of this plant.

9 I understand there's a bone zone -- when if this
10 plant were to explode, I'm sure there's ways they can go up.
11 Everybody says it's safe and this is safe and that's safe.
12 But until it's in your own backyard, I don't think anybody
13 understands that when you go to bed at night and you hear a
14 bang or a boom and you understand and you jump and think,
15 well, that could be the plant down the street.

16 I mean, I got to go to sleep at night, if this
17 thing's built, wondering what's going to happen and why wake
18 up in the morning because if this thing blows up. I mean,
19 we all understand what's going on with 9/11 and everything.

20 I mean, this is something I think if we're going
21 to built it, fine. There's jobs. I understand people need
22 to make a living. I've got to make a living. My wife's got
23 to make a living.

24 But I don't want this in my backyard. If you
25 want to build something, just build it 20 miles out or

1 somewhere where there's not a population. You know, give
2 people a chance. I don't want this in my backyard.

3 I've got to live here, sleep here, eat here. And
4 I just don't want it here. I don't think it's really been
5 thought of as being safe. I think that everybody's being
6 told exactly what's going to happen here.

7 I mean, I understand in Boston there's a port
8 that they bring these ships in, the LNG ships, if I'm
9 correct. But when they bring these ships into the port,
10 they have to shut down the port for half an hour, 45
11 minutes.

12 And if I'm understanding right, when every time
13 that ship comes up and goes underneath the Delaware Memorial
14 Bridge, the twin bridges here, they're going to have to shut
15 the traffic down. It could happen. I'm not saying it's
16 definitely going to happen.

17 But what happens if we're in a 9/11 and we get an
18 elevated alert, elevated orange or red or whatever? And
19 they have to be escorted by Coast Guard ships, which I
20 understand does happen in Boston.

21 I don't think all these issues have been
22 addressed. Plus --

23 I guess that's about all I have to say. Thank
24 you for your time.

25 (Applause.)

1 MR. KOPKA: Our next speaker is Jane Nogaki.

2 MS. NOGAKI: Thank you for the opportunity to
3 testify. My name is Jane Nogaki, N-o-g-a-k-i. I'm with a
4 group in Middleton, New Jersey, called Coalition Against
5 Toxics. And our group is opposing the siting of this LNG
6 plant in Logan Township.

7 We feel that the site that has been chosen, while
8 the immediate population may be smaller than downriver in
9 Carney's Point or upriver in Paulsboro, nevertheless New
10 Jersey itself is the most densely populated state in the
11 country. We're also the third largest industrial producer
12 of chemicals. So we suffer already a burden of air
13 emissions and water pollution that is the third highest in
14 the country.

15 As a result of that, we feel health impacts in
16 New Jersey. We have a breast cancer rate that's one in
17 eight people. We have a skyrocketing asthma rate,
18 particularly among children. We have high cancer rates.
19 And we have a lot of industrial pollution that we live with
20 every day.

21 And while this plant is not incrementally putting
22 air pollution out, there will be additional pollutants from
23 this plant that are described in the environmental impact
24 report.

25 There will be sulphur dioxide emitted from the

1 plants -- 75 tons a year. There will be diesel pollution
2 from the ships coming up, transporting the LNG. More diesel
3 particulate pollution in a state in a metropolitan area that
4 is the second worst in the country behind New York
5 metropolitan area.

6 We have many, many deaths per year that are
7 predicted to happen because of the high diesel particulate
8 that we are already experiencing in this part of the state.

9 I think that of the environmental impacts that
10 are mentioned here, the impacts on the Atlantic sturgeon and
11 short-nose sturgeon will not be adequately addressed. There
12 will be an admitted impact. There will be wetlands
13 disturbed. There will be 11 miles of pipeline laid down.
14 There will be a lot of construction disturbance and
15 sedimentation.

16 But those impacts pale by the issues of the
17 inherent safety and security issues that are raised by this
18 proposal. I think that by not including the navigational
19 on-site security in this impact statement that you've
20 avoided looking at a holistic environmental picture of what
21 this plant imposes on the area. By segmenting the process
22 you've attempted to minimize attention to potential harm.

23 I think that this plant places a burden on the
24 Coast Guard that is financially unable to provide the level
25 of security that would be required.

1 It's a Coast Guard that admits that there is no
2 one responsible in the river for making sure that the
3 channel is clear of obstructions -- and obstructions of the
4 type that caused the major oil spills in the river over the
5 Thanksgiving weekend -- an oil spill that had inadequate
6 response from the Coast Guard and whose cleanup is still
7 ongoing on the river at the cost to taxpayers in
8 Pennsylvania and Delaware and New Jersey, the like of which
9 we don't know if we'll ever be compensated -- not to mention
10 the environmental damage.

11 So for all these reasons I oppose that this plant
12 be sited at this location in New Jersey. I think that the
13 LNG issue is something that should be put offshore, if at
14 all, and that our reliance on this kind of energy, a fine
15 source of energy, has got to reconsidered.

16 Thank you.

17 (Applause.)

18 MR. KOPKA: Our next speaker is Roy Jones.

19 MR. JONES: Good evening. I'm the coordinator
20 for the South Jersey Environmental Justice Alliance. And my
21 office is based in Camden, but we do work throughout south
22 Jersey and in Chester and Wilmington. And we are building
23 relationships with particular groups in Wilmington and
24 Chester, Pennsylvania.

25 And of course you know about the environmental

1 issues in Camden. And this plant, we are particularly
2 concerned, will have an impact, a gross impact, on Chester,
3 Pennsylvania.

4 And tonight I did call the library in Logan
5 Township to get a copy of the impact study. And they didn't
6 have it. And it was fortunate that one of the colleagues
7 that I work with from the New Jersey Environmental
8 Federation had a copy tonight.

9 So I tried to read it -- about, I guess, 500
10 pages -- in the last actually 20 minutes.

11 (Laughter.)

12 MR. JONES: So I'm going to just give you a
13 couple of notes from that. But my point is the document for
14 people to review was not at the library in this township.
15 That's my point.

16 (Applause.)

17 MR. JONES: And then I want to talk about what I
18 could get out of one of the summaries about environmental
19 justice issues. And they said because the pipeline in the
20 facility -- well, the pipeline is going to run through
21 minority communities and nonminority communities. It
22 therefore will not have an adverse impact on minority
23 communities.

24 So I want you to see the logic here. And the
25 logic is kind of weird because more affluent communities

1 don't have the same contamination levels and facilities that
2 pollute that Chester, Pennsylvania, has.

3 So how can it have to have the same impact in
4 Chester as it would here in Logan or other townships in this
5 area? It wouldn't have the same impact because in Chester
6 the town is dominated by contaminated facilities. So if you
7 add another contaminated facility, it makes it worse for
8 people who are already poor, can barely deal with health
9 care, and can barely deal with issues related to their kids
10 as it relates to asthma.

11 So the logic don't make sense to me. So maybe as
12 I read it a little bit more, it will make sense to me. But
13 on my first reading, it just didn't make sense.

14 The other thing that is -- by the way, you've got
15 the Marcus Hook Refinery, which pumps out tons of
16 contamination, right? That's right in Chester. It's not in
17 Logan even though Logan gets some residual effects from it.

18 And in Chester there's an incinerator plant, so
19 you get all that other funk and stench from an incinerator.
20 Because we know about that in Camden. The stench in Camden
21 is so bad from an incinerator that one night on my way to
22 speak in support of a group the stench was so bad, I
23 literally broke down in tears. It was that bad.

24 And then, of course, in Chester the other
25 contaminating facilities in Brownfields and maybe a

1 superfund site. So, you see, what affects Chester and then
2 what affects other towns, it won't be the same.

3 The other thing the study said is that 3,200
4 ships come through and they pump out diesel emissions, which
5 is polluting the air. And then they said, well, another 180
6 ships with this new plant, that's going to just add to it.
7 But it won't hurt anybody. You follow me? It just won't
8 add because it's going to affect nonminority communities and
9 minority communities.

10 And they keep leaving out what Chester will be
11 subjected to and also what Wilmington will be subjected to.

12 And we know all of the facilities that DuPont -- I mean,
13 you can visually see what DuPont does every day, every
14 minute of the day, 365 days a year -- what they pump in into
15 the air. You can almost -- well, you can see it.

16 So Chester is going to be really affected by this
17 new plant. And these are some of the things I want you to
18 consider.

19 The other thing that was very interesting in my
20 short review -- was that you guys contacted about 20 native
21 American tribes about this issue -- 20 native American
22 tribes. And the study basically said that there are no
23 archeological sites located in the project area.

24 You have a problem. And because this is
25 historical, has a legacy. You guys are going to have a

1 problem with really siting this facility in this area. And
2 by the way, not all of the tribes communicated to you. One
3 said they would defer their comments until further
4 information.

5 But you have a real environmental justice issue
6 as it relates to Chester, particularly, and as it relates to
7 this native American legacy issue in particular. And then
8 I'm going to send in written comments later as I'll finish
9 reading the documents. Thank you.

10 (Applause.)

11 MR. KOPKA: Our next speaker is Sharon Finlayson.

12 MS. FINLAYSON: Thank you for this opportunity to
13 comment. My name is Sharon Finlayson. I'm the board chair
14 for the New Jersey Environmental Federation. The New Jersey
15 Environmental Federation is New Jersey's largest
16 environmental organization. We have 70,000 members
17 statewide and 100 member groups.

18 The issue of siting liquid natural gas facilities
19 is forcing its way to the forefront with proposed facilities
20 for both Logan Township and Philadelphia, Pennsylvania.

21 The New Jersey Environmental Federation has taken
22 a position in opposition to the projects planned for both
23 Logan Township and Philadelphia because of the density of
24 population in these areas and the already existing
25 preponderance of petro-chemical and nuclear industries that

1 pose a risk to the human population and the environment.

2 What does the Department of Homeland Security
3 have to say about siting a highly visible target in a
4 metropolitan area that has seven major oil refineries, a
5 nuclear plant, and the largest chemical company in New
6 Jersey in a densely populated area that is the major
7 transportation corridor for the entire Northeast?

8 If anything, the siting of this facility makes
9 New Jersey, Pennsylvania, and Delaware more, not less,
10 vulnerable to deliberate terrorist attack. Tankers are
11 considered security risks because they are vulnerable
12 targets for attack.

13 In Boston harbor these tankers create havoc.
14 Bridges close. The airport stops operation. And the
15 tankers are accompanied by armed guards and helicopters.
16 The New Jersey Environmental Federation does not concur with
17 the conclusion of the environmental impact review that the
18 project has limited adverse impact. And we do not concur
19 that the recommendations for security, mitigation, and
20 safety adequately address potential risks from the facility.

21 (Applause.)

22 MS. FINLAYSON: At the Logan Township projected
23 site the LNG tankers will travel more than 68 miles up the
24 Delaware River to the storage facility in Logan. This takes
25 the tankers past three nuclear reactors in Salem, under the

1 Delaware Memorial Bridge, past DuPont and Wilmington. Logan
2 is opposite a large oil refinery, Sunoco at Marcus Hook,
3 which also has a flare.

4 There are a number of issues relative to this
5 project:

6 - increased sedimentation in the river
7 necessitated by dredging the ship and 11-mile pipeline
8 extensions,

9 - potential impact of fish entrainment,
10 particularly sturgeon, and exotic species in -- water,

11 - additional diesel emissions from tankers (which
12 you've already heard about) in an area that is the second
13 worst for diesel particulate in the nation, and

14 - disparate impact on the low-income community of
15 color across the Delaware River in Chester, Pennsylvania.
16 You've also just heard about that.

17 Of most concern is the highly flammable nature of
18 the material and its ability to fireball that could impact
19 up to mile or more, causing burns of varying degrees and
20 property damage.

21 The addition of this facility to an area already
22 a planned target for terrorists because of the dense
23 population in close range to a preponderance of petrol-
24 chemical facilities and nuclear facilities in a major
25 transportation corridor is, in our view, an unacceptable

1 burden of risk.

2 Delaware is so concerned about this project that
3 they denied the coastal zone permit because it violates
4 their zoning against heavy industry on the river.

5 On the environmental justice side of this,
6 Chester, which is already impacted by concentrated pollution
7 and is largely minority, could also be adversely impacted by
8 an explosion.

9 You heard about the pollution from Roy Jones and
10 the asthma problems. But now we have to look at what
11 happens if there is an explosion from one of these tankers
12 or at the facility.

13 While the facility siting process ruled out
14 Carney's Point and Paulsboro as being too populated to site
15 the facility, the Logan site in fact represents a disparate
16 impact on poor people of color, who live directly opposite
17 and adjacent to the site in Chester, Pennsylvania.

18 Philadelphia is also proposing an LNG project in
19 Port Richmond just opposite Petty's Island. Also of concern
20 is the siting of the LNG plants throughout the United States
21 that set this up for a reliance on another foreign energy
22 source.

23 Logan's gas will come from Trinidad and Algeria
24 for those who might be wondering where it's coming from.
25 Not only are we setting ourselves up to rely on another

1 foreign energy source, but reliance on that energy detracts
2 from efforts to become self-reliant here and to seek good,
3 safe energy alternatives.

4 (Applause.)

5 MS. FINLAYSON: We should and must develop
6 alternative energy criteria with public health and safety
7 and self-sufficiency at the top. If we were to do that, LNG
8 would fail those requirements.

9 If the FERC does indeed approve the facility to
10 be built, we agree with the New Jersey Sierra Club that
11 these facilities should not be built in populated areas.
12 Rather they should be located offshore. And they should
13 definitely -- definitely -- not be a primary energy source
14 for this nation.

15 I'd like to close with just one comment. I'd
16 like to respond to a speaker who spoke a few minutes ago.
17 And then I have one question for the panel.

18 The gentleman who was up here a little while ago
19 and he said that he wanted to give facts, not opinions. And
20 I would just like to say that because opinions come from the
21 heart are based on concern does not make them less accurate
22 than statements that are presented in order to promote a
23 money-making venture.

24 (Applause.)

25 MS. FINLAYSON: I've been working on

1 environmental issues in New Jersey for 20 years. And it has
2 been my experience that our New Jersey population is an
3 intelligent population. And they are able to read. And
4 they are able to comprehend. And they are able to
5 understand this project.

6 And I would like to close with just one question.
7 As I listened to the individuals who opened this public
8 hearing this evening, I got the impression that we are
9 simply going through the motions, that this is a formality,
10 and that in fact the FERC has already made up its mind to
11 support this project.

12 And I'd like to ask that question of the panel --
13 if, in fact, you have already decided that this is a
14 project that will go, that perhaps you will respond to the
15 public questions, that perhaps you may tweek it a little
16 bit, but the reality is that you intend to allow this
17 project to be built in Logan.

18 MR. KOPKA: (Speaking from the floor without a
19 mike.) I don't make that decision.

20 MS. FINLAYSON: Okay.

21 MR. KOPKA: (Speaking from the floor.) None of
22 these people here make that decision.

23 MS. FINLAYSON: Okay.

24 MR. KOPKA: (From the floor.) The Commissioners
25 make that decision. They look at the final environmental

1 impact statement --

2 MS. FINLAYSON: Well, looking at the --

3 MR. KOPKA: (From the floor.) -- along with
4 other -- I mean, they look at more than just the
5 environmental aspects of the project.

6 MS. FINLAYSON: Well, then let me rephrase my
7 question. Is it your experience that public input,
8 questions, opinions, and statements will make a difference
9 in the final decision?

10 MR. KOPKA: (From the floor.) Yes. I mean, all
11 those things are taken into consideration.

12 MS. FINLAYSON: Could it change the outcome?

13 MR. KOPKA: (From the floor.) It's possible.

14 MS. FINLAYSON: Has it ever changed the outcome?

15 MR. KOPKA: (From the floor.) I can't answer
16 that. But we'll need to look at some of the projects that
17 are very controversial.

18 MS. FINLAYSON: Thank you.

19 (Applause.)

20 MR. KOPKA: Our next speaker is Alan Muller.

21 MR. MULLER: My name is Alan Muller. And I'm a
22 resident of Port Penn, Delaware. And I'm the director of
23 Green Delaware, which is an environment and public health
24 advocacy group.

25 It's difficult really to add anything to the

1 excellent comments that Ms. Finlayson just made. But I will
2 share with you a few thoughts. Since this project surfaced
3 in our awareness we have been in touch repeatedly with
4 British Petroleum. And we've listened to them quite
5 carefully.

6 We've been in touch with the FERC, with the Coast
7 Guard, with emergency responders in Delaware and New Jersey.
8 We've made a site visit. We've had a lot of discussions
9 with Delaware's environmental regulatory agency, the body
10 that made the Coastal Zone Act decision on BP's appeal,
11 which will be heard tomorrow morning at 10:00 in Delaware.

12 So we haven't jumped quickly or easily to our
13 conclusions about this project. But before I comment on
14 that, I'd like to echo Sharon's concerns. I receive an
15 overwhelming sense here that the Federal Energy Regulatory
16 Commission is de facto operating as part of the industry
17 rather than an independent regulatory body.

18 The Center for Public Integrity had an article
19 some time ago in which it reported on innumerable close
20 contacts and meetings between the FERC commissioners and
21 people involved in the LNG industry.

22 And I have a very small level of comfort here
23 that the process that we're engaged in is, in fact, being
24 carried out in good faith. And I'm sorry to feel the need
25 to say that because the FERC staff that we've talked to have

1 been courteous and professional. But one doesn't get a
2 feeling that any of the -- review has taken place.

3 Now, this meeting is about the draft
4 environmental impact statement and whether it lives up to
5 the requirements of the National Environmental Policy Act.
6 And our conclusion is that in numerous respects it does not.
7 In fact, it's so inadequate that I could go on for a long
8 time about that in spite of the fact that it does contain a
9 great deal of interesting information, much of which is
10 unrelated to the underlying issue.

11 But first of all, it was -- and I have a question
12 here. It was my understanding that the Coast Guard's letter
13 of recommendation -- and we participated in a Coast Guard
14 workshop on navigational safety -- was something that was to
15 be factored into the document that here's tonight. And yet
16 that letter is not available.

17 And when I look at the announcement here for this
18 hearing and received the items that are recited as having
19 been considered, I don't see mention of navigational hazards
20 or the hazards posed by the ships themselves.

21 So perhaps someone could explain to me what the
22 relationship is between what we're doing here tonight and
23 what the Coast Guard is doing and how those are to be
24 connected together.

25 LT. COMMANDER MYERS: The Coast Guard has a

1 responsibility to provide a letter of recommendation under
2 part of the regulations. And part of our responsibility in
3 issuing a letter of recommendation is to insure that we've
4 done an appropriate review underneath the requirements.

5 And as Bob Kopka had mentioned, this
6 environmental impact statement that we are a cooperating
7 agency for is going to fulfill our regulatory requirements
8 for a NEPA review for this letter of recommendation that
9 will be issued.

10 So the letter of recommendation cannot actually
11 come before the environmental impact statement comes out.
12 However, the review that we do conduct will be factored into
13 the environmental impact statement. We'll be providing a
14 report to FERC that will contain the type of information
15 that will eventually appear in the letter of recommendation.

16 And that's the relationship here. So that report
17 has not been completed. It was not included in this draft
18 environmental impact statement. But it will be included
19 before any type of a final environmental impact statement
20 comes out.

21 MR. MULLER: Thank you, Commander Myers. Now,
22 the problem that I have with this is that a key issue in all
23 of this certainly to us and to the people we've heard from
24 is the hazards associated with these tankers.

25 And it seems to me that what I'm hearing is that

1 that aspect of the EIS is going to be factored in after the
2 public hearings and the public comment process have taken
3 place. And that doesn't seem like an acceptable sequence of
4 events to us.

5 So our recommendation is that after the Coast
6 Guard has completed its part of the deal and that's been
7 factored in, that the FERC needs to hold another set of
8 public hearings in order that those issues can be properly
9 considered.

10 (Applause.)

11 MR. MULLER: And perhaps you could respond in
12 some way now to that request.

13 MR. KOPKA: Well, generally we don't do a second
14 round of public comment meetings, but the public can comment
15 on the final environmental impact statement. And those
16 comments are then addressed in the order the Commission may
17 issue.

18 MR. MULLER: Well, as I understand it, the record
19 is closing on the comments on the draft on April 18th. Is
20 that correct?

21 MR. KOPKA: Right.

22 MR. MULLER: When will the Coast Guard's letter
23 of recommendation be available?

24 LT. COMMANDER MYERS: Our letter of
25 recommendation or the report to the FERC?

1 MR. MULLER: Both perhaps.

2 LT. COMMANDER MYERS: (Speaking from the floor
3 without a microphone.) The report to the FERC will be
4 available as a public document, but not till we have
5 completed our -- we don't want to rush to a conclusion here.
6 And when that is issued with FERC, it will be a public
7 document.

8 MR. MULLER: Do we know when that will be?

9 LT. COMMANDER MYERS: (Speaking from the floor.)
10 Not at this point, no.

11 MR. MULLER: And how about the letter of
12 recommendation?

13 LT. COMMANDER MYERS: (From the floor.) The
14 letter of recommendation obviously is a public document as
15 well. That would come out following the environmental
16 impact statement.

17 MR. MULLER: Subsequent to the adoption of the
18 final environmental impact statement?

19 LT. COMMANDER MYERS: (From the floor.) Yes.

20 MR. MULLER: Okay. And will there be any public
21 input into the content of that letter of recommendation?

22 LT. COMMANDER MYERS: (From the floor.) Well, we
23 have -- we held one public meeting. The Coast Guard held a
24 public meeting several months ago in January. We cooperated
25 in all the public hearings that FERC has held in addition to

1 this one that will be -- tomorrow and the next day. And all
2 those -- the comments in these will be factored into our
3 evaluation as well.

4 MR. MULLER: Well, my suggestion at this point is
5 that the credibility of the process would be enhanced if the
6 drafts of these documents were to be open for public comment
7 in the same manner as we're having now -- rather than have
8 these kind of patches onto the document after it's a done
9 deal.

10 And we would suggest that you would consider
11 making those adjustments. It's my understanding the Coast
12 Guard headquarters is in fact preparing guidance for the use
13 of Coast Guard districts and offices in developing letters
14 of recommendation. Is that correct?

15 LT. COMMANDER MYERS: (From the floor.) That is
16 correct. We have guidance that we're finalizing. It will
17 assume the form of a navigation and vessel inspection
18 circular, or NAVIC. And we expect the guidance in that form
19 to be put out on the Internet for review by the public, by
20 industry.

21 And the Coast Guard -- so you can see the process
22 that's being considered and then comment on that. And we'll
23 be -- that draft -- before --

24 MR. MULLER: So will that guidance be available
25 to be used in the preparation of the letter of

1 recommendation for this project?

2 LT. COMMANDER MYERS: (From the floor.) Yes, it
3 will.

4 MR. MULLER: Okay. So the letter of
5 recommendation that you produce with this project will be
6 produced in conformity with that guidance document, which is
7 not available yet?

8 LT. COMMANDER MYERS: (From the floor.) Yes.

9 MR. MULLER: Okay. Thanks.

10 Now, two basic elements of concern that our
11 organization has about the draft environmental impact
12 statement are these. And I'm not going to recite everything
13 I have to say in great length here.

14 But the evaluation of alternatives in our view is
15 supposed to be a serious one, not a casual or trivial one.
16 And on a broader level, as Ms. Nogaki and Ms. Finlayson and
17 others have alluded to, the question of whether or not the
18 investment in the construction of this facility is the most
19 appropriate way to promote energy security for this country.

20 And in our view for reasons that have been
21 stated, it isn't. It appears not to be.

22 Public utility forthrightly, some months ago,
23 provided some information, interesting information on the
24 amount of investment associated with a project of this
25 nature. And when one looks at the entire supply chain, it's

1 on the order of \$10 billion.

2 And so it's reasonable to ask ourselves whether
3 that investment of \$10 billion dollars in promoting and
4 facilitating the import of LNG is an appropriate alternative
5 to investing that funding in conservation and efficiency
6 programs.

7 And I do have one exhibit here to give you. And
8 it's entitled "Typical Economic Multipliers Per Dollar of
9 Expenditure." This is from the Maryland Power Plant
10 Research Group. It's several years old. But it suggests an
11 economic multiplier on \$1.48 for investment in petroleum
12 products and natural gas versus a multiplier of \$2.32 in
13 energy conservation.

14 And I don't see any substantial consideration of
15 those issues in your draft environmental impact statement.
16 So I'd like you to accept this as an exhibit and as our way
17 of saying you need to take a more serious look at this.

18 Now, on alternatives, on a more narrow level and
19 perhaps a more real world one to BP, we understand that they
20 looked at other places along the river and rejected them on
21 the groups of higher population in the immediate area.

22 And yet it's understood by us that an attempt was
23 made to locate this facility at the port of Wilmington and
24 that this was rejected because other tenants of the port
25 made quite clear that they would cease to be tenants. The

1 city of Wilmington has a population of around 60,000 or
2 70,000 people at this point.

3 And possibly one of the appeals at the port of
4 Wilmington to the applicant is that it is effectively
5 exempted from the Delaware Coastal Zone Act. But it's very
6 difficult for me to believe that in good faith BP rejected
7 locations in Swedesboro and Carney's Point while seeking to
8 locate the facility in the city of Wilmington.

9 So I think that there's more work to be done on
10 alternatives. And I think if you'd do that work, the
11 inevitable conclusion would be the same conclusion that's
12 been come to by most of us who have looked at this -- that
13 the facility needs to be located offshore or in a truly
14 remote location where it doesn't pose unacceptable
15 environmental and safety hazards.

16 It's really a no-brainer in my opinion. And I
17 won't pursue it anymore.

18 (Applause.)

19 MR. MULLER: Now, the proposal here has a great
20 deal of similarity to a proposal in the city of Fall River
21 in Massachusetts. And in fact the FERC has produced a draft
22 environmental impact statement for that project which is
23 remarkably similar in many ways to this one.

24 And I want to bring to your attention a petition
25 for rulemaking that has been filed by the city of Fall

1 River, Massachusetts. And it asks for a change in federal
2 regulations such that

3 "every vessel carrying LNG, whether in transit or
4 while moored at a waterfront facility handling LNG, must
5 maintain a thermal exclusion zone for marine spills of LNG
6 as required under 49 CFR, section 193.204, for spills of LNG
7 on land."

8 And the point of all this is that the stationary
9 facility has required a thermal, and so on, exclusion zone,
10 whereas the tankers themselves do not have one -- though a
11 little common sense can suggest to us that a tanker is
12 probably more likely to become a casualty than a stationary
13 tank. And the tanks have a berm around them such that the
14 likelihood of LNG, in the event of a release, spreading to a
15 significant distance is substantially less.

16 And I would like this entire proceeding to be
17 entered into the record of this proceeding. And I will just
18 give you this specific petition from the city of Fall River.

19 Now, in favor of this petition is the
20 correspondence from the attorney general of Massachusetts
21 and the attorney general of Rhode Island. And I won't read
22 them except to say that the attorneys general of those
23 states have strongly supported the petition of the city of
24 Fall River.

25 And I'll read you one brief part of this:

1 "It is clear that the industry is requesting that
2 it be granted carte blanche discretion and the right to
3 continue operating as if the war on terrorism never began.
4 Simply because there have no LNG-related deaths or disasters
5 yet within the confines of our nation and federal waters
6 does not excuse the federal government from proactively
7 protecting citizens through the establishment of sensible
8 regulations."

9 That's from Patrick C. Lynch, who is the attorney
10 general of Rhode Island. And there's a similar letter here
11 from the attorney general of Massachusetts. And I'd like
12 you to accept these also as exhibits.

13 And we have here also a letter that our
14 organization has written to the attorney general of
15 Delaware, in which we ask her to enter similar comments.
16 And we observed that the citizens of Delaware and New Jersey
17 deserve no less protection than the citizens of
18 Massachusetts and Rhode Island. And perhaps we will pass a
19 copy of this to the attorney general of New Jersey.

20 Now, not too long after the Crown Landing Project
21 surfaced, there was a major -- and we were told that the LNG
22 industry was a very safe one. And in some ways it is.
23 There was a major disaster in Algeria, resulting in the
24 deaths of numerous people.

25 And at that time we heard from our friends at BP

1 that, "Well, that was Algeria, but BP's a very different
2 sort of organization," and such an event would never occur
3 in a facility under their management.

4 And with that in mind, I'd like to just read you
5 the heading of the story in the Houston Chronicle for March
6 24th of 2005 saying, "Fifteenth Body Pulled from Refinery
7 Rubble." And there's a photograph: "Firefighters Poured
8 Water on a Smoldering Unit Following an Explosion That
9 Rocked the Texas City British Petroleum Refinery on
10 Wednesday."

11 So I think that this speaks in a rather eloquent
12 manner to the possibilities that would exist in a facility
13 under BP management. And I'd like you to accept this and
14 mark it as an exhibit.

15 (Applause.)

16 MR. MULLER: Now, I could go on and on, but I'm
17 sure there are other people waiting to talk, so I think I'll
18 just observe that I have more to say on this at some time in
19 the future. And thank you for your attention.

20 (Applause.)

21 MR. KOPKA: The next speaker is Carolyn Grasso.

22 MS. GRASSO: Hello, my name is Carolyn Grasso,
23 G-r-a-s-s-o. I have lived in Gloucester county,
24 specifically in East Greenwich. I grew up on a farm there.
25 I now teach science to seventh and eighth graders at Logan

1 Township Middle School and Elementary School. I am a member
2 of the community advisory panel for the LNG Project.

3 I was asked to serve as a member of this panel by
4 a facilitator for BP to become more informed about the
5 project. I've been involved for six months -- actively
6 going to monthly meetings, becoming informed about issues
7 regarding the facility.

8 As I said, I teach seventh and eighth grade
9 science. I have a background in environmental science and I
10 was in the environmental science business -- or
11 environmental science profession for 15 years prior to
12 becoming a teacher.

13 For about seven years I served as a hazardous
14 waste investigator for the Department of Environmental
15 Protection. And I've been in numerous facilities that use
16 oil, not particularly natural gas, but fossil fuels,
17 chemical facilities doing investigations and seeing the
18 environmental impacts.

19 We are here tonight to comment on the draft EIS.
20 Looking at the EIS -- and I've looked at numerous EIS's --
21 there is minimal impact to the environment at this facility.
22 If you look at it from the environmental perspective, this
23 is a good facility for us to build in our community.

24 I live here. I work here. In terms of
25 environmental issues this is an excellent facility.

1 (Applause.)

2 MS. GRASSO: And it is. I mean, I don't think
3 there's any denial of that. And if you've been to other
4 facilities, if you've responded to emergency response
5 situations like I have, if you've looked at spills and
6 impacts of spills, this is not that facility. It really
7 isn't. And I speak from experience. And I'm reassured when
8 I read the environmental impacts of this.

9 Now, I know there's a lot of concern in the
10 community about safety issues. And my question about safety
11 -- I live here. There's no question. I live here. I work
12 here. My children are here. This is where I am from.

13 And so I, like you, have concerns. This is no
14 question about that. But yesterday I got off of a plane.
15 When I got on the plane, I got off of the plane I had
16 concerns. When I go to New York City, because I live close
17 enough to go, and I go to Washington, D.C., I obviously have
18 concerns. And they are brought up because of 9/11. There
19 is no question about that.

20 But saying that this facility cannot be sited
21 here or that we would not benefit from this facility is like
22 saying technology doesn't exist.

23 And when you go to the community advisory panel
24 and you listen to the presentations by someone like Captain
25 Mike Linton, who is the Delaware River Pilots Association

1 president -- this is a person who is going to be on the
2 ships that are coming up the river. And he tells you that
3 these are state of the art.

4 And I know that was brought up previously about
5 what is a state-of-the-art facility. And if you've been in
6 older facilities, facilities that have continual
7 environmental problems or safety problems, you understand
8 that a state-of-the-art facility is in your community's best
9 advantage.

10 In Logan Township we have a Logan cogen facility.
11 It's a cold energy generation facility. We cited that year.
12 It has an impact on the environment. But it's minimal
13 because it's a new facility.

14 This is a brand new state-of-the-art facility. I
15 don't know if you've never been to an industrial site if you
16 understand the significance of that. It really is
17 important. And design makes a difference.

18 I tell my students at school, technology -- I
19 mean, we all think that technology can solve our problems.
20 And technology does make a difference. And when I see the
21 design that's going into the transport vessels, that's
22 reassuring. And to the facility itself with containment
23 areas.

24 The transport vessels -- somebody said something
25 about leak protection. There are triple holds so that

1 there's containment within the ship if there is a leak.

2 So I think that people maybe should come out to
3 the community advisory program or panel -- and you are
4 welcome to invite to come -- and listen to what's happening
5 at the facility and the technology that's going to be
6 available there.

7 But in terms of environmental impact, I really
8 truly believe that that is very minimal.

9 Thank you for your time.

10 (Applause.)

11 MR. KOPKA: Our next speaker is Michael Mead.
12 Michael Mead. Or Michelle Mead. No?

13 Okay, well, then we'll go to James Swed.

14 (No response.)

15 MR. KOPKA: Okay, next will be Gene Dougherty.

16 No Gene? Okay, James Igo.

17 Gene? Okay.

18 MR. DOUGHERTY: My name is Gene Dougherty,
19 D-o-u-g-h-e-r-t-y. And I've been a Gloucester county
20 resident all of my life, 61 years.

21 And I think that this project is more than a
22 Logan project. It's a south Jersey regional project.

23 I've seen the effects of high energy cross
24 through my lifetime, particularly in what it did to my
25 family. I had 10 families of aunts and uncles in the area

1 that have left because of the high energy costs that reduced
2 their jobs.

3 The good-paying jobs that were here in the 50s
4 and 60s and 70s are gone. It wasn't always this way. Now,
5 we had some good-paying jobs at one time. When I was a
6 young boy farming was predominate in this area. But then
7 energy costs went up and the canning houses all closed down
8 because they couldn't afford the energy. So the farmers
9 stopped farming because there was no place to take their
10 products.

11 And Logan Township -- the farms were sold off to
12 developers to build houses for people from Pennsylvania to
13 live in, most of which -- probably a good portion of you
14 that live here don't work in New Jersey. And I saw that all
15 through south Jersey. After the farms died, energy prices
16 continued to go up.

17 And I looked around in Salem county and
18 Gloucester county and Cumberland county in the south Jersey
19 area. And when you go back into the late 50s and early 60s,
20 glass was king. The manufacturing in this area was glass.

21 When you look around now -- and the glass houses
22 are gone. And the Foster Forbes from Melville that was the
23 longest operating glass house in the United States is
24 closed. The Gainer Glass in Salem moved south and closed.
25 Owens Illinois and Glass -- that employed several thousand

1 people closed.

2 The Owens Illinois plant in Bridgeton that had
3 over 3,500 people -- it's got a building that's a mile long
4 along the Mars River. They have four people now that run it
5 as a warehouse. But it's closed. It's gone.

6 When you look at the Wheaton companies in
7 Melville, the Kendall in Vineland and the Anchor Hocking in
8 Salem they are bare skeletons of what they used to be. They
9 provide only a fraction of the jobs that they used to
10 provide. They were good-paying jobs. They supplied many
11 families with good incomes. But they're gone.

12 And when those glass houses closed, all the sand
13 plants in Cumberland and Salem county closed, disappeared.
14 And all the transportation people who drove the trucks, who
15 moved the sand by rail and by truck and that moved the glass
16 to the companies that purchased it are gone.

17 All those jobs left. The price of energy kept on
18 going up. Some of the other better-paying here in
19 Gloucester county were the chemical plants and the
20 refineries along the river here.

21 You know, if you look around, the Herkitty's
22 Potter went from hundreds of employees to something like six
23 or eight now. The DuPont Repono over in Gibbstown that had
24 thousands of employees -- I had three uncles that worked
25 there and retired from there. As energy prices rose, they

1 packed up sections of the plant, their ammonia plant, their
2 acids plants. They put them on barges and took them south,
3 some out of the country.

4 All those jobs are gone. That -- plant now in
5 all its acreage there has less than 10 employees. When you
6 look at DuPont Chambers Works in Deporter it has only a
7 small percentage of the workers that it had there. I mean,
8 this is the place -- these are the companies that won World
9 War II for us. They provided the armaments and the
10 chemicals needed to win World War II.

11 They are gone. And the high-paying jobs went
12 with them. And it's because the energy prices went up.
13 They couldn't afford to pay the energy prices here. The
14 natural gas that comes out of the Gulf of Mexico has to be
15 compressed and piped all the way to New Jersey for that.

16 That's gone. You know, those prices are just so
17 high, it's run those jobs out. I think that if we were to
18 have this plant built here in Logan Township in south
19 Jersey, it would have a beneficial impact on energy prices
20 in the area. And perhaps some good-paying manufacturing
21 type chemical process jobs would move back to the area. And
22 they would be new plants.

23 And just like the young lady who spoke just
24 before me that's the science teacher, they'd we state-of-
25 the-art plants. They'd have to be to meet all the

1 environmental regulations, the OSHA regulations that are out
2 here today. They couldn't be dirty plants. They would have
3 to be clean plants. And they would have good-paying jobs.

4 Just building this plant -- from one of the
5 earlier meetings is going to employ something like 500
6 trades people for three years. When it's done, there are
7 going to be something like 35 or 40 full-time highly
8 technical well-paying jobs with good benefits. Benefits.
9 You don't hear that much anymore.

10 The people that worked in the glass houses, the
11 people that worked in the chemical plants -- their children
12 now? What are they doing? They're flipping hamburgers or
13 they're greeters at some big department store. And they
14 don't get benefits. My children have all moved out of the
15 area because of lack of job opportunities here in south
16 Jersey.

17 I reviewed the environmental impact book. It was
18 pretty thick. I fell asleep a few times trying to go
19 through it. I'm not a member of any out-of-state or north
20 Jersey organization. I'm south Jersey. I'm an
21 environmentalist. I don't belong to a group. I'm an
22 environmentalist from my heart.

23 I heat my house with wood from my own woods. And
24 I don't cut live trees. And I've planted thousands. The
25 Delaware River is a beautiful river. I've canoed all over

1 the eastern United States. I've canoed over 300 miles of
2 this Delaware River, some of it 20 times over. It is a
3 beautiful river.

4 I don't have any problem with that plant being
5 built on this river because it's going to be new, state of
6 the art, and it's going to clean a good section of that
7 river. It's on marginal -- land that isn't good for
8 anything else but growing salt hay.

9 It's just not going to hurt anything. I can't
10 see any problem environmentally with this plant being built
11 here or with any new business that it would generate because
12 of the existing regulations.

13 As far as the LNG goes, I've looked at the Web
14 sites. I have looked at the information that's available.
15 Somebody brought up an explosion in Algeria. It was not an
16 LNG explosion. It was a steam boiler that malfunctioned and
17 blew up because a propane line leaked and entered the
18 combustion air section of that boiler.

19 You can't have that in this country because
20 combustion air inlets have to be monitored for combustibles
21 in this country. This is not Algeria. There just haven't
22 been any LNG incidents that have hurt, damaged, killed,
23 blown up, or done anything of the sort.

24 The ships that they're talking about, like the
25 young lady said before me, are triple hold state of the art.

1 We hear all the news about the Boston harbor and all the
2 things that they jump through, but there's never been an
3 incident.

4 The Coast Guard is in charge of it. The Coast
5 Guard -- these are our people on our home front. They're
6 trained just as well as the people in Afghanistan are and in
7 Iraq. They're protecting us from those terrorists. And I
8 think they're doing an excellent job of it. And I thank
9 you.

10 (Applause.)

11 MR. DOUGHERTY: And that's about all I have to
12 say. I just think that it's going to be an excellent
13 project. It's going to help the economic development of all
14 of south Jersey and make us all happy.

15 Thank you.

16 MR. KOPKA: Okay, our next speaker is James Igo.
17 James?

18 (No response.)

19 MR. KOPKA: Okay, then we'll go to Dave Blaha.
20 So you don't -- okay.

21 Our last speaker who has signed up then is Rodger
22 Nogaki. Rodger.

23 MR. NOGAKI: My name is Rodger Nogaki,
24 N-o-g-a-k-i. I'm an interested citizen in this whole
25 project.

1 I have spent my life's work in the health,
2 safety, and security industry. And I've done it with the
3 military, served with the U.S. Army Chemical Corps. They
4 are specialists in CPR warfare.

5 I served as a volunteer firefighter and fire
6 chief for my local community. And I've worked with various
7 industries, heavy industries, petro-chemical high
8 technology, some low technology industries. But I've worked
9 in a number of different industries.

10 I've also served on a number of different
11 standard-making organizations such as the ASTM, MFPA. As a
12 matter of fact, I served on several committees with the
13 MFPA. And I'm also a member of the American College of
14 Forensic Examiners Institute. And I'm recognized as
15 certified in homeland security.

16 One of the things that I think is important for
17 people to remember (hopefully the committee) is that state
18 of the art -- when people speak of state-of-the-art
19 technology, these are technologies, levels of technology
20 that are established by standard-making organizations. And
21 they are consensus standards, which means that they are the
22 lowest level of acceptability.

23 So we heard about MFPA 59(a). We've heard
24 mention OSHA, heard mention -- the person talking about EPA
25 standards and such. And I have to tell you, these are

1 lowest standards of acceptability. Lowest.

2 And all I've heard about this project, how it's
3 going to be a state-of-the-art industry. But just being
4 state-of-the-art industry with a high hazard type of
5 industry is not good enough.

6 (Applause.)

7 MR. NOGAKI: You have to look at the total
8 hazard, what could be the most serious consequence of that
9 particular exposure and particularly to human life.

10 Now, I've heard all my life working in the
11 safety, health, and security industry, "I've done this thing
12 this way for 35 years and nothing's ever happened." Anybody
13 who has been involved with safety has heard that same thing.

14 And it's a bunch of baloney because it will
15 happen. Did you ever hear of Murphy's law? When everything
16 goes wrong at the wrong time, that's when you have a
17 disaster.

18 I can remember when I first started out in this
19 business, the health, safety, and security business. They
20 were building the World Trade Center in New York. This was
21 the state-of-the-art technology going into building these
22 buildings in lower Manhattan, the financial center of the
23 world, of the world.

24 And I remember when it was going up. And I
25 watched it. And I listened to the people talk about the

1 engineering that went into it and all the technology and
2 what wonderful things this thing was going to do -- all the
3 jobs that it was going to bring to the New York metropolitan
4 area.

5 And it did. It brought thousands of jobs to the
6 New York metropolitan area -- probably millions to be frank,
7 because everything that was related to it benefitted from
8 that building.

9 The only problem was is that there was a fatal
10 flaw. The people who built that building and designed it
11 never thought about the consequences of everything going
12 wrong at the wrong time. And the same thing could happen
13 again.

14 And I'm not saying that it's going to happen at
15 Logan Township if this thing is built over there. But just
16 think about this. I've looked at some studies about LNG
17 release hazards done back in December of 2002 by -- let's
18 see. What's this guy's name? Professor Ronald P. Koopman,
19 Ph.D. and P.E. And he did a study in California.

20 And I don't know if the group has studied his
21 studies, but, you know, when I was in the chemical corps,
22 one of the things we looked at was how things could be
23 affected over a long period of time. So if you had a
24 release of gas, the gas doesn't go in a big circle.

25 It goes out and, depending on the way the air

1 currents move and other factors -- humidity and temperature
2 and such -- you could have gas spread for a long way over a
3 long period of time. I'm talking about a flammable gas.
4 And then you have an arc that sets that thing on fire.

5 And when you have a real big fire with a gas, a
6 combustible gas, it takes all the oxygen out of the air so
7 if you're not burned by the thing, you could be smothered by
8 it.

9 So what I would ask this committee to do is to
10 seriously look at the potential extreme end of the hazard
11 and how are you going to address that. So I'm not saying
12 don't build this thing. What I'm saying to you is take a
13 look at if you have everything that goes wrong at the wrong
14 time, how are you going to be able to handle it.

15 You're not going to use a fire extinguisher to
16 put out any fire. You're not going to put out an LNG fire
17 over a broad area with a fire extinguisher. The water is
18 not going to do it. There's no firefighting medium that's
19 going to put that fire out or control it.

20 So I would ask that you seriously reconsider some
21 of the things that you had in your report and take into
22 account that the people who live in that area -- many of
23 those people are already adversely affected by just the
24 thought that this thing is potentially going to be placed in
25 their backyard.

1 So thank you very much.

2 (Applause.)

3 MR. KOPKA: The next speaker is John Flaherty.

4 MR. FLAHERTY: My name is John Flaherty. I'm the
5 lobbyist for Common Cause of Delaware, which is a nonprofit,
6 nonpartisan citizen lobby organization dedicated to
7 government reform and accountability.

8 I have two quick comments. First of all, I'd
9 like to commend that Commission and their cooperating
10 agencies, which are I guess the Corps, EPA, U.S. Fish and
11 Wildlife Agency, NOAA -- National Oceanic Atmospheric
12 Administration, and the Coast Guard.

13 On page 5 at the bottom they talk about "any
14 person seeking to become a party to the proceedings must
15 file a motion to intervene pursuant rule 214." I want to
16 commend you for making that process easy. In the state of
17 Delaware we find it very difficult to attain intervenor
18 status, so I wanted to commend you for that particular
19 procedural item there.

20 On the Delaware section on page 4-92 I also want
21 to commend the Commission and the participating agencies for
22 the very, very strong recommendation that says:

23 "Crown Landing must file documentation of
24 concurrence from the Delaware Department of Natural
25 Resources and Environmental Control that the project is

1 consistent with the Delaware coastal management program with
2 the secretary prior to construction."

3 In a letter dated February 3rd that documentation
4 of concurrence was not forthcoming and will not be
5 forthcoming from the state of Delaware. So I want to
6 commend the Commission for the very, very strong
7 recommendation and respecting the Delaware coastal zone
8 program, respecting the Delaware elected officials in their
9 determination that this documentation of concurrence is not
10 forthcoming and will not be forthcoming.

11 So I think that's an important point. There's
12 been talks about overriding local decisions based on whether
13 they're a public convenience and necessity. I think you
14 mentioned that earlier. And as long as the state of
15 Delaware did not issue that documentation of concurrence
16 according to the -- in it, that's a strong recommendation.
17 And I want to commend you for that.

18 Thank you.

19 (Applause.)

20 MR. KOPKA: Okay, John was the last speaker who
21 had signed up. Are there any additional speakers?

22 Sir. You did? Come up here. Just spell your
23 name for the court reporter when you're up in front.

24 MR. PRATZ: My name is Charles Pratz. That's
25 P-r-a-t-z. I'm just here to represent myself. I think this

1 project hasn't answered a lot of the questions that the
2 people in the community have.

3 I've worked on this Delaware River all my life.
4 I've worked for DuPont. I've worked for -- one gentleman
5 was talking about Repono. That company was owned by
6 DuPont. Most of the products and most of the job loss in
7 the area has been created by products that have since been -
8 - are no longer made. And that's why we've lost so many
9 jobs.

10 I look at the brochure from BP. And it says they
11 are going to create 50 permanent jobs and 150 support
12 positions. That to me is not a lot of jobs. And my concern
13 is my family. I don't think that this is a safe plant. I
14 think, yes, technology has taken over.

15 But I think that once, you know, this stuff is
16 frozen at 250 -- or 260 degrees negative and when it comes
17 out of the tank, it's to implode or it's going to take on
18 the atmosphere and it's going to heat up and it's going to
19 go over a mile, in my belief.

20 I have worked in a lab for all my life. And I've
21 seen liquid propane fires and they're not real pleasant. I
22 just think it's not a good idea. And I just feel that it's
23 very unsafe.

24 As far as the fire, I don't think we'll be able
25 to contain a fire. And firefighting technology -- you just

1 can't keep up with it. It will go out so far that you're
2 going to heat up everything and burn everything in sight.

3 So I'm totally against this project.

4 (Applause.)

5 MR. KOPKA: Are there any additional speakers?

6 Sir.

7 MR. BRADBURY: My is Scott Bradbury. I'm a
8 resident of Logan Township. That's B-r-a-d-b-u-r-y.

9 I'd just like to say first

10 I'd just like to say first I have no financial
11 interest in this project if goes through -- or not unless,
12 of course, my house is blown up. Now, I'll lose a lot that
13 way.

14 I would challenge the folks that stood up here
15 from the audience who stand behind this project to say the
16 same thing if in one shape or form they wouldn't have some
17 sort of financial gain.

18 Politicians that say we should boycott Delaware
19 companies should be boycotted out of office.

20 (Vigorous applause.)

21 MR. BRADBURY: It's an outrageous comment that
22 insults the intelligence of everybody in the state of New
23 Jersey.

24 My understanding from what I read is that New
25 York and Connecticut already consume more energy than they

1 produce. And I would suspect the majority of this gas,
2 especially in their first several years, are going to New
3 York and Connecticut, so the comments that it would help up
4 to 5,000,000 New Jersey residents in the area I believe is
5 very misleading.

6 My first -- I went to a first round of meetings
7 here. I ended up in Chester. My first introduction to
8 British Petroleum was from a representative from those folks
9 at a meeting similar to this, who came up to me. He must
10 have been in sales. He came up to me and looked me right in
11 the eye and said, "LNG in its liquid form won't burn."
12 Neither does gasoline, LPG, or any of these other products.
13 You need the triangle to make all this happen. You need to
14 spark the oxygen and the product. So that to me reflects
15 the spin that BP is putting on this.

16 (Applause.)

17 MR. BRADBURY: And I'm not an engineer. I'm a
18 trucker just like Bob Grant back there. See, on the job we
19 haul hazardous materials. We know a little bit about this
20 stuff.

21 And I did read this cover to cover. Didn't
22 understand some of it. To me -- and I'm sure there's
23 engineers involved in this, some salesmen, some spin
24 artists, and a lot of lawyers. Very delicately worded
25 saying "Logan Township, this project is coming right up your

1 town."

2 And I don't see -- I believe that some of the
3 speakers here -- and really it's worded here. The FERC --
4 as long as their environmental impact statement is cleared,
5 this is coming through. I'm shocked to see there are so few
6 people from the township. I expected this to be spilling
7 out through the lobby.

8 Myself, I think, and other people who don't want
9 to see the project go through need to get out and talk to
10 friends and neighbors and make some noise.

11 The safety record of LNG's is very misleading.
12 They talk about the last 40 years. That's after that 1944
13 Cleveland disaster, that horrifying safety record they have.
14 The Cleveland disaster wrecked 79 -- ruined 79 homes, 2
15 factories, 217 cars, 17 trailers, and left 680 homeless,
16 injured 225, and it killed 131. So you can't include that
17 in that excellent safety record.

18 What's the next safety record going to be? After
19 Algeria, starting in January 20th of 2004. One gentleman
20 mentioned that the cause of that was a defective boiler.
21 That was the initial comment -- was a defective boiler that
22 had superficial repairs. However, apparently the belief is
23 that it was a natural gas leak in a pipeline.

24 I had one question. In this whole book it talks
25 about worst case scenarios. I don't see the worst case

1 scenario in here. They say probably the average worst case
2 scenario -- a mile thermal burn. I don't know if that
3 includes plant and all the wonderful chemicals in there.
4 And maybe across the river if it just reaches a little more
5 than a mile, it's got petro-chemical plants all over.

6 (Applause.)

7 MR. BRADBURY: But it does not address a question
8 I think everybody -- any logical person -- would have.
9 Forget the burn. Forget the two foot, two meter, three
10 meter hole in the tank.

11 What if, like one gentlemen mentioned, there's
12 some kind of explosive device, something happens and a
13 catastrophic failure happens all at once?

14 Does it take out 5 miles, 100 miles? Do you
15 think anybody, if they were aware of this, that lives within
16 hundreds of miles of here would want -- I want to know that.
17 I think the community needs to know when this thing blows,
18 if it occurs, what's the radius?

19 (Applause.)

20 MR. BRADBURY: And I think you'd be shocked. It
21 would probably be probably unbelievable.

22 That's all I have to say. Thank you, folks.

23 (Vigorous applause.)

24 MR. KOPKA: Is there anyone else who would like
25 to speak?

1 Sir.

2 MR. HEIDER: Hi, my name is David Heider,
3 H-e-i-d-e-r. And I didn't really plan on speaking this
4 evening. But I share a lot of what was said tonight about
5 being a resident here in Logan Township. I moved here about
6 eight years ago to raise a family. I have four children.
7 And I live about a half a mile from here.

8 I think my biggest concern is it's not --
9 environmental is very important, all right? But I think
10 it's the terrorist target that concerns me the most, all
11 right?

12 Like the gentleman just said, I don't know what
13 the impact would be. And I don't know if really anyone
14 knows what the impact would be if a tanker or one of these
15 plants were to explode. Or whatever. I don't technically
16 know.

17 But I agree that we need to do something about
18 energy. There's no question, all right? I don't agree that
19 it's here. I don't agree that we need to have this here in
20 our township just because there's not a lot of people who
21 here. All right? Or at least in that general area.

22 Because Woolwich Township, Logan Township --
23 growing. Growing like crazy. And probably they're going to
24 end soon. But there's a lot of young families here in this
25 area. Young families that want to do the right thing. They

1 want to raise their children. You know, they want to live a
2 good life.

3 I spend a lot of time out in my backyard. My
4 oldest is 12 years old. I have an 8-year-old, a 5-year-old,
5 and a 2-year-old, all right? And I live a half a mile from
6 here, okay?

7 I don't want to be in my backyard and all of a
8 sudden suffer second-degree burns because of some mishap,
9 some crazy thing that happened just because I'm having a
10 good time with my kids in the backyard. It's just not
11 acceptable.

12 When I read in the Philadelphia Inquirer about
13 this -- I guess it was -- I think it was in February. It
14 was a headline February 20th in the Philadelphia Inquirer.
15 I saw the map on the front of the page and I was thinking,
16 wow, Logan Township. That's where I live. So, you know,
17 that sickened me to my stomach to see that.

18 You know, I would truly hope that what was said
19 here tonight by the people who live here -- and I know a lot
20 of it is not in my backyard. That's a problem with
21 developing these LNG terminals -- it's that nobody wants it
22 in their backyard. But this is our backyard. Logan
23 Township.

24 And I, I oppose it. I oppose it. I think it
25 would be a great thing to have. Well, I think it might be a

1 good thing to have, but offshore. Just like everyone says,
2 away from any possible community, anybody that -- any
3 families. Just offshore is where it needs to be. Not
4 here. It doesn't have to be here.

5 That's it.

6 (Applause.)

7 MR. KOPKA: Are there any other speakers? No one
8 else?

9 Sir.

10 MR. LEE: I've just got a question. But you want
11 me to come up there?

12 MR. KOPKA: Yes, so it's on the record.

13 MR. LEE: My name is Jim Lee, L-e-e. And I can
14 remember 30 years ago when all this was happening -- not
15 again, but before. And everybody was against it -- the
16 politicians, the Coast Guard was against it. And I've got
17 newspaper clippings to prove everything I'm saying.

18 I think I know why a lot of people are for it
19 now. You know, they have an interest. They have a money
20 interest in it. That's what it's for.

21 But the one question I really have is I read
22 somewhere, I believe in the paper, that every time an LNG
23 tanker comes into the Boston area, it costs the taxpayers
24 \$80,000. Is that true? For security -- helicopters, the
25 Coast Guard.

1 I mean, it's -- you know, if BP wants to do this,
2 they should pay the whole freight, you know? You don't let
3 the taxpayers pay for it. They're the ones making the money
4 out of it.

5 (Applause.)

6 MR. LEE: Well, as you probably know, I'm
7 opposed. So that's it.

8 (Laughter, applause.)

9 MR. KOPKA: Anyone else?

10 MR. MUELLER: I'm Tom Mueller with BP.

11 M-u-e-l-l-e-r. I was asked to read a letter tonight on
12 behalf of the Chamber of Commerce of Southern New Jersey,
13 Kathleen A. Davis, Executive Vice President and Chief
14 Operating Officer, March 29:

15 "I'm writing today to express a strong support of
16 the Chamber of Commerce of Southern New Jersey for BP's
17 proposal to build a liquified natural gas facility in Logan
18 Township. In addition to providing a reliable source of
19 clean-burning energy, the new LNG facility will create
20 hundreds of construction jobs over a three-year period and
21 50 to 60 permanent jobs, generate new tax revenues for state
22 and local governments, and improve the overall economic
23 viability of the region.

24 An abundant local supply of natural gas will
25 spark opportunities for economic growth and development.

1 The five state Northeast and Mid-Atlantic markets have one
2 of the highest projected demands for natural gas across the
3 nation.

4 Currently our region receives a majority of its
5 natural gas supply from the Gulf of Mexico. As demand
6 grows, constraints in the long-distance pipeline system
7 create a challenge and a possible choke point for the
8 region, stifling potential development.

9 Crown Landing will help reduce that burden by
10 providing a safe, reliable source of natural gas that will
11 flow freely into local pipelines.

12 We look forward to working with federal, state,
13 and local governments to bring this project to fruition.
14 Thank you for your consideration of our support for the BP
15 Crown Landing Project. "

16 Signed Kathleen A. Davis.

17 MR. KOPKA: Anyone else?

18 Ma'am.

19 MS. FINLAYSON: My name is Sharon Finlayson. I'm
20 with the New Jersey Environmental Federation.

21 And I just have one question. And I'm asking
22 this question after listening to some of these speakers from
23 Logan Township who are excellent and I think are speaking
24 from the heart and certainly are knowledgeable about this
25 project and have read far more about it probably than

1 people.

2 And, you know, we talked earlier -- I did and
3 others did -- about the fact that other towns were
4 considered, were looked at for this project and then were
5 eliminated because the population was too high. There were
6 too many people there.

7 And I would -- I'm guessing that that is related
8 to risk and if there is some sort of explosion, fireball,
9 gaseous release, whatever the case may be, then huge numbers
10 of people would be at risk of death, suffocation, burning,
11 whatever the case may be.

12 I'm just trying to understand -- and I'm asking
13 this seriously. I'm not being sarcastic because this came
14 to me as I was listening to the gentleman talk from Logan
15 Township.

16 What is the calculation or what is the policy
17 that determines an expendable population?

18 (Applause.)

19 MS. FINLAYSON: How does a commission or a
20 regulatory commission or a company that is going to
21 construct a facility and all of those agencies that work
22 together to, you know, arrive at an end product -- how does
23 one decide that this group of people, that this group of
24 people can be subjected to risk, possibly death, but this
25 group cannot?

1 Is it because there's not enough of you? It's a
2 smaller population, so okay, they're expendable. If there
3 were 10,000 of them there, gee, that would be -- you know,
4 that would look awful in the newspaper. You know, how does
5 one decide? How do you come to that determination?

6 I don't know. You're looking at -- and I don't
7 know that you can answer that question. But I would very
8 much like that question answered. And I think probably a
9 lot of other people would too.

10 Thank you.

11 (Vigorous applause.)

12 MR. KOPKA: Anyone else?

13 Sir in the back.

14 PARTICIPANT: You aren't going to answer it?

15 MR. KOPKA: No, I can't answer tonight. But
16 we'll do our best to answer it in the final EIS.

17 MR. SPIRES: Okay, my name is Charles Spires,
18 S-p-i-r-e-s. I'm a township resident. I lived here about
19 five years.

20 I came here basically tonight just to listen, to
21 absorb. It seems like a major concern of everybody here is
22 explosion. I personally -- you know, you recognize the
23 insignia. I lived right by the Arco refinery. I grew up
24 there with five brothers in a row home.

25 And there was explosions. There were fires. But

1 they were controlled. And things were learned as a result
2 of those.

3 I think if both people, pro and con in the room,
4 whether this project goes through or not, the main thing is,
5 if it does go through, keep an eye on it. Make sure it's
6 done the right way.

7 I read the report. I think the report that was
8 done was very well prepared. It was in-depth. They made
9 recommendations. And the recommendations will be followed.
10 And I think if they are, there won't be a problem.

11 You can't live with your head in the sand. You
12 worry about terrorism. If it's going to happen, it's going
13 to happen. I've been there. Talk about New York City. I
14 was in the rubble. I helped dig them people out. I know
15 about it.

16 You just -- it's a way of life. We have to
17 accept that in today's world. Everybody's got to pay
18 attention to what's going on around them.

19 How did you people get here tonight? You drove.
20 How many have SUV's, V-8's? We're going to consume energy.
21 We have to find an alternative. Gas is one of them. Yes,
22 we have to look at other alternatives.

23 But don't shut this out just for one reason.
24 That's all I have to say.

25 (Applause.)

1 MR. KOPKA: Any last speakers? No?

2 Just to let you know, I'm available and some of
3 the other federal representatives are available if you have
4 some procedural questions for us.

5 I believe also the Crown Landing people and Texas
6 Eastern folks would be happy to answer any questions you
7 have.

8 I'd like to thank all of you for coming out
9 tonight, and especially our speakers. And with that I will
10 let the record show that the meeting ended at 8:25 p.m.

11 PARTICIPANTS: 9:25.

12 MR. KOPKA: 9:25, sorry.

13 (Whereupon, at 9:25 p.m., the scoping meeting
14 concluded.)

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