

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION
U.S. COAST GUARD
U.S. ARMY CORPS OF ENGINEERS

- - - - - x Docket Nos.
AES Sparrows Point LNG, LLC and : CP07-62-000
Mid-Atlantic Express, LLC : CP07-63-000
: CP07-64-000
: CP07-65-000
- - - - - x

Draft Environmental Impact Statement
Sparrows Point Project

Joint Public Hearing

Patapsco High School
Auditorium
8100 Wise Avenue
Baltimore, Maryland

Monday, June 9, 2008

1 The scoping meeting, pursuant to notice, convened at 7
2 p.m., before a Panel:

3 JOANNE WACHHOLDER, Environmental Project Manager,

4

5 Federal Energy Regulatory

6 Commission ALISA LYKENS, Branch Chief, Gas

7 Branch 2, FERC

8 TERRY TURPIN, Branch Chief, Branch Chief, LNG

9 Engineering Branch, FERC

10 MEG GAFFNEY-SMITH, U.S. Army Corps of Engineers

11 JOSEPH DAVIA, U.S. Army Corps of Engineers

12 CMDR BRIAN PENOYER, U.S. Coast Guard

13 ALEX DANKANICH, Office of Pipeline Safety,

14 U.S. Department of Transportation

15 RICHARD M. YUILL, Ph.D., AMEC Paragon

16 Other staff present:

17 MEDHA KOCHAR, FERC

18 LAURA TURNER, FERC

19 RANDY MATHURA, AMEC

20 BOB HONIG, AMEC

21

22

23

24

25

1 Introduction

2 Joanne Wachholder, FERC 6

3 Meg Gaffney-Smith, Corps of Engineers

4 Commander Penoyer, U.S. Coast Guard

5 Alex Dankanich, U.S. Department of Transportation

6 Public Comments

7 LIST OF SPEAKERS

8 James Smith, Baltimore County Executive 16

9 John Griffin, Secretary, Maryland DNR 20

10 Sally Wingo, for Senator Barbara Mikulski 24

11 Irene Spatafore, native of Dundalk 27

12 Rupert Denney, President, Maryland Maritime Association 28

13 Donna Roberts, resident, Baltimore 30

14 Richard Muth, Baltimore Emergency Management Agency 33

15 David Carroll, Director of Sustainability, Baltimore 35

16 Mary Harvey, Baltimore Cnty Ofc of Community Conservation 38

17 Frank Holden, MD Saltwater Sport Fishermens Association 40

18 Norris McDonald, African-American Environmental Assn 42

19 Phyllis Seward, resident, Turner Station 46

20 Mark Hubbard, Director, B.C. Office of Homeland Security 50

21 Joseph Minnick, Member, House of Delegates, Maryland 53

22 John Olszewski, Sr., Member, County Council, District 7 54

23 Dutch Ruppertsberger, U.S. Representative 58

24 Maxine Thompson, resident, Turner Station 64

25 Phyllis Elaine Driscoll, resident, Baltimore 66

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

LIST OF SPEAKERS

Linwood N. Jackson, resident, Turner Station	67
Norman R. Stone, Jr., Senator, 6th District, Maryland	70
John Olszewski, Jr., Delegate, State of Maryland	76
Benjamin L. Cardin, US Senator for Maryland	79
David Jones, resident, Perry Hall/Dundalk	80
John Polek, Marine Trades Association of Baltimore County	87
Russell Donnelly. Environmental C., LNG Opposition Team	89
Pat McDonough, Member, Maryland House of Delegates	92
Donald Milsten, Energy Consultant, State Service Program	96
Carolyn Jones, Greater Dundalk Alliance	98
Guido Guarnaccia, LNG Opposition Team	101
James Truszkowski, resident, Baltimore	104
Frank Buddy Howard, resident, Dundalk	106
Ernie Greclo, AFL-CIO, Metropolitan Baltimore Unions	107
Terry Rosso, resident, Glen Burnie	110
Rebecca Kolberg, Anne Arundel County, Civic Association	113

1 Public Comments

2 LIST OF SPEAKERS

3

4 Russ Spangler, NWA 114

5 Ron Henry, Sierra Club 117

6 Erin Garrigan, Girl Scout 122

7 Mike Vivirito, Bowleys Quarters Improvement Association 123

8 Dennis McCartney, resident of Dundalk 128

9

10 Terry Ratliff, resident of Dundalk 133

11 Tom Nelson, resident of Dundalk 134

12 Dunbar Brooks, resident of Turner Station 135

13 Fred Thiess, LNG Opposition Team 139

14 John Romecki, resident of Baltimore 142

15 Alexander Pappas, resident of Fort Howard 143

16 Thomas Suneson, MEBA 145

17 Rick Chadsey, landowner along pipeline route 147

18 Larry Silverman, environmental lawyer 151

19 Andrew Fellows 156

20

21

22

23

24

25

1 I N T R O D U C T I O N

2 MS. WACHHOLDER: Good evening. We'd like to get
3 started now, please. First off, I'd like to thank you all
4 for coming tonight. My name is Joanne Wachholder, and I'm
5 the Environmental Project Manager from the Federal Energy
6 Regulatory Commission, or FERC. Also seated here from FERC
7 are Alisa Lykens and Terry Turpin, down there. Also, we
8 have Meg Gaffney-Smith and Joseph DaVia from the Corps.
9 Commander Brian Penoyer with the U.S. Coast Guard. Alex
10 Dankanich with the U.S. Department of Transportation.
11 Also, here's Richard Yuill, he's working with FERC.

12 In the back at the tables, we have Medha Kochar
13 and Laura Turner, and Randy Mathura and Bob Honig. There
14 are a bunch of us today.

15 FERC is an independent agency that regulates the
16 interstate transmission of electricity, natural gas, and
17 oil. FERC is the lead federal agency responsible for the
18 National Environmental Policy Act of 1969, or NEPA. And
19 that's the review of the Sparrows Point Project and the lead
20 agency for the preparation of the EIS.

21 NEPA requires FERC to analyze the environmental
22 impacts, consider alternatives, and provide appropriate
23 mitigation measures on proposed projects. Other federal and
24 state agencies have permitting and review responsibilities
25 associated with the project, and we are coordinating our

1 review with them.

2 The U.S. Coast Guard, U.S. Army Corps of
3 Engineers, U.S. Environmental Protection Agency, and the
4 U.S. Department of Transportation have been participating as
5 cooperating agencies in the preparation of the Draft
6 Environmental Impact Statement.

7 The purpose of tonight's meeting is to provide
8 each of you with an opportunity to give us your
9 environmental comments on the draft EIS for the proposed
10 Sparrows Point LNG Project.

11 Tonight's meeting is a joint meeting, hosted by
12 the agencies here. Our agencies have slightly different
13 review processes that this meeting will support, but
14 tonight's meeting is to provide each of you with the
15 opportunity to give us your comments on issues we should
16 address in each of our respective analyses of the project.

17 It would help us the most if your comments are as
18 specific as possible regarding the proposed project and the
19 Draft EIS.

20 I will briefly describe the FERC process, and
21 then the other agencies will have an opportunity to do the
22 same with their process.

23 I'd like to clarify that the Sparrows Point
24 proposal was not conceived by, and is not promoted by any of
25 these agencies here.

1 During our review of the project, we assembled
2 information from a variety of sources, including the
3 applicants, other agencies, our independent analysis, and
4 information from you the public. We analyzed that
5 information and prepared the Draft Environmental Impact
6 Statement that was provided to you all. Notice of
7 availability of the Draft EIS was issued on April 25th.

8 We are in the midst of the 45-day comment period
9 on the Draft EIS. The formal comment period will end on
10 Monday, June 16th. All written comments received during
11 this time period or verbally tonight will be addressed in
12 the final EIS. Comments received after that date will still
13 be included in the public record for the project; however,
14 we ask that you provide comments sooner rather than later in
15 order to give us the time to analyze and research the issues
16 that you raise.

17 At the end of the 45-day comment period we
18 organize the information gathered and prepare the final EIS.
19 If you received a copy of the Draft EIS, either the paper or
20 CD copy, you will automatically receive a copy of the final
21 documents. If you did not get a copy of the draft and would
22 like to get a copy of the final, please add your name to the
23 mailing list at the back of the room, and we'll make sure
24 you get a copy of the final document.

25 I'd like to stress that the EIS does not make a

1 final decision on the project. It is prepared to advise the
2 Commission and to disclose to the public the environmental
3 impact of constructing and operating the proposed project.
4 When the EIS is finished, the commissioners at FERC will
5 consider the environmental information from the EIS along
6 with non-environmental issues such as engineering, markets
7 and rates, and making its decision to approve or deny the
8 project.

9 If the Commission does vote to approve the
10 project, FERC environmental staff will monitor the project
11 through construction and restoration, performing onsite
12 inspections to ensure environmental compliance with the
13 conditions of the FERC certificate or authorization.

14 A speaker's list is located at the back table.
15 In addition to verbal comments provided tonight, we will
16 also accept your written comments. If you have comments but
17 don't wish to speak, you may provide written comments on the
18 forms at the back table and drop the comments off tonight,
19 or mail them at a later date.

20 The Commission also encourages electronic filing
21 of written comments. The instructions are in the notice
22 that was issued, and we also have the form on the back with
23 instructions; or you can go to our website, which is
24 www.FERC.gov.

25 Commander Penoyer will now speak about his

1 agency's role.

2 CMDR PENOYER: The Coast Guard is a cooperating
3 agency, and as such we would appreciate any comments that
4 relate to the safe transit and the environmental impacts of
5 the transit of LNG vessels up the bay. Those would come
6 into the public docket, and the Coast Guard will consider
7 those comments as part of the review. Ultimately, all
8 information in the environmental impact statement is
9 considered by the Coast Guard in making its letter of
10 recommendation, recommendation on the presentation to the
11 Federal Energy Regulatory Commission.

12 I think that pretty much covers it.

13 MS. WACHHOLDER: We have the Corps up next.

14 MS. GAFFNEY-SMITH: Good evening, ladies and
15 gentlemen. My name is Meg Gaffney-Smith, and I'm the Chief
16 of the Regulatory Branch in the Baltimore District, U.S.
17 Army Corps of Engineers. I want to welcome you to this
18 joint U.S. Army Corps of Engineers and Federal Energy
19 Regulatory Commission public hearing for the proposed AES
20 Sparrows Point LNG and Mid-Atlantic Express Pipeline
21 Project.

22 It is the responsibility of my office to evaluate
23 applications for Department of the Army permits for work in
24 waters of the United States, including jurisdictional
25 wetlands. Our authority comes from Section 10 of the Rivers

1 and Harbors Act of 1899, and Section 404 of the Clean Water
2 Act.

3 At this time, no decision has been reached
4 regarding whether or not a Department of the Army permit
5 will be issued for the proposed project.

6 You may provide comment into the record by
7 written statement or by oral statement. If you have a
8 written statement, you do not need to provide oral comments.
9 Because we are recording this meeting, those providing oral
10 comments will need to use the microphone. Please state your
11 name, address, and the interest you represent.

12 Recognizing the large turnout this evening,
13 please limit your remarks to three minutes, so that everyone
14 who wishes to provide oral comment has the opportunity. We
15 do not permit cross-examination of the speakers, but you may
16 pose clarification questions as part of your statement.

17 The project is proposed by AES Sparrows Point LNG
18 and Mid-Atlantic Express Pipeline. They propose to
19 construct a liquefied natural gas, LNG import terminal in an
20 industrial port setting on Sparrows Point, Baltimore County,
21 Maryland, and approximately 88 miles of a 30-inch diameter
22 natural gas pipeline extending from Sparrows Point, Maryland
23 to Eagle, Pennsylvania.

24 The project would result in permanent and
25 temporary impacts to approximately 19.43 acres of wetlands,

1 including the permanent conversion of approximately 4.5
2 acres of forested wetlands to emergent or scrub shrub
3 wetlands, and approximately 41,002 linear feet, or 4.07
4 acres of stream.

5 In addition, the applicant is proposing to dredge
6 approximately 3.7 million cubic yards of sediment from an
7 approximate 118 acre area in the Patapsco River, to minus 45
8 feet below mean lower low water, and dispose of the dredge
9 material by innovative reuse or in a landfill.

10 Project impacts to waters of the U.S., including
11 jurisdictional wetlands, are located in Baltimore, Harford,
12 and Cecil Counties in Maryland, and Lancaster and Chester
13 Counties in Pennsylvania. The purpose of tonight's hearing
14 is to inform you of this proposed project and allow you the
15 opportunity to provide comments to be considered in the
16 Corps public interest review of the proposed work. Your
17 comments will be included and addressed in the Environmental
18 Impact Statement for the project.

19 Your comments are important in the preparation of
20 this document and in our evaluation of the permit
21 application. The decision on whether or not to issue a
22 permit will be based on an evaluation of the probable
23 impacts including cumulative impacts of the proposed
24 activity on the public interest, and compliance with the
25 Clean Water Act, Section 404(b)(1) guidelines. That

1 decision will reflect the national concern for both
2 protection and utilization of important resources. The
3 benefits which may reasonably be expected to accrue from the
4 proposal will be balanced against its reasonably foreseeable
5 detriments.

6 All factors that may be relevant to the proposal
7 are considered. Among these are conservation, economics,
8 aesthetics, general environmental concerns, wetlands,
9 cultural values, fish and wildlife values, flood hazards,
10 flood plain values, land use, navigation, shoreline erosion
11 and accretion, recreation, water supply and conservation,
12 water and air quality, hazardous, toxic and radioactive
13 substances, threatened and endangered species, regional
14 geology, energy needs, food and fiber production, safety,
15 environmental justice, cumulative impacts, and the general
16 needs and welfare of the public.

17 In compliance with the National Environmental
18 Policy Act, the Corps is a cooperating agency in FERC's
19 preparation of an Environmental Impact Statement for the
20 proposed project. The Corps comment period for this
21 hearing, and for public comment extends to June 26, 2008.
22 Comments received tonight and throughout the comment period
23 will be considered by the Corps as we reach or permit
24 decision.

25 Thank you.

1 MS. WACHHOLDER: Next we have Alex Dankanich from
2 the Department of Transportation.

3 MR. DANKANICH: Thank you.

4 Good evening. My name is Alex Dankanich, and I'm
5 a regional project manager and an engineer for the Office of
6 Pipeline Safety, which is a branch of the U.S. Department of
7 Transportation, the Pipeline and Hazardous Materials Safety
8 Administration. I would like to thank the Federal Energy
9 Regulatory Commission for the opportunity to provide an
10 overview of the OPS's Pipeline Safety Program.

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

15 OPS regulations are codified in 49 CFR Part 193,
16 which incorporates many of the requirements of the National
17 Fire Protection Association Standard 59AA.

18 During construction, OPS regional staff will
19 inspect to ensure that the construction complies with the
20 requirements of Part 193. These standards include stringent
21 safety designs such as, an impoundment which would be built
22 around both tanks and the pipelines which would mitigate the
23 spread of LNG should a release occur. Fire-fighting and
24 vapor suppression systems would be installed to further
25 mitigate the consequences of any such release.

1 Prior to commencing operation, the facilities
2 operator must establish details written procedures that
3 specify the normal operating parameters for all equipment.
4 When a piece of equipment is modified or replaced, all
5 procedures must be reviewed and modified, if necessary, to
6 assure the integrity of the system. All personnel must
7 complete training in operation and maintenance, security and
8 fire-fighting.

9 The facilities operator must develop and follow
10 detailed maintenance procedures to ensure the integrity of
11 the various safety systems. Some of these safety systems
12 include gas detectors, fire detectors, temperature sensors
13 which would automatically activate fire-fighting and vapor
14 suppression systems. Emergency shutdown devices activate
15 when operational parameters extend beyond the normal range.

16 The LNG facility operator must coordinate with
17 local officials and apprise them of the types of fire
18 control equipment available within the facility. OPS
19 regulations require tight security for the facility,
20 including controlled access, a communication system,
21 enclosure monitoring and patrolling.

22 OPS regional staff inspects each LNG facility at
23 least once each year to ensure that all equipment has been
24 properly maintained and that the operator has and follows
25 operation, maintenance, security and emergency procedures

1 that ensure the continued, safe operation of the facility.

2 OPS enforces the violations that it finds during
3 the inspections. Enforcement can include civil penalties or
4 orders directing action. In addition, if OPS finds
5 circumstances that are hazardous, it can expeditiously
6 require correction through corrective action orders. Thank
7 you.

8 MS. WACHHOLDER: At this time, I'd like to begin
9 taking comments from you. As your name is read, come to the
10 podium and state your name for the record. All of your
11 comments will be transcribed and put into the public record
12 for the project.

13 Because your comments are being transcribed,
14 please only speak when you are at the microphone in order
15 for us to accurately record your concerns. We're going to
16 announce three names at a time so that people know when
17 their turn is coming up. So we'll announce the first three,
18 and then we'll announce the next three after that.

19 And as stated before, please attempt to keep your
20 comments to three minutes so that everyone has a chance to
21 speak tonight.

22 P U B L I C C O M M E N T S

23 DR. YUILL: The first three speakers are James
24 Smith, John Griffin, and Sally Wingo.

25 MR. SMITH: Thank you, Madam Chair and members of

1 the Panel. I'm Baltimore County Executive Jim Smith, and
2 I'm here tonight on behalf of the people of Baltimore County
3 to voice our continuing opposition to the proposed LNG
4 facility at Sparrows Point. I also appreciate you taking me
5 early because I have a second commitment which I have to
6 make tonight.

7 I begin first by raising serious concerns with the
8 entire FERC evaluation process, which provides that the
9 Federal Energy Regulatory Commission both develop the
10 environmental and safety impact statement, and then review
11 its own work.

12 (Applause)

13 MS. WACHHOLDER: If you interrupt him, you're
14 going to take his time, so let him finish, please.

15 MR. SMITH: Asking FERC to engage in an
16 evaluation of its own work is not only unfair to the people
17 of our communities, but it is also a disservice to all those
18 engaged in this process.

19 That being said, FERC had raised more than 150
20 issues in the Draft Environmental Impact Statement or EIS
21 directed to AES. But AES is allowed to respond to these
22 issues after all the public hearings. AES gets to hear the
23 people, the people don't get to hear AES.

24 According to the public notice, the comment
25 period for FERC's review ends next week. How can

1 governments or citizens fully evaluate the impact of this
2 project without the information FERC has requested and AES
3 has not yet furnished?

4 I also have concerns about the Coast Guard's
5 Waterway Suitability Study being a largely classified
6 document. There is very little if any detailed information
7 provided in the draft EIS. State and local governments are
8 unable to evaluate the public safety implications without
9 detailed information of the Coast Guard's security
10 responsibilities, local coordination, and plans for
11 emergency response.

12 In April of 2007, I supported the Secretary of
13 Maryland's State Department of Transportation, in his letter
14 to the Captain of the Corps denying State resources to cover
15 the enormous expenses relating to providing security for
16 this private LNG facility. I likewise will not burden
17 Baltimore County's taxpayers or endanger the safety of our
18 emergency responders.

19 Your review of the security requirements for the
20 proposed LNG facility should not assume any security role by
21 Baltimore County.

22 It is also alarming to learn that the exclusion
23 zones that move with these tankers in transit, and the
24 safety zones around the actual facility used by FERC are
25 considered woefully inadequate by a major international LNG

1 safety organization, of which I believe AES is a member.
2 The Society of International Gas Terminal and Tankers
3 Operators, SIGTTO, which represents nearly all the world's
4 LNG businesses, is acknowledged as the authoritative voice
5 of LNG shipping and terminals.

6 The SIGTTO's recommendations for site selection
7 for LNG ports, if applied to this project, would exclude an
8 LNG plant from locating in the Upper Chesapeake Bay and the
9 Port of Baltimore.

10 Baltimore County has also amended its Chesapeake
11 Bay Critical Area Program to prohibit any LNG facilities in
12 our County's Chesapeake Bay and Critical Area. The entire
13 State Critical Area Commission unanimously approved that
14 prohibition and as a result amended Maryland's Coastal
15 Management Program.

16 AES has taken us to court. The recent Fourth
17 Circuit Court of Appeals decision instructed the County that
18 additional federal review of our proposed change was
19 required by NOAA. We are following the Federal Court's
20 direction and look forward to NOAA's approval and the
21 inclusion of our amendment in the State program.

22 Baltimore County also requests that you consider
23 other options to placing LNG facilities in the midst of our
24 communities. In a recent op-ed article in the Asbury Park
25 Press, Jay Roger Waylen, President of Liberty Natural Gas in

1 New Jersey, discussed their proposed placement of natural
2 gas receiving buoys some 15, 17 miles off the Jersey Coast.
3 This follows the approach of the recently-opened facility
4 off the coast of Boston, and the proven facility off the
5 Norwegian North Sea Coast.

6 When speaking of his Jersey Coast proposal, Mr.
7 Whalen notes the concerns of local communities and the
8 negative impacts and security risks of LNG facilities. It
9 is my hope that FERC will take into account the legitimate
10 and understandable concerns of the citizens of Baltimore
11 County that you will hear tonight. I will be followed by
12 several department heads to present more of our concerns,
13 and to seek additional information regarding issues raised
14 by this proposal.

15 Baltimore County will also submit as full a
16 response as possible under the circumstances, to the Draft
17 EIS by the June 16th deadline. I want to be clear that our
18 objections to the adequacy of this Draft EIS and this LNG
19 plant do not end with my remarks tonight. We are committed
20 to keeping the people in our communities, our natural
21 environment and our national treasure, the Chesapeake Bay,
22 safe and secure. Thank you for giving me --

23 (Applause)

24 DR. YUILL: Mr. John Griffin.

25 MR. GRIFFIN: Good evening.

1 My name is John Griffin, I am the Secretary of
2 the Maryland Department of Natural Resources, 500 Taylor
3 Avenue, Annapolis, Maryland, 21401. And I'm here
4 representing, one of two people who will speak this evening
5 representing the administration of Governor Martin O'Malley.
6 And I'm here to speak for the O'Malley administration in
7 opposition to this project.

8 The Governor sends his regrets that he was unable
9 to be here this evening. Last year, in a letter to FERC,
10 Governor O'Malley said, and I quote: The State of Maryland
11 is adamantly opposed to the construction of any liquefied
12 natural gas facility at Sparrows Point. We have very
13 serious concerns regarding (1) the safety of the proposed
14 project as well as its impacts; (2) the State's environment,
15 particularly the Chesapeake Bay; and [3] the State's
16 economy.

17 I might mention, I'm here specifically
18 representing the department who has the responsibility as
19 the lead agency to gather comments from fellow state
20 agencies in reviewing the Draft EIS, and I want to recognize
21 the other agencies who were involved in that process: The
22 Department of the Environment, the Department of Planning,
23 the Department of Transportation, the Department of
24 Agriculture, and the Department of Business and Economic
25 Development.

1 I want to thank those agencies, who just
2 completed their reviews and submitted them to us just this
3 past Friday.

4 As County Executive Smith just mentioned, a
5 primary concern of the O'Malley Administration with the
6 Draft Environmental Impact Statement is we find it's
7 significantly deficient in the required information to make
8 an adequate assessment.

9 As the County Executive mentioned, of the 151
10 recommended licensing conditions, greater than 30 percent,
11 47 to 151, of the proposed conditions are required prior to
12 the end of the EIS comment period. Many of these issues
13 require detailed review and should have been submitted prior
14 to the issuance of the Draft EIS. These additional
15 information requirements, particularly those requiring
16 additional information prior to the close of the comment
17 period on the Draft EIS, indicate that the Draft EIS was
18 released prematurely. All of the information requested
19 prior to the close of the comment period on June 16th of
20 this year should have been previously included in the Draft
21 EIS.

22 Will the public be given adequate opportunity to
23 comment on this additional information prior to the
24 finalization of the EIS?

25 Finally, given the extensive amount of additional

1 information required by FERC of AES prior to the close of
2 the comment period, we recommend that a supplemental Draft
3 EIS be released for public review and comment prior to the
4 finalization of the EIS for this project.

5 It will come as no surprise that we believe we
6 shouldn't be here this evening. This project is too close
7 to a major population center, and too insensitive to the
8 needs of the adjacent communities.

9 (Applause)

10 FERC can argue it should have determined that
11 this project is inappropriately located under the remote
12 siting considerations of your statute; another example in
13 our view, of regulatory disregard for environmental justice.

14 Let me briefly describe a few of the deficiencies
15 of the 41 that we have found in our state agency review of
16 the Draft EIS. Number one, the dredge material placement
17 plan has not yet been submitted by AES. The State has
18 expressed strong concerns that it cannot accommodate AES's
19 dredge material, which is contaminated and toxic.

20 Number two, the proposed dredging activities
21 would be an impediment to the State's plans to restore water
22 quality of the Patapsco, especially adequate oxygen for
23 living resources, under the federal Clean Water Act.

24 Three, all proposed pipeline routes need to
25 assess, among other things, impacts on public lands and

1 other critical natural resource features, including state
2 and local parks, conservation, agricultural easements -- of
3 which there are many, many, in the proposed alignment of the
4 pipeline -- rare and endangered species, and wetlands and
5 forest resources.

6 The increased boat traffic, combined with an
7 aggressively-enforced 500 yard moving exclusion zone will
8 have serious impacts on commercial and recreational fishing
9 as well as recreational boaters.

10 To sum up, the State will provide written
11 comments in final form by June 16th describing these issues
12 in great detail. However, tonight we want to get one thing
13 clear, on the record, that Governor O'Malley and his
14 administration find that this process is ignoring the
15 concerns of citizens of these communities whose lives would
16 be forever changed if this project goes forward. Thank
17 you.

18 (Applause)

19 MS. OWINGO: Hi, I'm Sally Owingo, I'm the
20 State's Project Director for Senator Barbara Mikulski.

21 Senator Mikulski regrets she is unable to attend
22 tonight, and because of that she submitted her comments to
23 Chairman Kelliher late last week, and I know her letter is
24 now on record. But she asked that I highlight several of
25 her comments in that letter tonight.

1 Dear Chairman Kelliher: I am writing to express
2 my steadfast opposition to the proposed LNG facility at
3 Sparrows Point and the pipeline project. FERC's favorable
4 Draft EIS is yet another example of the Commission giving
5 AES multiple chances to make this dangerous and ill-advised
6 project right. That provides a road map with 151 mitigation
7 measures to reduce the facility and the pipeline's harm to
8 surrounding communities and the fragile Chesapeake Bay. How
9 on earth is FERC going to oversee proper implementation and
10 management of all these?

11 For over two years, I have repeatedly raised my
12 safety, security and environmental concerns about this
13 facility and pipeline. Today, I am still waiting for these
14 concerns to be adequately addressed. Before FERC processes
15 any further, I demand that you respond to my multiple
16 concerns.

17 Dredging. I want you to tell me how and where
18 approximately 3.7 million cubic yards of dredged material,
19 including contaminated material, will be disposed of in an
20 environmentally sound manner.

21 (Applause)

22 The Port of Baltimore's dredged material
23 containment sites do not have the capacity to handle this.
24 I first asked this question in February of 2007, and we
25 still don't have a plan.

1 Pipeline alignment. I also have concerns about
2 the pipeline route which will travel through urban and
3 suburban communities. Construction of the pipeline is going
4 to disrupt homes and schools including wells and septic
5 systems. The pipeline also permanently disrupts state parks
6 and other recreational areas.

7 Among the most critical hurdles of the LNG
8 facility is the State of Maryland's Coastal Zone Management
9 Plan. As you know, Maryland denied consistency, and now
10 this matter is before the U.S. Department of Commerce. I am
11 perplexed that FERC continues to move forward with this EIS
12 without this determination settled.

13 As a lifelong defender of the Chesapeake Bay
14 watershed, the impact of this LNG facility and the tankers
15 worries me deeply. The Draft EIS talks about minimal
16 impacts to water quality, wetlands, and marine and aquatic
17 life. But I am concerned that our treasured Bay cannot
18 handle the pressure of these facilities.

19 Shortening the letter here, I'm just going to her
20 last comment, which she signed off to the Chairman: I stand
21 strong in my opposition to this project and deeply regret
22 that a federal agency is proceeding at breakneck speed on a
23 seriously flawed proposal.

24 (Applause)

25 DR. YUILL: Next three speakers are Irene

1 Spatafore, Rupert Denney, and Donna Roberts.

2 MS. SPATAFORE: Good evening. My name is Irene
3 Spatafore, I live at 7914 Diehlwood Road, in Dundalk. And I
4 am a Dundalk girl.

5 (Applause)

6 I'm ashamed, ashamed of the United States of
7 America federal government. I am a healthy woman, and I've
8 got a lot of living to do. My husband and I volunteer four
9 places. I don't want to sit around, after you dig up the
10 poison sludge, and the vapor is flying around, and we the
11 people have got to breathe this poison.

12 Are you considering our future generations? How
13 about all the unborn? Please let me be clear: We are not
14 in favor of this LNG proposed site. It has always been the
15 position of our community to oppose the LNG proposal.

16 The consequences and hardships that you are about
17 to send upon us will be immeasurable. I am puzzled that
18 your good office has failed the 200 year old community of
19 Dundalk in a harmful decision-making process. Therefore,
20 you are only using the land in Maryland, but Maryland will
21 receive not a drop of this gas.

22 (Applause)

23 Talking shared commodities. God bless Dundalk.

24 Thank you.

25 (Applause)

1 MR. DENNEY: Good evening. My name is Rupert
2 Denney, of 1201 Wallace Street, Baltimore, Maryland 21230.
3 I am the President of the Maryland Maritime Association.

4 The Maryland Maritime Association consists of the
5 vessel operators, owners and agents who run vessels up and
6 down the Bay. There's been much talk about the negativity
7 or the impact on current vessel business on the Bay.

8 There's been much talk about the negative impact
9 this project might have on current business on ships plying
10 up and down the Bay. I would just like to say that the
11 ingress and the egress of the tankers into the proposed
12 berthing area will be quicker than the current vessels that
13 we have. And that has been managed successfully since the
14 1960s.

15 The Bay Pilots, the Association of Maryland
16 Pilots, can do vessel traffic up and down the Bay, just as
17 they have for the last 156 years.

18 They can determine flows and schedules, are able
19 to prioritize vessels on tight schedules. AES is aware of
20 this, agreed to this prioritization.

21 Let's put this into perspective: There are three
22 ships a week in anticipation, at currently levels; we don't
23 think there will be any more. A vessel takes about 90
24 minutes to turn out of the channel into the berthing area.
25 So this will be three times, 90 minutes each week.

1 From our perspective, this brings new asset
2 support; there will be superior tug power, all paid for by
3 AES. When there are no tankers available, or when the
4 tankers aren't in town, the remainder of the port community
5 will be able to use these superior assets, which will be
6 considerable support and bring jobs into Baltimore.

7 (Negative applause.)

8 The maritime community in Maryland has
9 experienced the sort of traffic, and they have been doing so
10 in Cove Point for the last four years.

11 Recreational boaters, we do understand that
12 there's a concern here. We believe that recreational
13 boaters know that they need to avoid all big vessels coming
14 up and down the Bay, regardless of the cargo and security.

15 As an example, a vessel traveling up the Bay now
16 at 17 knots, which is an average speed, will take between
17 five and seven miles to --

18 HECKLER: (Shouting comment.)

19 MS. WACHHOLDER: Please do not speak out while
20 other people are talking. We will not be able to record
21 what is being said and it won't get into the record.

22 MR. DENNEY: Again, we believe that the
23 recreational boaters will not be bothered by the security
24 zone; it's only going to happen three times a week, on the
25 current schedule.

1 Last but not least, we cannot comment on the
2 shoreside safety aspects of this operation, but many of our
3 employees live in Dundalk and surrounding communities, and
4 it is our interest to protect their well-being as well.
5 Thank you.

6 (Negative applause.)

7 HECKLER: (Shouting comment.)

8 MS. WACHHOLDER: We won't be able to get your
9 comments unless you're at the mic. It won't be in the
10 record, so please --

11 HECKLER: (Shouting comment.)

12 MS. WACHHOLDER: The next speaker is Donna
13 Roberts.

14 MS. ROBERTS: Madam Chairman and members of the
15 Board, my name is Donna Roberts. I live at 8127 Long Point
16 Road. I'm the President of an organization -- association,
17 and we are going to be about a half mile to three-quarters
18 of a mile from the ship when it actually comes into the
19 port.

20 We have been working lots of years trying to get
21 revenues and activities for our children, to keep out
22 children out of trouble, and now the Governor is trying to
23 take these things away from us, because water activities and
24 things that we built up down there are going to cease when
25 the ships come into the harbor.

1 We as a rec council, have tried to maintain some
2 of the wetlands, but were told not to touch them, although
3 the government is allowing this pipeline to go --

4 (Applause)

5 Talking about toxics in the harbor, we have a
6 chromium 6 problem that's well known at the Dundalk Port
7 Administration. How do we know there's not any chromium 6
8 in that stuff they're going to be dredging up?

9 Water rights that have been years in the making
10 will cease. Fifty jobs that you were talking about at it's
11 going to bring to Baltimore, or to Dundalk, is not going to
12 be just jobs that you can give to anybody. It's probably
13 going to be well-educated jobs s LNG is a very complicated
14 subject.

15 Will the million projects up the pipeline
16 decease? Therefore, were any of those jobs being put out of
17 business? For 17 years that's all these zillions -- now we
18 have another vacant building in the Dundalk-Sparrows Point
19 area. We keep dumping in Dundalk and Edgemere. We don't
20 need any more dumping --

21 (Applause)

22 -- should you get -- and take people's property
23 and do what they want with it when these people have worked
24 long, hard hours and years trying to get their properties
25 the way they want them.

1 (Applause)

2 They allowed the media to print articles that
3 lead us to believe this is a done deal. People are selling
4 their houses because they're scared that this plant is going
5 to come to our neighborhood. Now that there are all these
6 homes that aren't being sold in our neighborhood, who knows
7 what is going to happen to those? Why do we need to put it
8 in Dundalk, Maryland when it's not even going to supply
9 Maryland?

10 There's a 2.6 mile safety thing, I believe, for
11 the AES plant, and why can't you find someplace where we
12 have a 2600 yard diameter there in a state where there's
13 nobody --you know, put it out in the ocean somewhere.

14 (Applause)

15 The government is doing a great job of making
16 America go away by selling off to all these foreign
17 countries. We don't need anything else down here that's
18 harmful to our heal. We just lost Sharon Beasley, who was
19 probably the number one person --

20 (Applause)

21 I fell asleep one night, and I know many people
22 in the Dundalk area who have lost people to cancer,
23 asbestosis, and COPD, caused --

24 (Applause)

25 Is this going to be another big project that gets

1 stuffed down our throats whether we want it or not?

2 You know what I would like the government to do?
3 I would like the government to put up windmills, like they
4 have in San Francisco. Thank you.

5 (Applause)

6 DR. YUILL: Next three speakers will be Richard
7 Muth, David Carroll, and Mary Harvey.

8 MR. MUTH: Good evening. I'm testifying tonight
9 on behalf of Governor Martin O'Malley, who sends his regards
10 and regrets that he cannot be here personally to express his
11 opposition to the LNG facility at Sparrows Point.

12 A little more than two years ago, I myself
13 testified before you as the Director of the Office of
14 Homeland Security and Emergency Management for Baltimore
15 County. My job of emergency management has changed; my
16 position regarding this issue absolutely has not.

17 As the newly appointed Director of the Maryland
18 Emergency Management Agency, I urge the Commission to reject
19 the LNG terminal proposal at Sparrows Point. My primary
20 mission as MEMA Director is to protect the lives, the
21 property of the citizens of Maryland. MEMA is responsible
22 for coordinating the state response in any major emergency
23 or disaster. This includes supporting local government,
24 should they need and request help during an emergency.

25 The prospect of locating an LNG terminal in such

1 close proximity to such densely populated residential areas
2 and commercial centers is in direct opposition to that
3 mission. According to this proposal, these enormous
4 tankers, carrying large quantities of highly explosive
5 liquid natural gas, would take at least 12 hours to travel
6 from the mouth of the Chesapeake Bay to the terminal,
7 located nearly at the top of the Bay. During those hours,
8 the tankers will pass by communities of hundreds of
9 thousands of citizens, their homes, their schools, and their
10 businesses. Some of these jurisdictions have limited or no
11 water supplies to control a massive explosion or fire.

12 Twelve hours is a long time to hope for the best
13 when dealing with the transport of dangerous fuel in such a
14 densely populated area. It also provides a generous window
15 of opportunity for terrorists to carry out a high value --

16 (Applause)
17 -- in property damage.

18 Governor O'Malley believes this plant represents
19 a significant potential terrorist target, a sentiment echoed
20 by homeland security experts, the Government Accountability
21 Office, scientists and engineers familiar with the risk
22 associated with this proposal, and other public officials,
23 including our own Senator Barbara Mikulski, a member of the
24 Senate Intelligence Committee and Homeland Security
25 Appropriations Committee.

1 The bottom line: The State of Maryland, the
2 Maryland Emergency Management Agency, and local first
3 responders simply do not have the resources to respond to a
4 catastrophic event caused by an explosion or accident aboard
5 a tanker carrying liquid natural gas.

6 For the safety of the citizens of the entire
7 State of Maryland, I on behalf of the first responders
8 statewide and Governor O'Malley, once again implore this
9 Commission to sternly reject this proposal.

10 (Applause)

11 MR. CARROLL: Good evening. My name is David
12 Carroll, I'm the Director of Sustainability for Baltimore
13 County, 400 Washington Avenue; and I live in my office.

14 (Laughter)

15 I would like to highlight tonight some of the
16 major areas of concern that the County has voiced for well
17 over a year; and unfortunately are not answered in the Draft
18 EIS. Dredge material management, Baltimore County has one
19 of the largest and most comprehensive dredging programs in
20 the State of Maryland as a local government. We've worked
21 directly with the Maryland Port Administration and we
22 understand the complexity of these issues. However, we are
23 concerned with what is being proposed here, and we find that
24 the dredging proposal contained in the Draft EIS is hardly
25 credible.

1 There are numerous issues. One, the site is
2 hardly adequate to manage the scale of dredging and the
3 material required by this project in an environmentally
4 responsible manner. The ability to adequately dewater and
5 treat the material, the contaminants in the Bay, and seems
6 to indicate an attitude of "If we get to that problem, we'll
7 figure it out then."

8 The impacts of moving processed material offsite
9 seems to run for almost two years, involving thousands of
10 cubic yards daily, yet there is little or no acknowledgment
11 of the impacts of hundreds of trucks on the local roads, the
12 communities, and the interstate system.

13 The ultimate disposition of the processed
14 material remains unidentified, a condition not afforded
15 local governments by the Corps of Engineers when we had
16 dredging projects. The long term needs for dredging are
17 vaguely mentioned with no plan. The project does not
18 represent an innovative reuse.

19 FERC should also be aware that the State of
20 Maryland use of state-owned facilities off bounds; that is
21 for the project initially and for maintenance dredging.
22 Again, the maintenance dredging of the Bay as a matter of
23 fact is not even mentioned in this Draft EIS.

24 There is also only passing mention of the
25 voluntary cleanup program relative to this site. There

1 apparently is an assumption that the process may move ahead.
2 We believe that to be a questionable assumption, given the
3 new information containing contamination on the adjacent
4 properties.

5 There are plumes of benzene and naphthalene that
6 have been identified adjacent to and southeast of this site.
7 We believe that the consent order by the Department of
8 Justice and EPA mandate that those be handled in a
9 comprehensive manner and that it is premature to remove this
10 site from that consent order. We believe that needs to be
11 reflected in the Draft EIS, and quite frankly we will fight
12 any removal of this site in the voluntary cleanup program.

13 In closing, it should be clear that Baltimore
14 County Government believes that this is an ill-conceived
15 proposal that seriously undercuts the safety and quality of
16 life of our citizens, and a potential to devastate the
17 environmentally quality of Baltimore Harbor and the
18 Chesapeake Bay.

19 While we have heard much of the safety record of
20 LNG movement and processing, the past cannot protect us from
21 the future, and the consequences of a catastrophic incident.

22 We do believe it is in the national public
23 interest, nor a reflection of wise public policy to continue
24 to permit LNG facilities in heavily populated areas, and in
25 our Chesapeake Bay. Thank you.

1 (Applause)

2 DR. YUILL: Mary Harvey.

3 MS. HARVEY: Good evening. My name is Mary
4 Harvey and I am the Director of the Baltimore County Office
5 of Community Conservation, located at 6401 York Road,
6 Baltimore, Maryland 21212. I am here with my colleagues
7 from State and County government and the communities to
8 oppose the LNG facility at Sparrows Point.

9 Baltimore County is fortunate to have several
10 million dollars in federal funds from the U.S. Department of
11 Housing and Urban Development each year to assist the County
12 in its revitalization efforts within our communities. Often
13 these federal funds are combined with local, state, and
14 private resources to provide much needed improvements in
15 infrastructure and housing. Many communities throughout
16 Baltimore County have benefited from this funding, but
17 Turner Station particularly has benefited from the
18 consistent use of federal funds over the last thirty years.

19 Baltimore County has provided infrastructure,
20 built a community center, and assisted private housing
21 developers through the use of federal HUD funds in Turner
22 Station in recent years. With that in mind, the Baltimore
23 County Office of Community Conservation has initiated a
24 formal inquiry, seeking comment from HUD regarding the LNG
25 facility.

1 Federal regulations specifically speak to
2 concerns about siting HUD-assisted projects near hazardous
3 operations handling conventional fuels or chemicals of an
4 explosive or flammable nature.

5 The proposed Sparrows Point LNG facility is such
6 an operation. HUD regulations indicate that such a facility
7 should not be placed in close proximity to HUD-assisted
8 projects. Furthermore, HUD states that there needs to be an
9 acceptable separation distance between HUD-assisted projects
10 and a facility that handles hazardous material.

11 We have asked HUD for a formal interpretation of
12 their regulations, and a statement of the acceptable
13 separation distance between HUD-assisted projects and the
14 proposed LNG facility at Sparrows Point. We have been told
15 that we will receive an official reply within a matter of
16 days.

17 Clearly, HUD's intention is to protect its
18 investment and the communities that are served by this
19 public investment. We are requesting that every effort be
20 made to protect this 100-year old historic African-American
21 community and the investment.

22 (Applause)

23 Later this year we will engage the residents of
24 Turner Station in a planning process that will set a vision
25 for the next generation. The possibility of an LNG facility

1 threatens to undermine this effort and all the progress we
2 have made in this part of the County in recent years.

3 Tonight we ask for your help to help us protect
4 our citizens by rejecting this proposal.

5 (Applause)

6 DR. YUILL: Next three speakers will be Frank
7 Holden, Norris McDonald, and Phyllis Seward.

8 MR. HOLDEN: Good evening. My name is Frank
9 Holden. I live at 315 Margaret Avenue in Essex, and I
10 wasn't born in Dundalk.

11 I'm a Secretary of Maryland Saltwater Sport
12 Fishermens Association, the MSSA, representing 7,000
13 conservation-minded fishermen in Maryland that are totally
14 opposed to this entire project. This entire project falls
15 from the very start due to a variety of reasons.

16 Safety issues must be first of all everyone's
17 concerns. This LNG project potentially exposes the entire
18 area to a disaster on the magnitude of the 9/11 attacks. If
19 these were to occur, this material would lay across the
20 water until it reaches an ignition source and explodes into
21 a fireball, the size of a small nuclear explosion. If that
22 source is a car traveling across the Key Bridge or its
23 approach roads, this could result in the death of thousands
24 of motorists and level the entire Turner Station area.

25 Regardless of AES' sugarcoating of this process,

1 industrial accidents can and do occur every day of the week
2 somewhere in this country. This material is way too
3 hazardous to be in close proximity to a large industrial
4 area, major interstate highway, or within close proximity to
5 residential areas.

6 The concern of the safety of this plan is further
7 aggravated by the possibility of this plant, or the ship
8 becoming a terrorist target. U.S. Coast Guard has already
9 stretched to their ability, safeguarding ships while
10 transiting in the Chesapeake Bay, and the subsequent
11 commercial port.

12 Are the potential rewards of this plant worth the
13 risks? These ships, when traveling loaded on the Bay,
14 require an escort to keep boats 500 yards away from them.
15 Well, I'm here to tell you tonight there's nothing farther
16 from the truth. My own experience fishing along the Bay
17 shows that when these ships travel in the Cove Point area,
18 oftentimes they're chased out of the area before these ships
19 are even in sight. That's quite a bit more than 500 yards.

20 Imagine a ship arriving on July 4th weekend, with
21 thousands of recreational boaters in Bay Harbor. With gas
22 prices constantly rising, it's totally unfair to expect
23 recreational boaters to be required to alter their courses,
24 leave an fishing area to allow the passage of one trip
25 traveling solely for the gain of AES.

1 (Applause)

2 Just imagine all America industry could get free
3 security for their plants and their product while it's being
4 transported.

5 Finally, the environmental disaster that will
6 occur when dredging takes place off Sparrows Point is simply
7 not acceptable. Countless numbers of heavy metals,
8 pollutants will be stirred up on the dredging for these
9 ships approaching the turning basin.

10 This dredge material holds many sins of the
11 Bethlehem Steel plant and the shipyard. It should be
12 allowed to remain there forever. It is impossible to ever
13 clean it up, and this project will only stir it up, causing
14 an environmental disaster of infinite magnitude.

15 (Applause)

16 In closing, based on all the above factors, this
17 plant must be stopped. The MSSA has gone on record opposing
18 this project in the past, and will continue to oppose this
19 project and its associated pipeline. Thank you.

20 (Applause)

21 DR. YUILL: Norris McDonald and Phyllis Seward.

22 MR. McDONALD: Good evening. My name is Norris
23 McDonald, and I'm Founder and President of the African-
24 American Environmental Association. We're a national
25 environmental group, and we're based right here in the State

1 of Maryland.

2 We do not have a position on this LNG proposal.
3 FERC is going to approve this application. We've studied
4 the issue thoroughly, and our position is the United States
5 needs these LNG facilities. Everybody here, yesterday and
6 today, when the temperature rose, turned on their air
7 conditioning. Everybody wants electricity everywhere, but
8 they want to oppose LNG plants and power plants everywhere;
9 and you cannot have it both ways.

10 (Discord heard in the audience.)

11 -- can't give my statement.

12 DR. YUILL: We would like to hear from everybody;
13 it's only fair. Please, give him his chance.

14 (Discord heard in the audience.)

15 MS. WACHHOLDER: If you're not going to let
16 everyone have a chance to speak, we can end the meeting, but
17 I'd really like to hear from everybody. All of you; I want
18 to hear from all of you. He's got three minutes, and then
19 you guys can get back to what you want to say. Please.

20 MR. McDONALD: And I am here at the invitation of
21 residents of Turner Station.

22 (Discord heard in the audience.)

23 MR. McDONALD: As far as the EIS is concerned,
24 the Draft Environmental Impact Statement is woefully
25 inadequate in addressing the environmental injustice issues,

1 the environmental justice issues based in Turner Station.

2 There should be a cumulative impact analysis.

3 The DEIS seeks to identify the community, but it does not
4 assess the environmental justice issues from a cumulative
5 standpoint.

6 This community sits in a perfect storm of
7 pollution sites. There are high power lines to the east,
8 there's the Severstal Russian steel plant -- sorry, to the
9 east there's the power lines the west; you have a power
10 plant to the south; a landfill to the north, and highway to
11 the east. It is in a perfect storm of pollution sites.

12 I told the residents at Turner Station that I
13 would not live there; I am a chronic acute asthmatic. I
14 don't have air conditioning in my car; I did not want to
15 drive up here today because it's a red alert. And if you
16 add the nonattainment area, the situation in Baltimore, with
17 the sites that are there to this proposal; you have a
18 problem.

19 The weakness of the EIS is that it does not do a
20 cumulative assessment in regards to environmental justice,
21 and that should be done in the Draft Environmental Impact
22 Statement. It is woefully inadequate in that area.

23 Now look at the fact that FERC has autonomous
24 authority. FERC was given authority under the Energy Policy
25 Act of 2005 to approve this project, which you are well

1 aware of.

2 So the State comes in with the air permit and
3 water permit issues. I don't see legally how the project
4 could be stopped in that regard.

5 Now I do not see the applause of crap. Emotion
6 is not going to stop this project. What happens in
7 situations such as this -- and we do work with these
8 projects all over the country -- what happens is, a
9 community such as Turner Station ends up with this
10 additional source of pollution, without any amenities to go
11 with it.

12 So to the extent that if it is going to be
13 approved, then this community, and African-American
14 entrepreneurs, should have some sort of ownership of the
15 facility, of the pipeline, and that is what we --

16 (General noise.)

17 MR. McDONALD: -- ownership of the pipeline --

18 DR. YUILL: Please, please.

19 MR. McDONALD: And also, our primary
20 recommendation, and I will end with that; and that is that
21 the residents there be offered a buyout.

22 (Discord heard in the audience.)

23 MR. McDONALD: An alternative to the buyout would
24 be for AES to build another community where people who chose
25 to move could move. Now, people could accept the buyout,

1 and -- well, they should accept the buyout and say --

2 (Discord heard in the audience.)

3 -- we are not recommending to circumvent their
4 ability to take the buyout --

5 (General noise.)

6 -- and an additional source is beyond me. Thank
7 you very much.

8 (Negative applause.)

9 DR. YUILL: Phyllis Seward.

10 MS. SEWARD: Can you hear me back there now?

11 AUDIENCE: Yes.

12 MS. SEWARD: My name is Phyllis Seward, I live at
13 134 Fleming Drive, Turner Station, Maryland. I am a 41-
14 year cancer survivor. I've had no less than eight members
15 of my family to die from cancer. And you think I'm angry?
16 Yes, I am.

17 Let me tell you right now for starters: I didn't
18 go to AES, AES came to me. I wanted to know what the heck
19 was all the bitching and fussing and -- I wanted some lies.
20 You can't get that when you're only listening to one side of
21 it.

22 I had the opportunity, with a couple members from
23 my community -- Johnny O Jr. went out with us -- I knew I
24 was in good company there. Also, representatives from AES.
25 But the bottom line is, you know how you get treated by

1 Hollywood? You get the royal treatment --

2 (Laughter)

3 I went there on a fact-finding mission, and I
4 found out some facts this season (inaudible) you can absorb
5 it all and give it back when it's time to give it back.

6 I saw the facility up there, and I want to know
7 how on earth could this affect my community? Where's the
8 safety ramifications? How is a fire going to -- you know,
9 the people. Okay, yes. They showed it to us -- miniscule.
10 I deal with reality and facts. If I can stand 41 years as a
11 cancer survivor, to take this stuff lying down.

12 If you live with close friends, and members from
13 your family hurt. And I still -- I let them know from the
14 beginning I'm on a fact-minding mission, you don't court me
15 because I'm not in the courting stage.

16 (Laughter)

17 You will bind me but you will not lie to me.
18 The bottom line is yes, I went and I'm glad I went because I
19 saw what they cannot do.

20 When you do it in a miniscule proportion, I have
21 all of Sparrows Point and Edgemere and Dundalk as well as
22 Turner Station to answer to. And this is my answer: No to
23 LNG.

24 (Applause)

25 They had the audacity to say, "Well, we will

1 bring you jobs." What kind of jobs? When the
2 representative from the -- he didn't have much conversation,
3 he didn't have any conversation to give. So why provide
4 union jobs for my people, they're out on the boat?

5 You don't have a problem with this? You know
6 what? I don't need the person. Always, he says.

7 (Applause)

8 Because I just get so sick and tired of them
9 coming in; yes, yes, yes. Okay, but the bottom line
10 persists.

11 When then they showed us the fire facility, I was
12 thinking, "Okay. How is the Dundalk fire station going to
13 be able to handle this?" They can't.

14 "Will you provide the training for our firemen?"
15 No, no, they don't --

16 (Applause)

17 They do not have the protection for Dundalk that
18 I have. Let it be known that I was born and raised, and
19 when I'm dead, I will be a conversation piece --

20 * (Applause)

21 From the motion picture: "I'm mad as hell! I
22 won't take it no more."

23 (Applause)

24 I understand the done deal. I would say the done
25 deal is not over until the last time you said it was going

1 to go away. Don't tell me about no done deals. Because if
2 I had to lay my short, fat, stubby body down in front of a
3 truck, it won't be the first time.

4 (Laughter)

5 Run over me, there's going to be a hell of a
6 grease spot in front of that truck.

7 (Applause)

8 And if anybody was ever under the notion that I
9 was wrapping this up -- I refused to support them then, I
10 refuse to support AES's LNG now. I had no sign up in my
11 door saying 'No to LNG,' but I know my voice carries some
12 weight, and I still say No to them. If they want to take it
13 somewhere else, so be it, I'm sick of them.

14 (Laughter)

15 Again, I said No. Thank you so much for
16 introducing Turner Station. We've got a lot of speakers up
17 here talking about everybody from Dundalk. I say Turner
18 Station. Turner Station, we will be making the first
19 impact. As we look over at the LNG terminals downtown, we
20 are right in the middle between LNG terminals downtown and
21 the one they want to build down there at Sparrows Point.

22 I say No, enough is enough. You can't take Pepto
23 Bismol for everything.

24 (Laughter) (Applause)

25 DR. YUILL: Mark Hubbard, Joseph Minnick, and

1 John Olszewski, Sr.

2 MR. HUBBARD: Good evening. My name is Mark
3 Hubbard, I'm the interim Director of Baltimore County's
4 Office of Homeland Security and Emergency Management, and
5 also Assistant Fire Chief of Baltimore County Fire
6 Department. My office is 700 East Joppa Road, Towson,
7 Maryland 21206.

8 I'm here this evening to ask the Commission to
9 disapprove this project. With the September 11th tax, the
10 Baltimore County government sought to reduce and mitigate
11 the amount of hazardous materials. The presence of an LNG
12 facility at Sparrows Point constitutes a new hazard of major
13 proportions.

14 Inherently dangerous, it will create a high value
15 target for those who wish to harm us, and be a constant
16 source of accidental disaster. It would severely stress and
17 possibly overwhelm our emergency planning, emergency
18 response resources.

19 Let me summarize our concerns. The proposal is,
20 densely populated residential communities and commercial
21 centers. About 35,000 Baltimore County residents live
22 within three miles of this facility. Thousands of Baltimore
23 City residents live nearby as well. In addition, thousands
24 of motorists, employees and school children inhabit this
25 area at any given time.

1 We believe that preparing for a catastrophic
2 event, we simply could not devise an effective evacuation
3 plan for so many people in such a short time, and such
4 planning is further complicated by the challenges presented
5 by the unique peninsula geography.

6 The LNG plan storage at this terminal, millions
7 of gallons, would create an unacceptable level of risk to
8 our community. This is a dangerous problem at many levels.
9 Its extreme coldness can cause structural failure in nearby
10 passing vessels, and can cause severe injuries and death.
11 It is highly explosive, and its ignition causes high
12 temperature fires. A vapor cloud settles in an area, which
13 means the vapor accumulates in low-lying areas, underground
14 pipes, and it can travel until it finds an ignition source.

15 Please note that according to the U.S. Department
16 of Transportation emergency responders guidebook for these
17 emergencies, involving rail cars -- the evacuation zone for
18 a fire involving a tank car carrying 33,000 gallons is one
19 mile in all directions. How is it possible to create an
20 evacuation zone for a plant storing millions of gallons?

21 Baltimore County is not prepared to secure such a
22 large LNG facility; we don't believe it is possible to
23 prepare for the extreme consequences of a significant event.
24 We do not have the police resources necessary to provide
25 security for the terminal; ingress and egress of the

1 facility by land or by water, or for the miles the pipeline
2 for the terminal. Current standing of local precinct and
3 marine law enforcement units would not allow significant
4 security for the transport ships, pipelines, or for the
5 facility itself.

6 Furthermore, the number of police devoted to the
7 facility resulted in the reduction of the police services to
8 the unit. The presence of a plant at Sparrows Point
9 inevitably would force Baltimore County to abandon or divert
10 attention and resources from other serious emergency
11 preparedness concerns. Such are needed to respond to
12 transportation-related emergencies and routine weather
13 events.

14 Quite simply, Baltimore County's Office of
15 Homeland Security and Emergency Management will look to fire
16 and law enforcement experts, for even a dangerous plan of
17 this magnitude has no business existing in a densely
18 populated urban or suburban area. We believe that even our
19 best efforts to prepare for an emergency at such a facility
20 will be insufficient. And we fervently ask your help in
21 stopping this ill-conceived potentially disastrous proposal.

22 Finally, we're well aware of the facility's
23 requirement for safety systems. I'm here to say our plant
24 security experience is -- and I'm also well aware of
25 numerous instances of human and mechanical systems failure.

1 Such a failure here would be catastrophic.

2 Thank you for the opportunity to present our
3 views.

4 (Applause)

5 MR. MINNICK: Good evening. Phyllis is a hard
6 act to follow.

7 (Laughter)

8 I've known her for a long, long time. You don't
9 say No to her, never.

10 My name is Joseph Minnick, I'm a Member of the
11 House of Delegates, the State of Maryland. I've represented
12 this District, the Sixth District of Baltimore County.

13 I'd like to welcome you all to Baltimore County.
14 I've been a delegate for 17 years, and in that 17 years I've
15 dealt with a lot of issues, dredging issues in particular.
16 I've seen many of them come, I've worked with the State of
17 Maryland, the Port of Baltimore on dredging issues over the
18 years. Many of them are very beneficial for the State of
19 Maryland and the Chesapeake Bay. Dredging our channels,
20 very beneficial.

21 But we have to put that dredge somewhere, and for
22 years we put it in Hart-Miller Island. Well, Hart-Miller
23 Island is going to close next year, November of 2009 it will
24 close. I want to reiterate what Senator Mikulski said, and
25 I'll ask the question again: Where are we going to put this

1 toxic dredge that we're going to have to dredge for those
2 ships at Sparrows Point. Where are we going to put that?

3 We do not have a facility to put it in. And I
4 haven't heard anything from AES telling us where they're
5 going to put it, or how they're going to put it. They tell
6 us they're going to be -- they'll dredge it without any
7 spreading of any toxic materials.

8 Over the years the State of Maryland, the Federal
9 Government, and Baltimore County put millions and millions
10 of dollars into cleaning up the Chesapeake Bay. If this
11 project is approved, we're going to take a giant, giant step
12 back in our cleanup efforts in the Chesapeake Bay. And we
13 don't want to see that.

14 So, I would ask very respectfully that you
15 disapprove this project. We don't need it in Baltimore
16 County, we do not need it in Dundalk, we do not need it in
17 Turner Station. So respectfully we ask that you disapprove
18 this project. Thank you.

19 (Applause)

20 MR. OLSZEWSKI: Good evening, Commission members.
21 Before I go to my written comments, I'd first like to ask
22 two questions.

23 I'm John Olszewski, Sr., my office is located at
24 77 Wise Avenue. I'm also a citizen of Edgemere, Maryland,
25 an area that will be affected by this potential LNG

1 facility. There are two questions I had; number one to the
2 Commander in the Coast Guard. It is: If these LNG tankers
3 are so safe, why they need armed escorts to navigate our
4 waterways?

5 (Applause)

6 The other question I have is, we all know there's
7 Seven Wonders of the World. Well, I consider the State of
8 Maryland to have the Eighth, and that's the Chesapeake Bay.
9 And who is going to be responsible for something happen to
10 the Chesapeake Bay, an accident happens with one of those
11 LNG tankers?

12 Good evening members of the Commission, elected
13 officials and most important, residents of our concerned
14 community. We are here once again to appear before this
15 Commission to voice our concerns and opposition, staunch
16 opposition to the building of an LNG facility in our
17 community. This battle has been long and enduring, but has
18 lost none of its commitment and perseverance for an issue
19 that all of us, elected officials, community activists,
20 residents and government officials firmly believe should
21 never be permitted at the chosen site.

22 I have continually been impressed by the
23 knowledge gained and the strength and endurance shown by the
24 LNG Opposition Team. Equally impressed by the level of
25 support of every, every elected official representing this

1 community from the Governor, U.S. Senators, Congresspeople,
2 County Executive, and all elected officials in between, to
3 stand so firm in opposition to this facility.

4 What does this say of the level of absolute
5 concern and fear? Are not our voices being heard? What
6 started with the being of concerned residents has now grown
7 into an army who has come forward armed with facts and
8 knowledge, and why this facility should not be permitted at
9 the Sparrows Point site.

10 The time and money spent by AES could have been
11 better used in seeking another, more suitable site for the
12 plant.

13 (Applause)

14 I am a great believer in the voice of the people.
15 It is the very foundation of our society, our democracy. It
16 was the loud cries of people in the early days of our nation
17 who came together to protect what they felt was unfair and
18 unjust. And from this endeavor our formal government was
19 born. A government with its roots firmly planted in the
20 premise that we are guaranteed the right to speak out for
21 what we feel in our hearts and minds is not right.

22 (Applause)

23 -- played an important part in the decision that
24 would effect that said long ago, and I quote: A government
25 of the people, by the people, for the people, shall not

1 perish from this earth. At this point in time, I believe
2 what President Lincoln said, so help me, has occurred. The
3 people in Baltimore County and most important in the
4 southeastern part of Baltimore County have spoken loud and
5 clear: They have worked extremely hard to educate
6 themselves about this issue; we have done this and we are
7 not speaking from emotions.

8 I fully understand the need for alternative
9 energy sources, but I also think we cannot operate on the
10 premise of 'at any cost.'

11 There are suitable sites in this land, and the
12 pipeline that would have to be constructed over miles of
13 land. The proposed site is fraught with every dangers from
14 threats of terrorism to environmental degradation, to the
15 awful impact on the nearby communities that would put them
16 at ground zero, should a catastrophe occur.

17 I ask you, ladies and gentlemen of the Commission
18 to deny this permit.

19 You know, someone on the Commission said that
20 this facility would be located in an industrial corridor.
21 You're absolutely right. And we had industry over this area
22 for a long, long time. And what has happened is our air
23 quality has been denigrated, our water quality has been
24 denigrated, our school has been denigrated.

25 Enough is enough. It's for someone with some

1 backbone step up to the federal government and give our
2 government back to us.

3 (Applause)

4 I thank you for your time, and I hope -- and we
5 need someone in times of thievery, surveillance of our
6 citizens and secret policies that our Vice President won't
7 let the people know who attended those meetings, and let the
8 people know that this is our government, and we hope you are
9 the ones who send that message loud and clear.

10 (Applause)

11 MS. WACHHOLDER: Before Mr. Ruppertsberger gets
12 up, we have still about over 50 people have signed to speak,
13 and we really have to keep it as close to three minutes as
14 you can. I realize you have a lot to say,¹ but just out of
15 courtesy to the other people, I really want them to have a
16 chance to speak before we have to leave tonight.

17 MR. RUPPERSBERGER: Mr. Chairman, Members of the
18 Commission, Panel, elected officials and citizens of greater
19 Dundalk. I'll try the best I can to keep it to three
20 minutes, but I have some important issues I would like to
21 get before you.

22 First, my name is Dutch Ruppertsberger, I
23 represent Maryland's 2nd Congressional District, where the
24 proposed terminal is to be located. And I have the
25 responsibility to my constituents to do everything I can to

1 ensure this hazardous and damaging project is stopped.

2 Now the majority of the community in Baltimore
3 oppose the proposed terminal because of security concerns,
4 environmental issues, and the potential impact on the Port
5 of Baltimore, and basic elimination of a way of life in the
6 Chesapeake Bay and the Greater Dundalk area.

7 I join with my community in opposition to the
8 proposed LNG terminal in Sparrows Point. I am not opposed
9 to natural gas as an energy source, but this is the wrong
10 location for a facility of this type. It is wrong for the
11 community, wrong for the Chesapeake Bay, and wrong for
12 Maryland's security.

13 The majority of the communities in Baltimore
14 oppose this proposed terminal because of security concerns.
15 Environmental issues, potential impact on the Port of
16 Baltimore, and a basic elimination of a way of life on the
17 Chesapeake Bay and Eastern Baltimore County. I join with my
18 community in opposition to this terminal.

19 Now, if constructed at the former Sparrows Point
20 shipyard, this facility will be less than two miles from the
21 heavily populated neighborhoods of Dundalk, Turner Station,
22 and Edgemere, and in the midst of the fragile Bay ecosystem.
23 While I was the Baltimore County executive, the County
24 invested over \$130 million to help revitalize this
25 community. And this LNG facility would harm those

1 revitalization efforts.

2 Perhaps most importantly, though, the
3 neighborhoods around the proposed site will be vulnerable to
4 an accident or even forbid, an attack. My biggest concern
5 is security. The Baltimore area represents a unique
6 security environment. For this proposed site, tankers
7 carrying natural gas would have to travel part of the
8 Chesapeake Bay, past the Cove Point LNG facility, past
9 Calvert Cliffs, past the Port of Baltimore, and under the
10 Chesapeake Bay Bridge to reach the LNG facility.

11 The route of these tankers becomes a path of
12 targets. The tankers themselves are a significant threat to
13 both the environment and the millions of people who live
14 near the Bay. The Bay Bridge is a critical part of our
15 region's transportation infrastructure. It is the only way
16 to get from the Baltimore-Washington area to the Eastern
17 Shore. It carries an average of 95,000 cars per day on a
18 summer weekend. An accident or attack on a tanker near the
19 bridge could cause terrible loss of life and seriously harm
20 our region's economy.

21 Now based on security concerns alone, this
22 proposed LNG plant should not move forward. The Coast
23 Guard's Water Suitability Report and the Draft Environmental
24 Impact Statement shows a lot more work has to be done before
25 this project should be even considered. There are other

1 more suitable locations for a facility of this kind in our
2 region; locations further away from the dense population
3 centers that do not present -- we are at environmental risk,
4 they do not threaten security of Baltimore Harbor or the Bay
5 Bridge, or our communities, and which do not diminish the
6 navigation rights of recreational boats.

7 In February, the Coast Guard -- this February,
8 2008, the Coast Guard issued a report critical of AES for
9 not having a comprehensive safety or security plan. This
10 Coast Guard Water Suitability report references my
11 opposition. It showed that the lack of a security plan
12 could put the Port of Baltimore and the existing community
13 and the Chesapeake Bay at risk.

14 AES wants Maryland taxpayers to foot the bill to
15 protect AES and its ships while it pumps LNG to other areas
16 of the country through its pipeline. Marylanders wouldn't
17 even receive the benefit of the energy produced in their own
18 back yard. AES wants Maryland to take all of the risks for
19 none of the reward.

20 The Coast Guard Waterway Suitability Report,
21 again February 2008, found that AES does not have a security
22 plan, does not appear to be taking security seriously, and
23 assumes the Coast Guard will give them all of the security
24 at taxpayers expense.

25 In addition, the security concerns, the

1 Environmental Impact Statement or the EIS report raises
2 serious doubts about the siting of this facility. The EIS
3 finds that AES has the potential to meet the minimum
4 acceptable environmental standards only if it meets ten
5 major conditions set out by FERC -- they have not none
6 today.

7 From the very start I said the proposed liquefied
8 natural gas plant is absolutely inappropriate for this
9 residential area in Eastern Baltimore County. This
10 Environmental Impact Statement doesn't alleviate any of my
11 concerns.

12 The health of the Chesapeake Bay is greatly
13 affected by the sediment and runoff that hits the Bay.
14 Runoff and sediment cloud the water and lead to low oxygen
15 levels, which is damaging underwater aquatic vegetation and
16 oysters that filter out harmful substances in the water;
17 this is what kills the Bay. The Draft EIS report says
18 nothing will be harmed at the site but that's because
19 nothing could live at the LNG site.

20 (Applause)

21 Now on page E5 of the executive summary it says,
22 quote: We believe that the proposed project will result in
23 more frequent impacts on the water quality and aquatic
24 habitat of the Patapsco River. Should not really list
25 proposed facility or the Bay, it will impact tributaries to

1 the Chesapeake Bay. This facility will be a major setback
2 in Maryland's efforts to restore the Bay. End quote.

3 Now the health of the Bay is crucial. The Bay
4 drives our region and our economy, and I believe this
5 proposed LNG facility will only hurt the progress we have
6 made. The Chesapeake Bay is not a transit zone for ships.
7 It's not just a supply route for LNG, it is our livelihood
8 and way of life in Baltimore County.

9 (Applause)

10 The facility is wrong for the neighborhood, wrong
11 for the Bay, wrong for our nation's security. I fervently
12 oppose the project and FERC to deny AES' application for
13 this location. And that's the end of my statement.

14 (Applause)

15 I've been an elected representative for over
16 twenty years, and I've worked very closely with my staff and
17 other elected officials and the community in this area. And
18 when we've had our meetings to talk about this issue --
19 really to evaluate it first before we took our positions, we
20 made the decision that we are not going to stand up here and
21 talk about emotion, we're not going to threaten, we're going
22 to have facts and data that make a difference; hopefully
23 that facts and data and the Coast Guard report, the Fenway
24 report, will clearly show this is not the right facility for
25 our area. Thank you.

1 (Applause)

2 DR. YUILL: Maxine Thompson, Linwood Jackson, and
3 Phyllis Elaine Driscoll.

4 MS. THOMPSON: Good afternoon, my name is Maxine
5 Thompson. Born and raised in Turner Station. I am the
6 third generation of six generations that were born and
7 raised in Turner Station.

8 I would like to address the Environmental Impact
9 Statement. I love the way they included the wetlands, I
10 love the way they included the Bay, but where was Turner
11 Station? Turner Station was never mentioned or considered.

12 Another thing, AES is not a trustworthy
13 corporation. They hired a consultant to come to the Turner
14 Station community to speak with members of the community to
15 try to convince them of the safety and the economic impact
16 that they would have on the Turner Station community. They
17 sponsored trips for us to visit other sites to see where
18 they finally gave to the different communities that
19 surrounded their facilities.

20 AES was starting to come to the table to make
21 some negotiations with Turner Station economically in the
22 event that they had. We never supported, never have, never
23 will, and never consider this facility coming in. But in
24 the event that they did come, they were making promises to
25 the community. At the end of the legislative session, AES

1 backed away from Turner Station. They got rid of the
2 consultant, they got rid of the lawyer, anything dealing
3 with Turner Station, claiming that they had to wait until
4 they got your approval.

5 In the meantime, they made commitments to other
6 communities aside from Turner Station. So Turner Station,
7 you are not considered to be a viable part of the community.
8 They are not considering your safety or your economics.

9 In the event that there is an explosion, as far
10 as what -- do realize that we have a steel mill located
11 within less than a quarter of a mile from the LNG plant.
12 People were talking about a terrorist attack, I'm more
13 concerned about an explosion, something that ignite those
14 LNG tanks.

15 Turner Station is ground zero if they consider --
16 we will be the first to be hit by this. We lose property
17 value by AES coming to that facility. Are they going to
18 compensate us? They walked away from the initial
19 negotiations, so don't expect AES to have your financial
20 interests at heart.

21 Secondly, my homeowner's insurance will not pay
22 for an explosion if my house catches on fire. Listening to
23 the Environmental Impact Statement that was put out by --
24 what will happen to Turner Station if there is an explosion?
25 I'm sure there are a lot of people who would not like to

1 live there -- if AES comes. But if we do choose to stay,
2 because we've got our community, AES needs to include Turner
3 Station first and foremost, and this Environmental Impact
4 Statement, this economical impact statement and this
5 community commitment.

6 I do not, will not, and never will support this
7 facility coming anywhere near my family, my community, and
8 my neighbors.

9 (Applause)

10 DR. YUILL: Phyllis Elaine Driscoll.

11 MS. DRISCOLL: Good evening. Can you hear me.

12 My name is Phyllis Elaine Driscoll, I live at
13 8027 Neighbors Avenue, Baltimore, Maryland 21237,
14 development Hillbrook Camelot of Rosedale.

15 I am very much against this pipeline, number one
16 because of the great impact on population areas, which is
17 Turner Station, Dundalk, Chesaco, White Marsh, Rose Hill; so
18 many communities in this area. If something was to go
19 wrong, like a terrorist or someone didn't do their job, and
20 this pipeline exploded, do you know it would be like an
21 atomic bomb? It really would. Everything would be
22 destroyed over here.

23 And the other reason is our Bay. They're finally
24 able to do something with the Bay. We don't need any more
25 bad things there. We just don't. I think you need to

1 consider all the families, the people that live in these
2 communities before you go any further. That's the most
3 important thing in life, is to have families together and
4 not have all these bad things happen. That's all I have to
5 say.

6 (Applause)

7 MR. JACKSON: Good afternoon, everyone. My name
8 is Linwood Jackson. I live at 611 --bury Avenue.

9 Let's state facts: I worked 30 years in the
10 Bethlehem Steel shipyard. And you, Commander, of all people
11 up there, know what Tributyl tin is. Tributyl tin is a
12 coating that's put on the bottom of a vessel. When you
13 apply it, you've got to -- it makes it sterile, and when you
14 -- over 30 years, I generated most of that pollution out
15 there, because I was painting with a sandblaster. You think
16 copper, tin, you name it.

17 But the sad part about this whole thing is that
18 no one has taken into consideration what is that for. They
19 just don't have the piece of property. Most of that land is
20 fill in land. Because I seen it filled in, over the years.
21 When the train started to move down the track, the pier
22 started sinking, so they put stoppers on the train so the
23 train can't go any farther than what that is.

24 Most of that land that they're talking about
25 putting in the LNG plant is fill-in. But also, the comment

1 of the gentlemen that was talking about the vessel taking
2 the berth. When we made the vessels, when the vessels came
3 up to be berthed, if the wind caught the vessel, the vessel
4 could not berth.

5 So the boat went round and around and around. So
6 they had to take it down to tie it at a pier. God knows, if
7 you bring a ship up and it's cleared out, like it was this
8 Saturday. When we go to berth the ship, the ship gets away
9 from us. Those ships have gotten away from the pier.

10 But let's stick with the Turner Station. When
11 they were building Key Bridge, short -- they guarantee us
12 that the building of Key Bridge would not affect Turner
13 Station. Now,
14 guess where all the trucks came to? They came down South
15 Point Road, to provide foundation for the houses.

16 I am totally against this because I was on the
17 task force, I worked in the shipyard, and last week I went
18 to three funerals; two Friday and one Tuesday. To see my
19 coworkers die a horrible death, because the only thing we
20 did, was make a living at Bethlehem Steel, is a bit too
21 much.

22 And the other thing, Turner Station has a "I'll
23 see you myself" Our quality of life for me, my wife and my
24 children. I have four children that graduated from college,
25 and I can't think of a better place to live than in Turner

1 Station. But I have selfish reasons to be here.

2 (Applause)

3 Because I have selfish reasons to be here.

4 Because I have seen my coworkers die horrible, horrible over
5 the years. All they get, elevated us into high technology,
6 when you talk about applying the paint to those ships, the
7 government outlawed it, outlawed it.

8 So I'm saying look at what's there. Now they say
9 that they have to serve it, they have to. But also, I think
10 that when you look at the broader picture, look at the
11 broader picture, it's a lot of effort that went into
12 formulating the task force. We spent a year.

13 We had people sitting there, right on the stage
14 and off the stage, they were on the task force. And we all
15 agreed that this was a bad thing for the community. And
16 I'll leave you with this: I'm a Vietnam vet. And I was
17 told the same thing when I went to Vietnam: We're going to
18 use Agent Orange. They had chemists come over there and
19 drink it to ensure that if we went into combat it would not
20 affect us.

21 And guess what? Now we've got diabetes, we've
22 got cancer --. I worked 30 years in a shipyard, and at the
23 end of my career, everything was taken from me for where I
24 live at Turner Station. I'll fight to the end.

25 (Applause)

1 DR. YUILL: Senator Norman Stone, Delegate John
2 Olszewski, Jr., and then Jerome Stephens.

3 MR. STONE: Members of the community, fellow
4 residents, elected officials. I'm Norman Stone, I'm a
5 Senator from the Sixth District, which includes the area
6 where the LNG facility is proposed.

7 I don't know if I should say this in public, but
8 in my 46 years of public service, that I've served in the
9 Legislature, I've been involved with so many issues. I am
10 involved with environmental issues, safety issues, all kinds
11 of zoning -- anything you can think of. But I don't know of
12 any other issue that is as serious as this particular, and
13 potentially disastrous as this particular issue.

14 You heard from the experts here on homeland
15 security, you've heard from the experts on safety, you've
16 heard from the experts on the Chesapeake Bay, and I agree
17 and endorse all of what they said. Because I stated it back
18 on June 4th two years ago, that these terrorists -- I think
19 most of you agree -- are not known as roaming the desert.
20 Well, maybe some of them are. They're basically very
21 sophisticated, very well financed and very organized groups.
22 Lest we forget September the 11th.

23 The other thing, I'm trying not to repeat because
24 it was like reading my own speech when I listened to some of
25 the people who testified up here, but this long route -- you

1 know, a lot of the reasons that we don't get a lot of cruise
2 companies here -- some of the reasons -- is because of the
3 long distance between the mouth of the Bay and where the
4 marine terminals are. We do have a couple of companies; I
5 think they're announcing next year that Carnival is coming
6 here.

7 But there are, I believe, one of them is not come
8 here because of the length of travel. But during that trip
9 from the beginning of the Bay all the way up the Bay, we
10 have a lot of strategic areas. I mean, the United States
11 Naval Academy, the Cove Point plant, and the Bay Bridge.
12 Many, many strategic areas that could be in danger.

13 Then if you look at where the actual site is, you
14 have the Francis Scott Key Bridge, you have the former
15 Bethlehem Steel, now Severstal with, about 2300 employees.
16 And we have, I would think -- that's a far cry from the
17 30,000-plus that were there a few years ago. But 2300
18 employees that are working there, we should worry about.

19 And I can give you my address. I live at 7611
20 Iroquois Avenue, and that's less than two miles as the crow
21 flies; that's right on Old Road Bay; it looks directly out
22 on the Patapsco River, and my office is in Dundalk. So I
23 really do have a lot to say.

24 But let me concentrate more on the dredging and
25 the environmental impact. We heard about all the safety

1 issues and so forth, but the dredging of 118 acres by minus
2 47 feet mean low tide would be removing approximately 3.7
3 million cubic yards. Think of this in perspective. The
4 entire Hart-Miller was originally designed for 15 million
5 cubic yards. Now this is 3.2 for one single dredging
6 contract. And this can cause severe, affirmative damage to
7 our regional waterways and the Chesapeake Bay. Everything
8 we fought for and everything we regained under the various
9 Chesapeake Bay programs, including the Critical Area program
10 which I had the pleasure getting through the, in 1984,
11 through the Legislature, as I was the floor leader for that
12 bill.

13 It's my understanding that the Chesapeake Bay is
14 already listed as impaired, and the regional waterway is
15 listed as severely impaired. Disturbance of this large
16 volumes of toxic sediment would cause acute chronic
17 environmental impact. We're talking about clamshell
18 dredging, and storing of what we know is toxic material in
19 there, because that was all part of that consent decree, and
20 that was all visited during that consent decree.

21 I'm concerned that all the aquatic life in that
22 region, which has just started to come back from the
23 previous smaller dredging project that was done, of 300,000
24 cubic yards, after which we had at least two fish kills that
25 we could attribute to that dredging; and if you can imagine

1 this -- and all the wildlife and all the aquatic life that
2 we lost from there, and imagine what this 3.2 million cubic
3 yards will do.

4 I don't think you'll ever see anything in that
5 area again. And for that reason alone I am opposed to it,
6 if you consider the safety regions. But that reason alone
7 would be something to stop this particular project.

8 It should be noted, too, that in 1988 various
9 agencies imposed a warning on this very area, stating no
10 further dredging. This was due to the toxic material, the
11 toxic nature of the sediments surrounding the Sparrows Point
12 Peninsula, and particularly, the Sparrows Point Shipyard,
13 which contains the most contaminated sediment of the entire
14 area.

15 I respectfully submit that it appears that there
16 is no interest concerning the aftermath of this AES project.
17 It doesn't seem that there's an end. What's going to happen
18 later? Or whether our waterways will ever recover within
19 our lifetime.

20 On the contrary, it appears that there is only
21 one concern, and that's construction of this terminal, and I
22 think it's wrong. The construction -- of particular
23 concern, is AES's intention to dump the Sparrows Point
24 terminal construction runoff water into the Baltimore County
25 sewer system to minimize pollution in the open waterway?

1 Well, that sounds like a good thing, but AES soil analyses
2 of the site shows toxic contamination -- and that's in the
3 Draft Environmental Impact Statement -- such that any runoff
4 from the state should not be discharged onsite without an
5 onsite wastewater pretreatment facility. In this case, the
6 runoff should most likely be collected and transported to a
7 registered hazardous materials containment facility.

8 Now as to the pipeline, I'll try to finish this.
9 AES intends --

10 MS. WACHHOLDER: We're running out of time, your
11 allotted time. We have over 40 people left.

12 MR. STONE: I understand that, but I won't be
13 another two minutes.

14 AUDIENCE: Excuse me. My name is Janet
15 (inaudible). I give my three minutes to --

16 AUDIENCE: So do I.

17 MR. STONE: Thank you for that. I hope I don't
18 take that.

19 This 200 foot wide, 97 mile, or 88 miles,
20 whatever it may be, construction right-of-way, as described
21 in the FERC EIS right-of-way, would be clear-cut, down to
22 the soil, including blasting where necessary.

23 During the AES information meeting and the
24 original FERC hearing, to my knowledge this was never
25 discussed, the clear-cutting or the blasting. It is also my

1 understanding AES may be granted federal eminent domain
2 authority to exercise as they deem necessary, which I think
3 is wrong.

4 It is stated that overall environment impacts may
5 be "limited, minimal, or none." Now you heard that before.
6 That's continually through the Environmental Impact
7 Statement that these impacts would be "minimal, limited or
8 none." I disagree with that wholeheartedly.

9 177 water bodies will be crossed, while varying
10 levels of impact -- and all impacts could be permanent.

11 Highland wetlands will be permanently damaged.
12 Non-tidal wetlands could also be affected adversely. Six
13 sections of Maryland's critical areas will be adversely
14 affected. Thirteen registered and protected sensitive
15 specie areas will be permanently altered and/or damaged.
16 Registered historical archaeological sites in Maryland and
17 Pennsylvania could be permanently altered, damaged, or
18 adversely affected.

19 Thirty-six registered agricultural easements
20 could be permanently altered or damaged. 1700 private
21 properties could be permanently altered and/or adversely
22 affected. It appears that AES will be allowed to secure the
23 construction right-of-way with a basins cover only.
24 Although the amount of forested areas AES destroys will be
25 massive; yet AES will not be required to replant any trees

1 or shrubs, is the way I read it.

2 As far as I can tell, the trees will be removed
3 and replaced with grassy material. It also appears that AES
4 does not intend to remove the vegetative material they cut
5 down; rather, they intend to either deposit the debris in
6 the waters of the right-of-way, or a landfill within the
7 right-of-way.

8 It also appears that AES intends to place some of
9 the vegetative material on the wetlands when they cross, as
10 matting to support their construction equipment.

11 AES intends to restore the wetlands they cross by
12 planting rye grass in the wetland. Rye grass is a winter
13 cover crop for farmland, and rye grass does not grow
14 naturally in wetlands, and is rarely found within the
15 wetlands.

16 Now, with that I'm going to say that -- I will
17 conclude by just saying you've heard from people who are a
18 lot more eloquent than I am; you've heard from experts who
19 know much more about this, the technicalities than I am, and
20 you've heard from me, and I'm asking respectfully, turn down
21 this permit. Thank you.

22 (Applause)

23 MR. OLSZEWSKI: Good evening. My name is John
24 Olszewski, Jr., I reside at 137 Bender Terrace, Dundalk,
25 Maryland, 21232. I am honored that one of my constituents

1 says that she's in good company when she's with me. Tonight
2 I'd like to be in the company of the proud, resilient, and
3 resolute residents of District 6, who stand here in
4 opposition to the LNG plant.

5 (Applause)

6 Next, I've done my homework. Yes, I've read the
7 reports, yes, I've visited facilities, yes, I've read. It
8 feels like deja vu. We fill up the volunteer fire
9 department in Edgemere, we're back here again, we've filled
10 up the entire school auditorium.

11 I feel compelled to respond to what I feel was an
12 inappropriate, quite frankly unbelievable decision, issued
13 in the Draft EIS. Specifically you wrote that overall, the
14 project will have no adverse environmental impact. The
15 truth could not be further from the report.

16 Just as the one example, as cited by the Senator,
17 and it's wholly redundant but I'll keep saying it until our
18 voices are heard appropriately: It's not seated properly,
19 considering the proposed pipeline will irrevocably impact
20 177 water bodies, 9 tidal wetlands, 6 sections of Maryland
21 State Critical Areas, 13 Department of Natural Resources-
22 registered protected sensitive seasoned areas, 50 registered
23 historical sites, 4 registered State agricultural easements,
24 and 1700 privately owned properties throughout Maryland and
25 Pennsylvania.

1 When it comes to safety concerns, we can never
2 err too much on the side of caution. For example, again as
3 has been mentioned, when LNG tankers are coming into the
4 dock, they will be less than one mile away from communities
5 such as Water's Edge and Turner Station.

6 (Applause)

7 -- heavily populated African-American residential
8 population, it raises huge environmental justice concerns.
9 Not to mention the thousands of workers who work every day
10 at a steel plant adjacent to the proposed facility. At the
11 site there is one of the largest blast furnaces in the
12 United States. Imagine the impact.

13 It's been established that security protocols
14 will allow armed escorts, underground divers, possibly to
15 sweep below ships, and possibly and possibly land-based
16 and/or aerial surveillance, just to name a few. It seems
17 like a lot for something that's supposed to be safe. And
18 what happens when an unsuspecting jessie heads in front of
19 the ship and catches its wake? Do we want our gunboats to
20 fire? Do we know if it's armed with explosives? I don't
21 want to put my residents in that position.

22 On top of that, we do have concerns of quality of
23 life. The huge tankers that are used to transport the LNG -
24 - not going to let those safety issues, but also they impact
25 of quality of life. It's a variable that is difficult to

1 measure, that nonetheless must be considered.

2 I'll close by saying that, I'm a government
3 teacher in this very building, Patapsco High School.

4 (Applause)

5 And every day, every week, every year, I teach my
6 students about the principles that our government is
7 supposedly founded on; the foundation that includes consent
8 of the governed, protection of citizen rights. It's my
9 sincere hope that you hear the concerns, the facts, and the
10 well-founded thoughts of the citizens here tonight, and
11 reject the proposal for the LNG facility at Sparrows Point.

12 (Applause)

13 DR. YUILL: Jerome Stephens and Frances Martino.

14 MR. STEPHENS: Good evening. My name is Jerome
15 Stephens. I'm representing Senator Benjamin L. Cardin,
16 United States Senator from the State of Maryland.

17 Tonight, Senator Cardin sends his safety.
18 Senator Cardin says he strongly disagrees with the Federal
19 Energy Regulatory Commission, FERC's, Draft Environmental
20 Impact Statement EIS for AES Sparrows Point and Mid-Atlantic
21 Express' proposed facility and pipeline.

22 You have once again sided with no safety,
23 security and environmental concerns about the proposed
24 facility.

25 You also ignored the concerns of the State of

1 Maryland, Baltimore County and the residents of this
2 community.

3 The Draft EIS proposal provides a roadmap for AES
4 and Mid-Atlantic to try to minimize security and pipelines
5 harm to the surrounding communities and fragile Chesapeake
6 Bay watershed. It recommends 151 mitigation measures and
7 limited projects for environmental impact. This is 151
8 mitigation measures too many. This is too many.

9 What is the environmental impact of the facility
10 of pipeline construction or the operation is minimal,
11 limited, or long term, it cannot be made agreeable to our
12 city. This project is not welcome in the State of Maryland.

13 (Applause)

14 We want to continue to rubber-stamp AES Sparrows
15 Point application to the review process, but without support
16 of the State of Maryland, this project will not move
17 forward.

18 Again, this application is not recommended.

19 Sincerely, Senator Ben Cardin.

20 (Applause)

21 DR. YUILL: Frances Martino, David Jones, and
22 Matthew Jones.

23 [Frances Martino did not appear.]

24 DR. YUILL: David Jones, Matthew Jones.

25 MR. JONES: Good evening, ladies and gentlemen.

1 I'd like to thank you for your time and energy. My name is
2 David Jones, and I now reside in Perry Hall. I used to live
3 in Dundalk; was basically raised there most of my life.

4 I am fairly familiar with gas; I am in the hazmat
5 industry, and I am 100 percent opposed to the LNG plant. I
6 read the testimony of Richard Hoffman, Director of the
7 Division of Gas in the Office of Energy Products. In other
8 words, FERC.

9 Basically those questions that I had, it was a
10 lot of pep talk. There are not too many answers other than
11 just SOP for this LNG plant. I am familiar with the safety
12 cutoff valves, and those types of things. This is the
13 standard, this is not -- given safety of the people who live
14 in Turner Station, Dundalk and Edgemere, as stated before,
15 and I'm not going to keep talking about it.

16 I don't see too much concern for human life of
17 this area. I don't see too much concern for the fish and
18 wildlife in this area, either. Now I just started getting
19 involved in this just recently. I had the privilege of
20 knowing Sharon Beasley, and I didn't think too much about it
21 until, like I said, just recently.

22 When I started doing some research, I was -- I
23 had the same concerns, same questions as most people in
24 here, is why can they not put this out in the middle of the
25 ocean somewhere? Why can they not put this in Pennsylvania

1 where they want more --

2 (Applause)

3 As I said, I'm in the gas industry, and I had the
4 opportunity to deliver to the Pentagon days after the
5 attack. I was literally in awe at the devastation from an
6 airplane hitting a building, just a building. Nothing
7 flammable like this. This would cause some explosion; it
8 would probably wipe out Edgemere, Turner Station, Dundalk,
9 Essex -- not to say what it's going to do to Glen Burnie and
10 other surrounding areas.

11 After a little bit of research -- not much, but
12 after a little bit of research, I'm curious as to who funds
13 FERC. Is it AES who funds FERC? Because if it is, maybe I
14 can see why you all bow down to their remarks.

15 (Applause)

16 It's stated in here, in the report that I have,
17 it says that AES thinks they're going to cover all expanses
18 paid by the police and firefighters, unless I misread. But
19 I find that hard to believe, also. As most of us here know,
20 we--

21 in Dundalk and Essex and surrounding areas. And it turned
22 out that we end up paying that cost. And in this, I think
23 it will be a severe cost. And it's the same people, the
24 senators and congressmen over here, is we benefit nothing
25 from AES being here, nothing at all.

1 So again, I appreciate your time, and I am 100
2 percent against the project.

3 (Applause)

4 DR. YUILL: Matthew Jones, John Polek, and Russ
5 Donnelly.

6 MR. JONES: Can everyone hear me okay?

7 AUDIENCE: Yes.

8 MR. JONES: All right, good. Because I don't
9 want to anything of this to be missed.

10 My name is Matt Jones, I live at 128 Creekview
11 Court in Street, Maryland, which is up in Harford County and
12 I am 22 years old. However, in the first 21 years of my
13 life, I lived in the town of Dundalk, so obviously I am very
14 strongly connected with this town, my heart lies here.

15 To be perfectly honest, I'm appalled at what all
16 of you at FERC call a normal action.

17 I am Sharon Beasley's nephew.

18 (Applause)

19 My aunt dedicated the last few years of her life
20 to this effort, and I am disgusted with the fact that she
21 never got to fight this event. This shouldn't even be an
22 issue. You, Ms. Joanne from FERC, I don't need to insult
23 you; however, you keep talking about us going over three
24 minutes. If you would have done your job in the first round
25 of these hearings, we wouldn't be here in the first place.

1 (Applause)

2 My aunt liked to refer to the people of Dundalk,
3 Turner Station, Sparrows Point and all other surrounding
4 communities as "my people." Well, my aunt died, however,
5 her legacy will not die with her. I decided to take on her
6 efforts, and all of you are now considered "my people."

7 (Applause)

8 I, like everyone else who came up here and spoke,
9 I am not here to educate, I am not here to be politically
10 correct, I'm here just as a wake-up call. I'm tired of how
11 everyone says, "Well, how are we going to prevent the next
12 terrorist attack?" September 11, we spent the next four
13 months, and in addition to four months discussing what we
14 could have done differently to figure out to prevent an
15 airplane from flying into the Twin Towers or the Pentagon.

16 Well, let me tell you something, people at FERC,
17 you all have the opportunity to prevent something that will
18 occur, in my opinion anyway -- obviously, there's no proof
19 saying it will occur; however I think it's common sense --
20 but you all have the power of prevention. This is something
21 that Maryland cannot afford, it is something our U.S.
22 Government cannot afford, it's something our country cannot
23 afford. However you, for whatever reasons, seem to find it
24 perfectly acceptable to put it on our plate.

25 Isn't it amazing what the power of money will do

1 for people? I find it funny how A S S -- oh, I'm sorry, I
2 meant A E S --

3 (Laughter)

4 I would like to point out how that company is one
5 of the funders of FERC. So I'd like to think that your
6 paycheck comes from them. So I'm kind of wondering whether
7 this hearing is actually going to be beneficial in the end,
8 like the other ones.

9 But in addition, if they are paying you to do
10 this, which I guess I can understand with the state of our
11 economy at the current time, I would like you to think of
12 this, because if you're going to get a price from them, you
13 may as well make it worth your while.

14 I want you to look at every single person in this
15 audience, I want you to estimate the value of each life in
16 this room, I want you to estimate the life of everyone in
17 the surrounding communities that could not be here this
18 evening, and I want you to estimate the lives of all the
19 people along the pipeline.

20 After you've estimated the values of all those
21 lives and you've added them together, I want you to multiply
22 that by a million. Anything less than that is a waste of
23 your time and our time.

24 I also would like for you to think about the fact
25 that you had the audacity to look at these people in the eye

1 and tell them that after all of the things that have
2 occurred that they will be perfectly safe. This is the
3 biggest bunch of bull I have ever heard.

4 (Applause)

5 If you all are going to come in here and try to
6 wreck our town and destroy all the people who have lived
7 their entire lives here, that have made everything they have
8 in this town, yet at least had the guts to grow here.

9 I would like to give a little challenge to FERC
10 and all of the other people who are in support of this LNG
11 facility, and I would like to challenge you all to buy
12 residency in Turner Station.

13 (Applause)

14 Put your money where your mouth is, and let's see
15 how you like having an LNG plant in your back yard. With
16 all that said, the people in the LNG Opposition Team are not
17 backing down, I am not backing down, the Dundalk community,
18 the Turner Station community, all the surrounding
19 communities, we are not backing down. The State of Maryland
20 is not backing down; and with all that in consideration, I'd
21 like to say that until the day I die, in memory of my aunt I
22 am not giving up on my people, so I expect a little better
23 from you.

24 (Applause)

25 MS. WACHHOLDER: Thank you. I have met Sharon

1 Beasley, and I can see you have the same fire that she has.
2 This is really refreshing, and I am really glad that you've
3 come. She was a really wonderful woman.

4 (Applause)

5 MR. POLEK: Good evening, ladies and gentlemen.
6 My name is John Polek, I live at 1606 Sandy Hollow Circle in
7 Baltimore, 21221. I am President of the Marine Trades
8 Association of Baltimore County. We represent over 100
9 marine-related businesses, serving more than 10,000 local
10 boaters and commercial watermen, as well as the \$250 million
11 a year recreational boating industry in Baltimore County and
12 its 175 miles of waterfront.

13 Since our formation in 1988, it has been our
14 vision to improve and protect our local waterways for use by
15 all our recreational boaters. As advocates for the
16 recreational boating industry, we're concerned about the
17 frictions the transiting of ships will place on all of our
18 boaters on a daily basis, but particularly those boaters in
19 Bear Creek, Patapsco River, and the Baltimore Harbor.

20 We're concerned about the negative impact this
21 plan will have on our marinas' daily operations, and that
22 all of our members, especially those in Bear Creek, the
23 Patapsco River and the Baltimore Harbor. We're concerned
24 about the negative impact on the property values of our
25 member marinas, particularly those in Bear Creek and in the

1 Patapsco River.

2 We are concerned about the negative impact on our
3 Chesapeake Bay Critical Areas and the potential of
4 irreversible damage to the Chesapeake Bay. We are concerned
5 about the burden on our local Coast Guard, Department of
6 Natural Resources, and Baltimore County police agencies in
7 the area due to increased security requirements. This
8 burden on agencies that are already overworked and
9 understaffed.

10 We're concerned that the daily presence of the
11 Coast Guard escorts and gunboats in our waterways will have
12 a detrimental effect on the perception of recreational
13 boating in Baltimore and Maryland, and the overall quality
14 of life for our recreational boaters; and therefore cause
15 irreversible damage to our industry.

16 Therefore, based on the information we have and
17 noting the many potential negative impacts of the proposed
18 LNG on our recreational boaters, the Marine Trades
19 Association of Baltimore County strongly opposes the
20 construction of this facility. We believe it's a direct and
21 immediate conflict with the recreational boating industry in
22 Baltimore County, and the \$2 billion industry in the State
23 of Maryland. Thank you.

24 (Applause)

25 DR. YUILL: Russell Donnelly, and Rose Seay?

1 AUDIENCE: She's gone.

2 DR. YUILL: And then Pless Jones.

3 MR. DONNELLY: Good evening. Honored members of
4 the government panel, elected politicians, and all the
5 residents that had the common sense and good will to show up
6 here to state their case. Thank you for coming.

7 My name is Russell Donnelly, I am the
8 Environmental Coordinator for the LNG Opposition Team. I'm
9 here to give representative testimony of our strong and
10 adamant opposition to this proposed AES LNG project,
11 pipeline and transit. I have submitted in writing an
12 approximately 200 page testimony, which has already been
13 turned in -- that's for the record. What I have to say now
14 are just open comments about certain aspects of this overall
15 project.

16 If this project is allowed and permitted, you
17 will be allowing severe permanent environmental damage to
18 the Chesapeake Bay which cannot be reversed, massive loss of
19 critical areas, wetlands, woodlands, and private property in
20 both Maryland and Pennsylvania, permanent disruption of many
21 uses of our Maryland waterways, and we will becoming a prime
22 terrorist target, sacrificing our safety and security for
23 private capital gain.

24 We will suffer the loss of state power to carry
25 out our own affairs, to federal overseers, by just the

1 amount of power given under EPACT 2005, five members
2 controlling 56. Too much power. That must be addressed.

3 Also, the loss of private property values and
4 insurance coverage in the areas of impact along this entire
5 project, from Cape Henry to Eagle, Pennsylvania, through
6 Virginia, Maryland, and Pennsylvania.

7 Further, if the dredging -- which I am very
8 adamant about, as one of 126 signers of the original
9 Chesapeake Bay program -- is allowed, the toxic release to
10 the -- ambient waterfowl will be devastating. I have worked
11 on the Bay programs and projects in excess of 35 years,
12 volunteer -- I want to see it succeed.

13 We are succeeding. In fact, there has been a
14 monitored natural recovery process documented in and around
15 the Bear Creek at the convergence of the Patapsco River over
16 at Jones Creek, et cetera, where before that, in 1980, when
17 we had time to study -- until 2000, there was virtually no
18 life present, aquatic life; not even worms in the mud.

19 You allow this project to come in and dredge up
20 that massive volume of highly toxic, contaminated material
21 which contains hazardous toxins, radioactive waste by Army
22 Board designation; also nonaqueous phase liquid by EPA
23 designation. In that small area, that volume of toxic mess
24 -- slop, toxic parfait.

25 You are going to impact two major areas. One

1 thing, immediately, NOAA Project 64, which is an
2 \$100 million federally-phased funded project for the
3 restoration of our natural species of oyster. Implemented
4 in 1995, this will come with -- it rests at Fort Carroll,
5 this is three and a half acres, it's less than 1500 feet
6 from this proposed dredge area.

7 The dredged slop, irregardless of the toxins, the
8 sediment of 2 inches -- you kill the project. That's
9 \$100 million down the tube. They've already redeposited up
10 to 500,000 viable pulps per year since 1995. So that would
11 be a fantastic loss to the cause of the restoration of our
12 Bay.

13 Second, it is, as I mentioned, that monitoring
14 the natural recovery. In the federal government, that is a
15 very high priority issue under the Clean Water Act and other
16 areas, because it's so massive, it's not to be taken
17 lightly. I don't see mention of it in that EIS document.

18 Finally, the 200-foot track, like 87 miles long,
19 the statement is a little oppressive, saying there will be
20 no adverse environmental impact. There's going to be one
21 big mark on the two States.

22 And also, the Coast Guard -- I do honor them --
23 does not have the Patapsco, and is stretched too thin to
24 take care of this transit. They've already rescinded some
25 services at Cove Point. The only near stations are at

1 Hampton Roads and Cape May, New Jersey. That leaves the Bay
2 open. You know, they can't do it.

3 Please deny this project.

4 (Applause)

5 CMDR PENOYER: Just briefly I'd like to address
6 the last comment with regard to the Coast Guard stations.
7 Second Baltimore is right across the water, and there are
8 smaller Coast Guard stations with the small boat assets up
9 and down the Bay, we have several stations along the way.

10 But your underlying comment is correct; we
11 essentially do not have the assets required to do this job.

12 (Applause)

13 MS. WACHHOLDER: Next we have Pless Jones, then
14 Pat McDonough, and then Buddy Cefalu.

15 DR. YUILL: Do we still have Pless Jones?

16 Pat McDonough.

17 Buddy Cefalu.

18 Go to Don Milsten. Carolyn Jones.

19 Okay, we'll have you first. Go ahead.

20 MR. McDONOUGH: Good evening. My name is Pat
21 McDonough, I'm a member of the House of Delegates. I
22 represent Eastern Baltimore County and Harford County, so
23 this project impacts all of us. I live at 120 Riverform
24 Road, 21220.

25 First one comment very quickly, and I am going to

1 be very brief. The Coast Guard is not going to have the
2 assets to do this, but who pays the Coast Guard?

3 AUDIENCE: We do.

4 MR. McDONOUGH: That's right. Now, federal
5 taxes.

6 Now, is AES going to pay the Coast Guard?

7 AUDIENCE: No.

8 MR. McDONOUGH: Second thing is, this is the only
9 place in the entire world where these types of ships
10 carrying this type of cargo are traveling 150 miles inland
11 in sensitive, dangerous territory. This is the only place
12 in the world. So they have no preconditions, they have no
13 experience, they have no way of really defining how they're
14 going to protect this venture. You are guinea pigs.

15 My second point is, it's been mentioned that we
16 do not receive a benefit in the State of Maryland, and
17 that's true, but the United States does not receive the
18 benefit. Because what is this all about? This is about
19 importing energy. America cannot become energy-independent
20 with the continuing practice of importing energy. We have
21 more natural gas in the United States than Saudi Arabia has
22 oil, and we are being prevented from getting that gas, and
23 this is the result.

24 The third point is this: The State of Maryland
25 is paying the highest gas and electric prices in the nation,

1 despite what BG&E lies to you about it. The fact of the
2 matter is the very simple reason, we are paying those
3 prices, and they don't tell you this, either: It's supply
4 and demand. They have not built an energy power generator
5 in the State of Maryland in more than 20 years. And gas-
6 fired power plants can be built very quickly. Constellation
7 Energy just purchased, for \$500 billion, a 500 megawatt gas-
8 fired power plant in York, Pennsylvania. And we do not
9 receive one kilowatt of that energy, and lot of it is our
10 money.

11 So we're not getting any benefits from this
12 project. We're not getting power plants built, we're not
13 getting that gas, and we're weakening America's position on
14 energy independence, and we are placing as guinea pigs the
15 only Chesapeake Bay in the world, that is so unique and
16 unusual, it's not even a bay, it's an estuary river; and
17 nowhere in the world has this experiment been tried, but
18 it's going to be tried on us.

19 And I would ask you, regardless of your
20 philosophy, your philosophy is to continue importing energy
21 and you're saying as you sit on that stage, "Delegate, we
22 really can't do too much about that, is the point." Do not
23 subject our people to be guinea pigs for this experiment.
24 Look at the facts, look at the overwhelming evidence in a
25 court of law that was presented here this evening that makes

1 it clear that this project is dangerous, unnecessary, and it
2 looks like the Three Stooges put it together.

3 (Laughter) (Applause)

4 DR. YUILL: Buddy Cefalu, followed by Don
5 Milsten.

6 MR. CEFALU: Good evening, ladies and gentlemen.
7 Thank you for the opportunity to speak. My name is Buddy
8 Cefalu, I represent the International Ironworkers Union of
9 the Mid-Atlantic States, I'm also Vice President of the
10 Baltimore Building Trades. I come here tonight to speak in
11 favor of this project.

12 (Discord heard in the audience.)

13 MR. CEFALU: You know, nobody cat-called or
14 boo'ed when -- so if you'll be kind enough to let me finish,
15 I'll be brief and to the point.

16 I stand in favor of this project, not only for
17 the four million man-hours it will bring to the men and
18 women of the Baltimore Building Trades, but the permanent
19 jobs that it would provide for the neighborhood of people.

20 (Discord heard in the audience.)

21 Also I also stand in favor of this project
22 because it provides a means of alternative fuel. And this
23 country better get on the right track to find some
24 alternative means, instead of being held hostage by despots
25 in the Middle East and Venezuela.

1 Like the man that spoke earlier, I've worked in
2 Sparrows Point over the years, in less than favorable
3 conditions, very unpleasant; but we worked there not only
4 for our jobs, but to try to keep that plant open, and to
5 keep Baltimore a viable economy.

6 I served in Vietnam, and filled my canteen out of
7 a filthy river that was probably contaminated with Agent
8 Orange. I know what it is.

9 I stand in favor of this project. I'll try not
10 to be so melodramatic. But I think if it everybody can just
11 get about halfway on the same page, and we can get to a
12 point where this can be brought safely to Baltimore County,
13 it should be done. Thank you.

14 (Discord heard in the audience.)

15 DR. YUILL: Don Milsten, then Carolyn Jones, then
16 Guido Guarnaccia.

17 MR. MILSTEN: My name is Donald Milsten, I'm an
18 energy consultant living in Baltimore County. I'm here to
19 just talk to you a little bit about the energy needs with
20 regards to the EIS. The first thing I want to point out is,
21 I do a lot of work for other states in energy security,
22 energy assurance.

23 I think you know, and all people in this town
24 recognize, that natural gas is a fungible commodity; I don't
25 have to explain that; you know what I'm talking about.

1 There are two things in the price of natural gas to keep in
2 mind, one is the commodity cost, the cost of the fuel, we
3 know it's not cheap; the second is the transportation cost,
4 and when we get to transportation cost we're talking about
5 capacity.

6 One of the issues that the Public Service
7 Commission acknowledges is that consumers in Maryland is the
8 issue of energy capacity. When we take a look at the cost
9 of natural gas and what's been happening with it over the
10 last year or so, we see that the cost of natural gas is
11 under pressure. And it does speak to capacity.

12 The recent information from the Energy
13 Information Administration shows it's running about \$11.50 -
14 - that's over \$4 over what it was a year ago. So there are
15 indications that this commodity is increasing in costly
16 capacity and strengths.

17 Now natural gas availability is also affected by
18 things like high petroleum price, winter demand, non-winter
19 demand for electrical heating units, imports from Canada and
20 Mexico; production costs, weather, safe repair, facilities
21 allowed, Gulf of Mexico -- we don't have enough capacity.

22 One need look no farther than Central Maryland to
23 see the pending crisis in electricity capacity to understand
24 the issue. And the significant component of this price is
25 the rapidly escalating price of transmission infrastructure.

1 It seems to me that wherever we can expand
2 infrastructure, and even though this is a very difficult and
3 complex decision to make, it's one that the people of the
4 United States and the State of Maryland have to face.

5 A new natural gas facility in Maryland, and
6 particularly the one in Baltimore, would help relieve some
7 of the pressure of the natural gas, insufficient natural gas
8 capacity in the future; and while that natural gas will be
9 moving up a pipeline to Pennsylvania, it would allow more
10 gas to be deferred up the Columbia line and so forth, into
11 this area.

12 Because it's fungible, it really doesn't make any
13 difference where it is sold. So I think you want to
14 consider the energy implications of your decision-making
15 with regard to added capacity and added infrastructure. If
16 you don't add infrastructure, then you will continue to face
17 higher prices and insufficient supplies.

18 MS. WACHHOLDER: Carolyn Jones and Guido
19 Guarnaccia, then James Truskowski.

20 MS. JONES: Good evening. I am Carolyn Jones,
21 I'm President of Greater Dundalk Alliance. I live at 3016
22 Dunmore Road in Dundalk. I have handed in my written
23 statement. I have some comments in addition to what I have
24 heard this evening from various people.

25 One, you're doubling the capacity at Cove Point.

1 It already is the largest intake facility for LNG in
2 existence. Why, after we're doubling the size of that, do
3 we need a third place in Maryland? We're trying to save.

4 I started my letter to the Commission with this
5 statement: The desperate seal is on the shore of my
6 community, and based on the EIS, the shoe in the foot of we
7 was AES and FERC, is definitely unwelcome.

8 By the way, that's part of our state song.

9 This project is not safe. The construction jobs
10 are short-term, it will not lead to any meaningful future
11 employment. In fact, this will cause other corporations not
12 to expand or come to our area in Baltimore County.
13 Throughout your report, minimal standards are the rule of
14 thumb.

15 Environmentally, our state has spent billions on
16 watery habitat restoration projects, and the federal
17 government has issued intent to provide \$680 million for the
18 restoration of the Bay. To build this facility will require
19 the dredging of 3.7 million cubic yards of toxic materials.

20 The EIS report speaks only to 69 of the known and
21 documented 103 toxins in this location. Many are known
22 carcinogens. This disturbing the sediments will ultimately
23 kill the Bay, destroy the fisheries, habitat and lifestyle
24 for people, birds and animals. Examples from your report:
25 Plan a bucket dredging. Contaminated materials placed on

1 land. Innovative reuse will be applied to highly toxic
2 materials. Examples: bricks, concrete blocks and painting
3 materials. This will certainly spread toxins to the
4 unknowing public.

5 Crabs will move. It's your comment. Are you
6 setting immigration limits? Birds will adjust, after many
7 deaths, the constant lights and activities. The pipeline
8 will bring down trees that, along with your construction
9 debris, will be buried in places in 200 foot sediment.
10 Isn't that against the law?

11 Self-monitoring, along with the government
12 oversee is supposed to make us feel okay. Guess again.

13 We are also waiting for the consent decree for
14 Sparrows Point to be properly addressed by the government
15 agencies. Our area continues to have high cancer rates, and
16 I've enclosed for your information; one week's deaths in a
17 local paper, just so you can see the cause of death, cancer.

18 The average rate for - is 14 percent, compared to
19 the national average which is 7.

20 Lastly, this omission hasn't been touched very
21 much, is insurance. Given that all the exposures you would
22 be unleashing on the community, and impact on our property
23 rights and values, how -- with the Love Canal we would
24 create.

25 AES hasn't (inaudible) and the ships are not your

1 vessels; in fact, they take no responsibility for their
2 actions regarding environmental issues. Terrorism is
3 normally an excluded peril under insurance policies, so
4 therefore our policies will not respond.

5 And what is the State of Maryland -- in the event
6 of a catastrophic loss? Will this have any effect on
7 Maryland's bond rating? What federal program is going to
8 pay me for the damages if you would have loss? LNG is just
9 another private entity, which in this case makes AES super-
10 wealthy.

11 Environmentally in the past they have proven not
12 to be a good neighbor; they are paying claims in California
13 and the Dominican Republic for their operations.

14 The President wants us to move away from foreign
15 dependency. I have to question, did you not get that memo?

16 It seems to be "the heck with the people" who, by
17 the way, are your employer. Please take a long, hard look
18 in your mirror in considering the damage you want to do.
19 Thank you.

20 (Applause)

21 DR. YUILL: Guido Guarnaccia, then James
22 Truskowski, and Frank Bud Howard.

23 MR. GUARNACCIA: Good evening, Panel. My name is
24 Guido Guarnaccia.

25 I need to check for Joseph DaVia, engineer in the

1 back, because they are sensitive information, and also for
2 Joanne Wachholder, FERC.

3 Everything was already said. I don't know what
4 I'm doing here, but I would change the strategy. Let me
5 see: There are six LNG vessels, would be imported from the
6 Al Quaeda port, and the exporting countries are --

7 (Cell phone rings.)

8 Sorry. This is Al Quaeda.

9 (Laughter)

10 Okay. So as I said, you know, don't count on
11 exporting countries to Baltimore that would come from
12 Algeria, Indonesia, Malaysia, Nigeria, Oman, Katar, United
13 Arab Emirates, Libya, et cetera, et cetera.

14 Now I don't want to make a grandstand, but I want
15 each of -- For English, press 1. For Espanol, (Spanish).
16 (Arabic).

17 I will repeat it again. (Tones.)

18 So once again, (Arabic) -- that's Arabic.

19 After 9/11, and I read the 9/11 Commission
20 report, we are so backward on security, and the ships are
21 coming here. Should an explosion on that ship is the
22 equivalent of 55 Hiroshima bombs, and it's on the 9/11
23 report, Osama Bin Laden, it's almost a religious thing to
24 him to obtain a nuclear bomb, a power pack.

25 I did say it, but it's in the 9/11 Commission report.

1 But anyway, everything was already said, let me
2 move to a different subject that has to be discussed
3 tonight. We know the pipeline crosses the Bear Creek and
4 many water bodies, but Mid-Atlantic Express should file with
5 the Secretary; they didn't do that. There are six surface
6 water bodies that flow through the site; Herring Run, goes
7 up through the site and emptying to the head waters of the
8 Back River, eventually, to the tributary to the Chesapeake
9 Bay.

10 Hazardous substances detected a six year streak,
11 known as the Quad Avenue dump or landfill. It's in that
12 table in the documentary.

13 The Quad Avenue dump is a 1600 acre of toxic, and
14 was responsible for accepting toxic ground from the Kent
15 Street dump. The Kent Street dump and the Quad Avenue dump
16 were on the Superfund site. The Kent dump was cleaned in
17 late 1980.

18 FERC and associates will dump -- the site. The
19 Mid-Atlantic Express has prepared plans to check the
20 strategy. United States EPA or FEMA Superfund site already
21 stated that such will not be disturbed.

22 Now let me remind you of something. You have on
23 page 349 of the study, and that is what -- variation number
24 4. Just off of I-95, on Rossville Boulevard (ph) the move
25 away from the interstate to avoid construction. However,

1 the variation would pass between the structure and the
2 building on the Essex Community College. They might not be
3 within 400 feet of both the building and the structure. The
4 variation would pass through Bridgeport Circle. Does
5 anybody know where that is.

6 But what I try to point out, my granddaughter
7 just graduated from Essex Community College. Imagine if --
8 other markers at the time, and it exploded. I just think it
9 would be destroyed, that's all.

10 (Applause)

11 DR. YUILL: James Truskowski and Frank Howard.
12 And Ernie Greclo.

13 MR. TRUSZKOWSKI: My name is James Truskowski,
14 I'm at 4226 Rivers Edge Way, Baltimore, Maryland 21222.
15 Thank you for coming here, and I don't know anybody
16 personal, so hopefully you won't take anything personally.

17 The one thing, I was sitting here thinking
18 tonight, we've heard from politicians, yet we only have a 23
19 percent approval rate for Congress. Normally it's not the
20 congressional person, we go after congressional district
21 here. But what it is, it's the federal bureaucracy that
22 shoves this stuff down your throat whether you want it or
23 not.

24 So when we look at 33 percent, we know where it
25 comes from. We, in the State of Maryland are saying No.

1 We are saying No to this.

2 Corps of Engineers, we really haven't heard from
3 you, so I don't really understand how we could have got that
4 EIS, when I have a lot of faith in you. I have a comment to
5 the Commander of the U.S. Coast Guard; and basically, I
6 think it's your job to tell us what the security risks are
7 and who's going to fund them. It's not time to be secret
8 about that now. I'm going to get a little personal with the
9 Department of Transportation.

10 My house will be 500 to 1000 feet away from that
11 pipeline. I don't understand about the regulations of all
12 the federal government. What I need to know to live in this
13 house is, if there's a rupture in that pipeline, can it
14 travel 500 feet with the pressure in there? When does the
15 gas cut off? If that gas explodes, how far away from that
16 explosion will that go?

17 I am only 500 feet away from that pipeline. And
18 the other thing is the way I'm understanding, it's going to
19 be along our Beltway. That's a major thoroughfare for the
20 State of Maryland. I don't want to repeat all about the
21 Chesapeake Bay, but we're also talking about the water and
22 land transportation of the State of Maryland. I don't see
23 no point in going on besides saying that I oppose that, I
24 would really like to know from the Department of
25 Transportation what that actually means in real terms to me.

1 I don't understand the federal guidelines, but if
2 that pipe ruptures, it's my understanding there will be
3 automatic shutoff valves, but how much of that does escape
4 in the neighborhood? 500 foot is not far. Thank you.

5 (Applause)

6 MR. HOWARD: My name is Frank Buddy Howard --
7 some of you know me by 'Buddy'. I live at 2331 Serals Road,
8 Dundalk, Maryland. I'm a retired steelworker of 40 years at
9 Sparrows Point. And I was born on Sparrows Point, 1928. I
10 lived there all my life, I raised my family on Sparrows
11 Point. So there isn't much you can't tell me about Sparrows
12 Point.

13 There was a gas explosion about 30 years ago down
14 there, it was called a 'minor explosion.' And it knocked
15 out 500 cars -- fortunately it didn't kill nobody. And this
16 was just the gasoline, so imagine what would happen if we
17 had this gas line to the plant they're putting down there
18 now, explodes.

19 Unfortunately, I don't think we should even be
20 here tonight. I attended the first meeting with this
21 company, and the man that made all the presentations got up
22 and said to the people in the audience: "If the people of
23 Dundalk, Edgemere and Turner does not want this project,
24 we'll pack up and leave."

25 (Applause)

1 Well, they didn't -- and they need to more honest
2 with us, and understand how bad we're fighting this. And I
3 can understand Bud, when he was up here, talking about the
4 ironworkers, biting the dust. But not for the sacrifice of
5 thousands of steelworkers. Because they'd be wiped out
6 first. There wouldn't be nothing down there, nothing --
7 it'll be gone.

8 In closing, I'd like to say one thing: I hope
9 that they would come when you disapprove this project, and
10 make that ground sacred and we put a monument up of Mrs.
11 Beasley down there.

12 (Applause)

13 DR. YUILL: Ernie Greclo, Tony Powers, and Mary
14 Rosso.

15 MR. GRECLO: Thank you, Mr. Chairman, I'm Ernie
16 Greclo, I'm the President of the Metropolitan Baltimore
17 Council of the AFL-CIO unions.

18 We're here in support of this project. And I
19 represent 189 labor unions in the Metropolitan Area; in
20 Baltimore City, Baltimore County, Anne Arundel County,
21 Harford, Howard and Cecil Counties.

22 For the record, I am not a resident of Baltimore
23 County. However, at our monthly meeting of the leadership
24 of the AFL-CIO, this subject came up, that the unions that
25 are represented unanimously support it. And they support it

1 for one reason and one reason only; and that's jobs.

2 I remember when --

3 (Discord heard in the audience.)

4 -- there were 35,000 jobs down at Bethlehem Steel; there's
5 less than 2500 now.

6 I know the factories in Baltimore and the
7 surrounding counties that are gone; Armco Steel, Eastern
8 Stainless, Kaiser Aluminum. You know, the garment industry,
9 Baltimore was second only in the production of mens and
10 womens apparel, second only to New York City. Misty
11 Harbor, London Fog, all those suit companies and stuff that
12 we had, they're all gone.

13 The AFL-CIO is here to try to get more jobs.
14 These jobs that we're talking about -- we're not talking
15 about just the 50 jobs that I heard tonight; and they will
16 be union jobs, and they would be good paying jobs, and they
17 will be getting good benefits. However, we're talking about
18 375 construction jobs for four years, union construction
19 workers that make an average of \$30 an hour plus benefits.

20 We're talking about a plant, a refrigerator plant
21 that may be built as a part of this; another possible 200
22 jobs. We're talking about, in our maritime industry, the
23 port workers, the tugboats, and so on that's going to be
24 creating jobs for the Seafarers International Union of
25 America. We're talking about firefighters and Teamsters,

1 the truck drivers that are going to be employed by this
2 project.

3 Yes we support it, yes we're proud to support it,
4 and I hope that you pass it. Thank you very much.

5 (Discord heard in the audience.) (Applause)

6 DR. YUILL: Tom Powers, Mary Rosso, Rebecca
7 Kolberg.

8 MR. POWERS: My name is Tom Powers. I live in
9 Essex, Maryland. I am on the Board of the CBYCA, the
10 Chesapeake Bay Yacht Club Association, represents 130 yacht
11 clubs in the Chesapeake Bay area, which amounts to about
12 60,000-65,000 boaters.

13 We have been, of course, very interested in the
14 LNG. CBYCA was at the first one; they discovered it. And
15 that woke us up, because we represent boaters and we also
16 fight for the environment of the Chesapeake Bay, and
17 dredging up at Sparrows Point is not a very good idea.

18 But I come here with a comment and a question.
19 Something I have not heard at all mentioned the shipping, of
20 LNG ships coming in here, they're large ships -- I
21 understand that when they're coming through the channel here
22 in Baltimore, other shipping will have to wait for them to
23 come in. Now Baltimore is a great shipping port, we put a
24 lot of money into it, and we have a difficult time getting
25 ships to come up here to Baltimore because of the distance

1 from the ocean up here. But because our port is so great
2 and we unload so fast -- time is money to the shipping
3 industry, and the shippers come up here to Baltimore.

4 Now if you're going to be held back for hours, or
5 wait for hours for an LNG ship to come in here, or go out,
6 whichever, how long are they going to keep coming in here to
7 Baltimore Harbor? We'll lose a lot of our shipping.

8 (Applause)

9 You're talking about making jobs. Well, a job
10 is something you make, it only lasts three or four years and
11 it's gone. You've only got 50 people going to be working
12 there. We could lose a lot of jobs in Baltimore unloading
13 ships.

14 (Applause)

15 DR. YUILL: Mary Rosso, Rebecca Kolberg, Susanna
16 Beer.

17 MS. ROSSO: Mary Rosso is not present.

18 Actually, my name is Terry Rosso, I live at 208
19 Waterfountain Court in Glen Burnie.

20 (Applause)

21 We're concerned, too. There are a lot of people
22 in Anne Arundel County that can't be here that are concerned
23 about it as well. Even some of our politicians seem to be
24 here tonight.

25 This is money from the Anne Arundel County

1 Council for the Environment, which is a small environmental
2 council, which goes to different procedures on the
3 environmental concerns.

4 As historical background, this area contains
5 sediments. Basically we're talking about environmental
6 justice, which is only hit on very lightly in that report.
7 I could not believe this paragraph.

8 At any rate, the historical background of this
9 area shows that people on the proposed site of the LNG
10 facility, it has been used as a major dumping ground for the
11 past 30 years, for siting polluting industries. These areas
12 are in the zip codes of 21124, 21225, 21226, and 21230.
13 They represent Anne Arundel County, Baltimore County, and
14 Baltimore City.

15 The Maryland Department of the Environment has
16 records of numerous hearings the citizens have attended to
17 plea with the agencies, to stop locating and help
18 threatening industries in its locations.

19 We have many ground fill sites. Many of the
20 industries that are here have been cited for repeated
21 violations of air and water. This area is a nonattainment
22 area for (inaudible) however, these plants continue to be
23 sited. We just heard about a benzene plant or, excuse me,
24 an asphalt plant getting an extension over in our area,
25 which is in Anne Arundel County, obviously close to that.

1 Environmental Justice Act. It was defined as
2 this: The fair treatment and meaningful involvement of all
3 people, regardless of race, color, national origin or income
4 with respect to development and implementation, and
5 enforcement of environmental law, regulations and policies.
6 Fair treatment means that no group of people, including
7 racial, ethnic or socioeconomic group should bear a
8 disproportionate share of the negative environmental
9 consequences remaining from industrial, municipal and
10 commercial operation of the execution of federal, state,
11 local and private programs and policies.

12 This proportionate share, I would say definitely
13 that Dundalk, Edgemere and Curtis Bay, Fairfield, Turner
14 Station, which I mention as well in here -- have both gotten
15 a disproportionate share. Where's the environmental justice
16 with FERC? I know every agency has to look at it, and you
17 didn't look at it right. There are hundreds of things that
18 are in there.

19 I went with Guido to EPA and we discussed this.
20 I gave him a three page list of the environmental accidents
21 and sitings, and repeated violations of many industries,
22 right across the river from here.

23 Please do not allow another hazardous and
24 dangerous facility to locate here. We request that you deny
25 the application for this plant. We really mean it.

1 (Applause)

2 MS. KOLBERG: Hello, I'm Rebecca Kolberg, and I
3 live at 7605 Bay Street, Pasadena, Maryland 21022.

4 I'm here, I'm representing the Civic Association
5 of the Greater Pasadena Council, which is in Northern Anne
6 Arundel County.

7 I think a number of people are aware, in Northern
8 Anne Arundel County, but not as many as might be expected.
9 When I looked at it and saw Hazard Dump 3, Foggy Point,
10 Bayside Beach, Bats on the Bay, Bear Beach, Stony Beach --
11 these are communities there has not been sufficient outreach
12 to. Boaters don't know the mouth of Stony Creek, Rock
13 Creek, Magothy River, the Inner Harbor, the Severn River,
14 are going to be shut down when a 1500 foot rolling security
15 zone comes past.

16 There are Wednesday evening sailboat races in --
17 there are things mentioned in the report that say,
18 recreational boating needs to be taken into account. In my
19 conversation with AES, they would not rule out even coming
20 in on the Fourth of July, and on the Fourth of July you can
21 -- anyone knows that it's suicide in Baltimore Harbor for a
22 large craft.

23 On a second issue, people are minimizing the
24 impact on the Patapsco River. I live on the Patapsco River,
25 I love the Patapsco River, and local effects mean something

1 to me. 116 acres with lower dissolved oxygen is a real
2 effect. I urge the Army Corps to mandate dissolved oxygen
3 mitigation measures. You did it in the Savannah River, in
4 their dredging operations in Port of Savannah; you've also
5 done it in some areas in California. Bubblers. There are
6 dissolved oxygen mitigation efforts, they need to be
7 specifically included in this report -- you just can't say
8 because the river's already had problems, it's singled out
9 as a region of concern in the Clean Water Act, along with
10 the Anacostia River and the Elizabeth River. We have to
11 take special precautions to protect that river; not only the
12 Chesapeake Bay, but also the Patapsco.

13 (Applause)

14 DR. YUILL: Susanna Beer and Russ Spangler, and
15 Ron Henry.

16 MR. SPANGLER: I'm not her, but I didn't see
17 her.

18 My name is Russ Spangler. I'm here to represent
19 the Maryland Watermans Association of which I'm a board
20 member in Baltimore County Watermans Association, of which
21 I'm Vice President.

22 There have been so many things here tonight that
23 I agree with, and I don't want to be redundant, but the big
24 thing, or some of the things that I would like to bring out
25 is the fact that we -- around here seven days a week, 24

1 hours a day. And a lot of work, a lot of our fisheries for
2 crabs, are along shipping channels. And it's very
3 disruptive to have to leave that exclusion area every time a
4 ship comes up. And it's also hard to believe that they'll
5 only (inaudible). I've seen where that vessel, thing going
6 looks small again, and they always seem to get bigger.

7 One of the things that I am concerned is the wake
8 from these ships. Now I realize that you can't expect a
9 large ship to come around without creating waves, but the
10 ones that go faster -- I've seen small boats just turn over.
11 My experience is that most of these from the Bay Bridge, and
12 that's covers a good bit of what the LNG ships would be run.

13 I also, it's like Murphy's Law down here, if
14 anything happens, that's where it's going to happen. I've
15 seen tugboats run aground, barges. These modern systems
16 have a very strong hydraulic; the rudders can snap off. Not
17 just 40 foot boats, but large boats. I thought that these
18 LNG ships would be passing the tugs and the barges within
19 the channel; now they're saying that they'll have to be held
20 back in port or until these LNG ships go by. But that
21 really is quite an impact on the whole industry. Not only
22 us, but the other shipping concerns.

23 In relation to the union fellow who is concerned
24 about jobs for four years, when my grandson works on the
25 boat -- he's fifth generation -- so this issue here isn't

1 about four years' worth of a handful of jobs; it is a way of
2 life, and it has been for many years.

3 We also have charter boats in this region. They
4 depend heavily on the channel areas and fish, and in the
5 spring and then in the fall again. We all work -- it
6 doesn't matter whether it's February, January, December --
7 we're all out there, 12 months a year.

8 Our president, Larry Sims from the NWA. Last
9 fall at a board meeting, when we discussed this LNG, he said
10 that in his opinion it should be located offshore, on the
11 coastline. And I've since heard a couple of other people
12 express that; I read an article this past week where they
13 have the capability now -- the article was concerning
14 drilling for natural gas within Maryland and other areas --
15 how they only own five acres of land and then drill down
16 deep and then drill horizontal.

17 Well, that would be applicable to this; it would
18 seem to me that that would be a good alternative, to have
19 their unloading station offshore.

20 And to the Commander of the Coast Guard, I want
21 to tell him that I have the utmost respect for the Coast
22 Guard, and the Secretary, that I have a lot of respect for
23 the DNR Natural Police, but I would also note they're both
24 underfunded, over the years, and if an agency underfunded;
25 they might have good men and good capabilities, but you

1 don't always get what you need, through no fault of the
2 individuals; it's just the nature of the beast.

3 I believe that's about it. Thank you.

4 (Applause)

5 CMDR PENOYER: Thank you, sir. I appreciate your
6 remarks, and the esteem is mutual with regard to the
7 watermen. We value your input very much. Thank you.

8 I wanted to address just very briefly this issue
9 of weighting of traffic. It's the Coast Guard's position
10 that it is currently, because of the dredge channel, in
11 cooperation with the Maryland Bay Pilots, deep draft vessels
12 typically do not meet or cross or overtake in this channel,
13 as in current situations. We would similarly not want that
14 to occur with LNG. However, our position in that regard is
15 related to deep draft vessels solely, because the shallower
16 draft craft are not limited to the dredge channel.

17 So I just wanted to make that clear so folks
18 didn't get a misunderstanding of what we're saying there.

19 MS. WACHHOLDER: Just so everyone knows, we have
20 about 25 more people on the list. We have this room
21 scheduled to 11; I'm not sure if they're going to let us
22 stay later. I can have somebody check into that, but just
23 so you all know.

24 MR. HENRY: First comment I want to make is to
25 the honored gentlemen who is the nephew of Sharon Beasley.

1 I've been working with Sharon for several years on this
2 project, I pledge my support for her again, and I pledge my
3 support to you.

4 My name is Ron Henry. I'm Chair of the Greater
5 Baltimore Group and the Maryland Chapter of the Sierra Club.
6 This testimony is in reference to the Draft EIS for both the
7 LNG and pipeline.

8 As the Chair of the Greater Baltimore Group, I
9 have been -- this project since February of 2006 by AES'
10 invitation. I attended their very first meetings, and my
11 very first statement to them was after they presented the
12 information was my serious concern about the safety and
13 security risks involved with LNG and accessing the Bay, and
14 also the location of the site in Sparrows Point.

15 I requested documentation from them, I got many,
16 many volumes of documentation, I reviewed those from Los
17 Alamos concerning LNG tests that they had done or actually
18 analysis that they have done; and after I reviewed it, of
19 course, it became very apparent that my very first judgment
20 on this remained the same: That is, there are extremely
21 devastating effects that can come from the explosion of this
22 natural gas, from either the terminal or the ship.

23 Subsequent, the report that Los Alamos has come
24 out with, from a FERC request, does not remove that concern
25 for me. Do not be swayed by the claims in these reports,

1 because they're based on laboratory conditions. If
2 terrorists are going after this target, which they will,
3 they will not be satisfied with breaching this. They'll do
4 all they think we need to do to breach several holes, get
5 the situation to where they want to do.

6 I'm retired from a 40 year career at the
7 Department of Army, and in those 42 years I worked in the
8 ballistics, weapons testing and the ordnance testing field.
9 And I also was involved in some viability, vulnerability,
10 lethality studies, and analysis and testing, and also worked
11 in antiterrorism analyses and so forth. So I'm very privy
12 to the total intelligence community efforts and what types
13 of threats and so forth could be used, or would be used by
14 terrorists.

15 From a terrorist perspective, Sparrows Point and
16 an LNG terminal facility would be a high value asset because
17 of its location, close proximity to the City of Baltimore
18 and the surrounding communities, and it would be considered
19 well worth the effort and an acceptable high risk benefit.

20 The LNG pipeline itself at various points on the
21 route, is not an acceptable public risk. The high pressures
22 required to transfer the gas through the line makes it very
23 conducive to high-yield explosion from leakages and any
24 ignition sources available.

25 Those boats will yield concurrent extremely

1 devastating effects over long ranges from the point of
2 detonation. This scenario, concurrent with pipeline gas
3 leakages can ignite from random sources. Typical sources
4 include: unintended human use, electrical storm, lightning
5 strikes or nearby discharges that result in ground, air
6 conduction electricities, and particularly from broken live
7 wires from nearby high voltage transmission lines that
8 produce a direct ground conductance emission. Or deliberate
9 sabotage.

10 The ship channel, especially the Bay Bridge,
11 Sparrows Point and other areas, are also very concerned for
12 both exposure to the fire effects, and the Bay waters.

13 It must be realized that if the LNG ship and the
14 terminal or the pipeline itself were chosen as a terrorist
15 target, that terrorists will employ more than adequate
16 explosive assets to ensure that both the LNG and where it's
17 possible, a devastating event.

18 We all must remember 9/11/2001. Things can be
19 done and it will happen.

20 Now, the dredging issue. It's been spoken to
21 several times. Further dredging in the area. The
22 experience of Superfund cleanups of the 1980s and
23 limitations of that cleanup effort, complete mitigation and
24 no further dredging -- further dredging should not be done.

25 Now I worked with the Army for many, many years;

1 I was on many, many, many source selection evaluation boards
2 - for the Army. I know what requests for proposals are and
3 so forth. And how you write those.

4 I want to take FERC to task on this particular
5 Draft EIS, and in its concern. Take it as such, it's not
6 meant to be personal.

7 Throughout this document, FERC is continuously
8 giving great leeway to AES and Mid-Atlantic Express to
9 provide documentation, plans or studies for various issues
10 of safety and security and environmental concerns.

11 Both appear to be near promises to achieve
12 certain stated objectives by using unproven or yet-to-be
13 developed methods or procedures to address very serious
14 issues, with the very serious and potentially very
15 devastating effects that can occur from terror sabotage and
16 the extremely contraindicating dredging after effects that
17 would occur if residents permit it.

18 I found that the amount of leeway is very
19 troubling, and it's not impressive to the public.

20 Based on all the proceedings, the Maryland
21 Chapter and the Greater Baltimore Group and the Sierra Club
22 oppose the LNG's plant siting at Sparrows Point and the
23 dredging needed to accomplish that.

24 Thank you very much.

25 (Applause)

1 DR. YUILL: Erin Garrigan. Michael Vivirito and
2 Dennis McCartney.

3 MS. GARRIGAN: My name is Erin Garrigan. I am a
4 student at Sparrows Point Middle School, so I am a future
5 student of Sparrows Point High School's species program.

6 I am a Girl Scout and a member of the
7 Environmental Club at Sparrows Point Middle. Sparrows Point
8 has a history on the Bay, and we are constantly being
9 educated on protecting the Chesapeake Bay.

10 I'm afraid that this LNG plant will affect our
11 education programs a lot. Growing up in Fort Howard, my
12 family enjoys fishing and crabbing, kayaking and swimming in
13 Shallow Creek on the Patapsco River, very close to the
14 proposed LNG site.

15 I also golf and swim at the Sparrows Point
16 Country Club, very close to the site.

17 As a girl scout, I spend outings at Fort Howard
18 and in North Point parks. I also play soccer and lacrosse,
19 and have played at Chesterwood Park in Chesapeake Terrace,
20 both very close to the LNG site. As a child, as a scout
21 interested in it, I am afraid of all the impact this
22 proposed facility will have on my life now and in the
23 future. How can you promise to keep my life safe?

24 I am also very afraid of how that will affect
25 future veterans living at the renovated Fort Howard VA

1 hospital, very close to the LNG site. For our veterans,
2 there are risks that this site poses to them.

3 My father spent four months there years ago
4 working in Philadelphia. Philadelphia was fighting LNG.
5 Did they win? How. You want to build a pipeline to
6 Pennsylvania, why not ship it right to there?

7 Lastly, I went to the Baltimore County science
8 fair two years ago. My project was on solar energy. I
9 understand the need for alternative energy, but I cannot
10 understand why people want to put LNG in my community, our
11 community. I say no, find an alternative energy source.

12 I love the Chesapeake Bay, the crabs, the fish
13 and the birds, out where I live. Help protect them, the
14 people that live here and enjoy them, too. I know that
15 people need jobs. I support jobs finding alternative
16 sources for safer energy. This seems too dangerous for all
17 of us. We need to look longer term to my future, not
18 temporary jobs for a few years.

19 Finally, the site is the closest to the Francis
20 Scott Key Bridge. That is where our national anthem was
21 written. Let's keep our history safe and sacred. Thank you.

22 (Applause)

23 MR. VIVIRITO: Good evening. Thank you for
24 allowing me to speak this evening. I concur with all the
25 speakers that were here, against this project tonight. My

1 name is Mike Vivirito. I'm President of Bowleys Quarters
2 Improvement Association. We represent about 3,000 people on
3 the peninsula.

4 We are totally opposed and appalled that you all
5 would even consider a permit for this type of plan at
6 Sparrows Point. I'm not going to go through all the points
7 that were brought here tonight, but I do want to let you
8 know a few things that I had done personally.

9 I was down here when they first started these
10 meetings. There was a movie show that I was strictly
11 appalled by; it was disastrous, to mention a little bit.
12 One of the pictures showed if an explosion occurred, there
13 was a mushroom cloud and it looked just like the A-bomb that
14 hit Iwo Jima.

15 I just couldn't believe the disaster that this
16 plant could cause, counting ships on the Chesapeake Bay. My
17 own personal experience with the Chesapeake Bay is my
18 father, when I was about eight years old, had a lot on the
19 waterfront; it was called Breezy Point back then, so I
20 didn't realize where I was but I swore one day I was going
21 to follow his footsteps and I was going to live on the Bay.
22 And today I can say I did.

23 After working 58 years of my life, I thought "Now
24 I deserve to be able to retire and live on the Bay and enjoy
25 the fishing, crabbing, swimming, recreation of any kind on

1 the Bay itself." Now all of a sudden this is coming up.

2 We as boaters promote some of the economy,
3 including the economy -- we take our boats and go to the
4 Inner Harbor. What's it going to do when these ships come
5 in if we want to go to a festival in the Inner Harbor and we
6 can't pass through it? Who is going to spend money to go in
7 the Inner Harbor and spend money in the City, or to go to
8 Rock Hall, or to go down to Annapolis? We are the people
9 that spend that kind of money. I lived a lifetime to save
10 to be able to buy this waterfront property, and now you all,
11 by passing this, would take it away from me.

12 Besides the movie, they talked about creating
13 jobs. Well, the 50 jobs that they're talking about -- and
14 I'm a union member. I've worked Sparrows Point, Bethlehem
15 Steel, and the 42 inch cold strip mill when I left high
16 school, and I'm still paying dues to my union right today.

17 I agree we want jobs, but this administration is
18 a downfall for the jobs and not this 50 job thing this LNG
19 plant is going to bring in. To me, it's not worth giving up
20 the recreation and the beauty of the Bay.

21 In our particular area, we petitioned the County
22 to try to get rid of the septic tanks that were failing for
23 many, many years. We finally got rider pumps in, and now
24 the grass are growing right in front of my house off the
25 pier. Which shows there is some cleaning of the Bay.

1 I'm proud of the Bay, I just hope my children and
2 their children can live and enjoy it like we have so far.

3 Talk about treasure in Sparrows Point. That
4 first dredge is not going to end it. I think the Commander
5 can attest to it, because they're going to have to
6 continually dredge, for as deep a draft as these ships have,
7 it's going to build up again, they're going to have to
8 dredge and dredge and dredge. And as somebody said, where
9 are you going to put the dredge material? Not to mention
10 explosive -- shells of some sort that they're going to run
11 into, just like a ditch.

12 The little girl talked about Fort Howard, and I
13 just found out that Fort Howard, it was a veterans hospital
14 at one time, is now going to be completely revamped; they're
15 going to have condos, they're going to have a marina. It's
16 going to really be a beautiful site, especially for seniors
17 that can't afford to fix their own homes up anymore, it will
18 be a nice area for them to live, right on the water; and
19 this ship is going to pass right by it.

20 The plant will be within a mile, as the crow
21 flies, from Fort Howard.

22 I heard on the news several times that AES really
23 doesn't have a good safety background. As a matter of fact,
24 if somebody can correct me here, I thought I heard on the
25 news that there was a ship that broke loose in Boston Harbor

1 at some point, and the Coast Guard had to go out and
2 retrieve the ship, bring it back in.

3 Is that right?

4 CMDR PENOYER: Yes, sir, there was a ship, an LNG
5 vessel that lost propulsion. It was considerably offshore
6 from Massachusetts, however. It was in the outer
7 continental shelf area. It was not directly related to AES;
8 the vessels are operated by other companies.

9 But in essence, you are correct, there was
10 recently an event.

11 MR. VIVIRITO: Okay, thank you. But also, their
12 safety record as I understand it, it's really not very good.

13 So all I can say to you all, please consider
14 yourself living in this area that we really love, because it
15 is a beautiful water estuary, probably the largest one in
16 the world, this is going to bring, really affect property
17 values even, because people are going to move out of these
18 areas. and first thing you know, all the money that I put
19 into my house is going to be devalued.

20 So please take that into consideration. And our
21 community, the Bowleys Quarters Improvement Association, is
22 standing against this permit. Thank you.

23 (Applause)

24 CMDR PENOYER: Sir, I wanted to clarify, in
25 regard to the meetings, in the vicinity of the plant, the

1 Coast Guard takes very seriously the question of any
2 interruption of recreational boating traffic in the area,
3 just addressing that one of your issues. For that reason,
4 in our Waterway Suitability Report, we have decided that if,
5 in the event that the plant is built, the security zone
6 around the ship will have to be tailored to the marked
7 channel so that it would not shut the Bear Creek and that
8 transit route off from recreational boating, for exactly the
9 reasons that you raised; and I appreciate your comments in
10 that regard very much. We don't want to see that, either.

11 MR. VIVIRITO: Thank you.

12 MS. WACHHOLDER: Next up we have Dennis
13 McCartney, then Joe Anderson and Steve Gunzelman.

14 MR. McCARTNEY: Thank you all for your
15 perseverance. This man up here needs to be commended.

16 I'm Dennis McCartney, I live at 8452 Cavanaugh
17 Road, in Dundalk, Maryland. I think you wanted to have
18 comments from an environmental perspective tonight. What I
19 would like to do, I'd proffer for your use if you would like
20 to have it, a pictorial tour of environmental issues between
21 here and Cove Point, Maryland where I was privileged to work
22 on their recent expansion.

23 I might add that I'm going to be a contrarian.
24 Just recently, Senator Jay Rockefeller, representing the
25 State of West Virginia where I have roots and property, just

1 cast a delegate vote on behalf of Senator Obama, when he
2 opened, contravening an overwhelming majority of the boaters
3 of West Virginia. So just because someone got elected
4 doesn't necessarily mean that they reflect or they
5 demonstrate the wishes, the desires of their informed
6 voters, their constituents.

7 Going south to Cove Point on I-95, one can see in
8 the distance here in this photo -- which I'll proffer to you
9 -- the beautiful skyline of Baltimore. The Ravens stadium
10 and the baseball stadium in the background; but in the
11 foreground there are three white structures noticeably close
12 to I-95 which happen to be, as you probably know, BGE
13 Peachhaven facility. It's been there since the Seventies,
14 built with Seventies technology; and you should probably
15 also note, it's a liquefaction facility, so it brings gas in
16 by pipeline, on your infrastructure of Baltimore, turns it,
17 condenses it into a liquid, stores it, because it's a
18 effective, it's a good way to have it.

19 The proximity of this to residents is not
20 measured in terms of miles; it's measured in terms of city
21 blocks. It's the Spring Gardens facility, been there for a
22 long time, happens to have been built by the same company
23 that is building the expansion at Cove Point.

24 After we got down to Cove Point we looked at some
25 of the construction in the background; you can see the three

1 white containment facilities, with nice grassy knolls out in
2 front of them; of course in front of that is the excavation
3 that's taking place for the new tanks.

4 Here I have a photograph of an athletic field
5 which we gauge to be about three-tenths of a mile from the
6 closest containment facility down there. I don't know how
7 close it's going to be to the ones that are just being
8 built; but to the ones that are extant, it's pretty close, a
9 lot closer than any of us who live around here would be.

10 And another photo here of downtown Lusby,
11 Maryland. Doesn't look like it's been adversely
12 environmentally affected by anything at the LNG plant. It's
13 my opinion, from an environment standpoint, the noise
14 pollution of this LNG plant would be a lot less than what we
15 have to endure now with Bethlehem Steel, even with my
16 windows closed in the wintertime.

17 Here is another view coming out of the gate at
18 Cove Point, and right across the street is a house -- and we
19 checked, it's about 1500ths of a mile outside the main gate.
20 Pretty close. It's a nice, environmentally-looking
21 community; anyone I think would enjoy living there.

22 Another view from downtown. Mr. Dankanich talked
23 about the handling of product and how it's going to be
24 handled from the Department of Transportation's point of
25 view. Here are some pictures of the tank, of the dikes

1 being built around them. I can tell you from my
2 perspective, we got involved with the seal, the connection
3 design on this stuff is so redundant, there's so much safety
4 built into it to maintain the integrity of the stainless
5 piping that conducts it, liquid and the gas, they built a
6 lot of cost into this thing just for safety sake.

7 Here are some more pictures of structures, and I
8 don't want to gloat on me, but this is some of our
9 handiwork.

10 Another picture of dike wall, and it's expected
11 to contain all this liquid if there's a problem.

12 Ever since back in the Seventies, county
13 executives for Baltimore County have been trying to do
14 something to bring some taxes, and some taxes and jobs back
15 to Bethlehem Steel. They haven't been able to do it. Now
16 someone wants to take money out of their own pocket, come in
17 and improve this place, bring some jobs in whether, they're
18 transient in the form of construction jobs or whether
19 they're full-time.

20 Oh. by the way, they're also going to be bringing 15 or 18
21 million dollars' worth of transference taxes every year,
22 just by handling product, which Cove Point currently does.

23 And I can recall back, people talk about
24 dredging, what's going to happen to all this dredge, and I
25 can recall our son, when he was younger, going out in the

1 mud puddle and kicking, scooping out some sediment that was
2 on the bottom of a mud puddle, and he wanted to put it up
3 and make something on the side.

4 Well, from a lay perspective, it seemed to me
5 that subtraction, you're gaining -- by subtraction, you may
6 have a clam bucket or a suction, how are you going to pull
7 the material out of there? But whatever comes out, from a
8 lay perspective, an onlooker standpoint, that if it's not in
9 there, then we can help out the situation with whatever
10 sediment's on the bottom. Whatever precipitates back down,
11 maybe it will caught with the next dredge bucket that comes
12 out, but I don't see any really adverse environmental
13 problems with this in the construction that's going on now.
14 People concerned about proximity with the pipeline, the
15 right-of-way that runs up past the school here --

16 (Discord heard in the audience.)

17 -- people are --

18 MS. WACHHOLDER: I have to ask you to start
19 wrapping up. We still have 20 people that have to speak,
20 and I think we have to be out of here at 11.

21 MR. McCARTNEY: -- the energy regulatory issues
22 that affect the subject. All right.

23 DR. YUILL: Thank for recognizing our court
24 reporter, and we just realized that although we thought we
25 could sit through all of this, we needs to give his hands

1 some rest; so we are going to take a brief break.

2 (Recess)

3 DR. YUILL: All right. Next speakers are Joe
4 Anderson, Steve Gunzelman, and Odis W. Cain. And we'll try
5 to keep it to three minutes now.

6 AUDIENCE: Joe Anderson is gone.

7 MS. WACHHOLDER: Steve Gunzelman?

8 Also anybody -- thank you so much for sticking
9 with us.

10 We're also going to have two more meetings; the
11 one Thursday will be a little closer.

12 So we don't have Joe Anderson. Steve Gunzelman
13 also gone?

14 Otis Cain?

15 Esther Russel?

16 VOICE: I pass.

17 MS. WACHHOLDER: Terry Ratliff.

18 MR. RATLIFF: I'm here.

19 MS. WACHHOLDER: And then Karen Cruz, Tom Nelson,
20 Dunbar Brooks, Brenda Wilson, Jerry Jeffers.

21 AUDIENCE: Do you have an Alexander Pappas up
22 there?

23 DR. YUILL: Yes, four after that.

24 MS. WACHHOLDER: And there are nine.

25 MR. RATLIFF: My name is Terry Ratliff. I've

1 lived in Dundalk for 45 years. I worked at Bethlehem Steel
2 for 10, I know many folks here work hard at the job, and
3 work hard to keep it.

4 I know a safe job and a safe community, and I
5 think that what you're doing here with this proposal is
6 painting a big bulls-eye on the community. So I ask you to
7 reconsider, and I've heard some of the arguments, some of
8 the defenses against the concerns that were brought here
9 tonight, and the good concern. But I question if you're
10 right.

11 So I say that if this is the right decision, then
12 God help you and God help us all.

13 (Applause)

14 MS. WACHHOLDER: Karen Cruz.

15 (No response.)

16 Tom Nelson. Present.

17 And then Dunbar Brooks.

18 MR. NELSON: Tom Nelson, 2615 North Green Avenue,
19 Sparrows Point.

20 MS. WACHHOLDER: Please speak up.

21 Mr. NELSON: I was impressed by Phyllis, Turner
22 Station, and I'm going to tell you why the way she did it:
23 I'm going to stand in front of their trucks, I'm going to
24 stand in front of their face. They're going to have a very
25 costly effort. It worked against the Vietnam War, it worked

1 against segregation, and nothing personal -- civil
2 disobedience will work against this. And I hope and I do
3 believe if we get enough people together.

4 I'm retired, I have plenty of time, and I will
5 fight this, physically. You're putting in harm's way, if
6 you approve this. So I may as well put myself in harm's way
7 to stop it.

8 That's all I have to say.

9 (Applause)

10 MS. WACHHOLDER: Dunbar Brooks, Brenda Wilson,
11 and then Jerry Jeffers.

12 MR. BROOKS: Good evening. My name is Dunbar
13 Brooks, I live at 102 East Avenue, and I am a Turner Station
14 resident.

15 I'm here tonight to communicate to you the Turner
16 Station Development Corporation and the Turner Station
17 Community Conservation team's continuing opposition to the
18 placement of AES Sparrows Point, LNG, LLC and Mid-Atlantic
19 Express, LLC LNG facility and pipeline at Sparrows Point.

20 We certainly concur with all the comments we've
21 heard tonight from the Dundalk LNG Opposition Team. Turner
22 Station community opposes the proposed LNG facility and its
23 associated tanker traffic.

24 We carefully reviewed the Draft Environmental
25 Impact Statement on this facility, and disagree with its

1 conclusion. It appears to us that by providing over 151
2 recommendations, FERC has compromised objectivity and has
3 acted as an unsolicited typical consultant to a company that
4 has submitted a wholly inaccurate project plan.

5 We question the real role of FERC to coach the
6 applicant in the design of this project. If you view a
7 specific of the DEIS, the question of accuracy of FERC's
8 determination and political -- all the subsequent
9 recommendations. We find that FERC researchers have
10 mischaracterized Turner Station in the environmental justice
11 section 4, page 4-87.

12 The DEIS makes absurd -- the characterization of
13 the median household income of Baltimore County and the
14 State of Maryland. This is because FERC researchers
15 compared the 2000 median household income to the income of
16 Baltimore County and the State of Maryland.

17 The 2000 per capita income of Turner Station is
18 \$13,000, which is \$13,000 below the Baltimore County per
19 capita income for 2000. Anyone who had taken even a little
20 time to study our community would have known that. Your
21 misinformation on Turner Station is repeated, in the FERC to
22 the State of Maryland. These errors are either deliberately
23 misleading or suggest that a dubious cloud hangs over your
24 assessment in a number of areas.

25 We were stunned by the additional information

1 that this DEIS provided on the distances of thermal
2 radiation and the vapor crowd dispersion, based on new
3 information in studies that you provide. This additional
4 information on distances eclipse one-half to a whole mile of
5 those instances that we cited with Sandia Laboratory before.

6 The practical effect is that, given these
7 distances which go up to 2.2 miles, the entire community of
8 Turner Station would be engulfed. We further read that
9 based on the water suitability analysis report, we, Turner
10 Station, are included in Exclusion Zones 2 and 3, which can
11 cause serious injury in event of a catastrophic event or
12 events.

13 With this new information you presented, we are
14 absolutely flabbergasted that you dismiss this new
15 information with the cavalier assertion that terrorist
16 attacks are unpredictable. And somehow, these less-than-
17 adequate procedures submitted by AES, if implemented at all,
18 and implemented directly makes significant impacts to our
19 community from terrorist attack unlikely.

20 This statement is callous and preposterous on its
21 face. Your final sentence in the last paragraph, full
22 paragraph on page 2-259 communicates clearly that the need
23 for future gas pipeline infrastructure trumps the threat of
24 any such predictable acts -- your words.

25 We understand what do you mean by this, that gas

1 pipelines trump human safety.

2 We have further concerns involving the
3 implementation of the Waterway Suitability analysis report
4 as developed by the Coast Guard. On pages 2-254 and 2-255,
5 the Coast Guard makes 18 specific recommendations for
6 managing the risk of LNG marine traffic. These
7 recommendations require massive coordination of federal and
8 state and local first responders and emergency management
9 personnel. It requires extraordinary funding, above and
10 beyond current levels.

11 Although FERC recommends a cost-sharing plan to
12 AES and appropriate agencies, the magnitude of state and
13 local funds that will be needed is likely to eclipse any
14 agreement that is made with AES.

15 We as taxpayers will have to foot the bill.

16 DR. YUILL: Wrap it up, please, we have other
17 speakers.

18 MR. BROOKS: All right. We as taxpayers have got
19 to foot the bill for additional taxes to pay for the fees
20 and additional equipment. We would also talk about the real
21 estate issues, and I would remind you that the gentleman
22 that spoke here today was one of the individuals that
23 suggested that Turner Station be treated as a brownfield,
24 and the property values were already dropping; and suggested
25 that the entire community be sold out.

1 My concerns have been put forth to you, we would
2 also mention as a last point, that we do not think that the
3 emergency management and evacuation plan that has been
4 suggested by the recommendations in the report are adequate
5 enough.

6 We think that you ought to incorporate the U.S.
7 Nuclear Regulatory Commission emergency preparedness, in
8 particular, power plant Regulation.

9 We will comment on further issues on this
10 hearing, but it will be in my written report. Thank you.

11 (Applause)

12 DR. YUILL: Brenda Wilson and Jerry Jeffers. And
13 Fred Thiess.

14 MR. THIESS: Good evening. My name is Fred
15 Thiess. I am the President of the (inaudible) Citizens
16 Improvement Association, I'm a member of the LNG Opposition
17 Team, and I was a member of the State Task Force.

18 I'd just like to start by saying to you I'd like
19 to invoke the name Sharon Beasley again, who was a valiant
20 leader of this opposition.

21 It appears that we have a second battle down here
22 at North Point; it is the wells and conants - if you're not
23 familiar, are involved in the war, the battle of North
24 Point; and it appears we're there again.

25 I don't know if everyone has listened and heard

1 this community, the numbers. Our councilman is still here;
2 councilman, county executive, delegates, the congressman,
3 senators, two governors -- everyone that governs down here,
4 the voice of the people cannot be ignored.

5 I know they're an independent board who was not
6 supposed to be influenced by politics. It is obvious that
7 you need to listen to the wants and desires of the people.
8 There are a number of issues. I listened tonight and I've
9 been impressed. There is a lot of emotion in this, and I'm
10 emotional about it; but you've heard a lot of facts tonight.
11 You've heard a lot of people be very specific about dangers
12 that this project poses in this community.

13 The dredging issue is a major issue. I can to
14 tell you, just recently -- in the recent past, on fishing
15 licenses to obtain, they have a warning that you shouldn't
16 eat fish that came out of these rivers down here.

17 So you can't tell me that there's not a lot of
18 things down there that are bad. The Army Corps in my
19 neighborhood, I live on Back River. Just a number of years
20 ago there was \$7 million made available to study the bottom
21 of that river, because we have a treatment plant back there
22 that contaminated the river over many years.

23 The \$10 million was eventually unspent because
24 there's insignificant amount of money through the testing,
25 just to determine what was in there and how to handle it;

1 and the community was told to leave it alone; they don't
2 want to disturb it. So now you're telling us for the sake
3 of dollars, that it makes a whole lot of sense to come in
4 and dig up the bottom, and create all the havoc that that
5 will bring.

6 There are so many issues relating to this. I
7 mean, are you going to close the bridge, the Bay Bridge? If
8 not, why not? Why do you want those many people in
9 jeopardy? Ships that you can almost share a sandwich with
10 someone on the top of that ship as it passes under the
11 bridge. I mean, that's outrageous. There are closing
12 bridges in Boston, am I correct?

13 The Key Bridge, you're directly across from the
14 Key Bridge. The turnaround span there, where the ships are
15 going to turn around, I know I've heard you address the Bear
16 Creek issue. I have a whole lot of problems with that. I'm
17 from down there, I'm out on the water a lot, it's pretty
18 difficult to not close off Bear Creek and have those ships
19 come in there and turn around.

20 It is absolutely outrageous to impose all that on
21 this community. I have a lot more to say, but I know
22 there's time and other people are waiting, and I have
23 submitted, I'm going to submit other testimony, so.

24 Thank you very much.

25 (Applause)

1 DR. YUILL: Dred Scott, John Romecki, and
2 Alexander pappas.

3 MR. ROMECKI: I'm John Romecki, I live at 18
4 Midway Avenue, right around the corner here. I live within
5 a thousand yards of the waterway, off of Bear Creek.

6 Over 15 years ago I tried to get a permit to
7 build a garage on my property; it cannot be done within a
8 thousand yards of the water, and I'm amazed they can build a
9 facility like this, in the wetlands way and everything else,
10 and it just seems like it's a steamroller rolling and they
11 get what they want.

12 I've lived in this area for 62 years. I used to
13 swim in this area. I was taught how to swim in the two
14 bathing beaches that we had; Watersedge at Mare Point Beach.
15 They're not even in existence anymore, the water's too
16 polluted.

17 I took my son out there fishing and crabbing for
18 years. The last time they dredged, when they expanded the
19 marine terminal and needed a 50-foot deep channel to get the
20 larger ships in, I'd have liked to have been out here
21 recently and caught one of them crabs and steamed it and
22 brought it in here and I'd like you to smell it, from what's
23 on the bottom of that Bay out there now. I can imagine what
24 it's going to be like if they dredge again.

25 And just like the other man who talked about the

1 1812 War, Fort McHenry is within view of where they're going
2 to put this facility. They've been fighting in this area
3 for a long time; that's where the Star Spangled Banner was.

4 I told my kids they're putting into the Bay, I
5 told my grandchildren, by the time they have children
6 they'll be able to fish in the Bay again, they're going to
7 start cleaning it up. A facility like this, they can forget
8 about it. Their grandchildren, and any grandchildren after
9 them will never fish in the area again. Just think about
10 it.

11 I took my grandchildren a week ago, had to take
12 them to a pond in Northern Baltimore County, a fishing
13 rodeo. But we used to fish right here, everywhere. There
14 were 206 kids there. And I'm sitting here tonight thinking
15 how would it would be if I took a bucket from out here, and
16 dumped it in that pond where we were fishing at the fish
17 rodeo, and look on the faces of the 206 children when all
18 the fish floated to the top. Just think about that. It's
19 not just us, it's all of our children, grandchildren, and
20 great grandchildren. Thank you.

21 (Applause)

22 MR. PAPPAS: Good evening. Thanks for being
23 here. My name is Alexander Pappas, and I live at 7613
24 Chestnut Avenue in Fort Howard, the same neighborhood as the
25 little girl. And I'm a member of the American public. I

1 thank the opportunity to express myself, and thank all the
2 officials for their representation of the people on the
3 Maryland coast, and -- this LNG facility at Sparrows Point.
4 And of course I'd like to thank the late Sharon Beasley for
5 her concerns in this matter.

6 FERC's website states their mission is, and I
7 quote: The Federal Energy Regulatory Commission regulates
8 energy and industries in the economic, environmental, and
9 safety interests of the American public.

10 Okay, that's your mission statement. That's your
11 interest, it says here, the interest of the American public.
12 As I see in our audience representatives from my district,
13 Councilman is right here; we had the county executive, Mr.
14 Smith; we had a delegation from the state level, from Mr.
15 O'Malley's. The delegates, the senators from the State. We
16 haven't had a congressional matter personally show up here,
17 Mr. Ruppertsberger.

18 But they all oppose this site for an AES LNG
19 facility. Clearly, with all this opposition, how can AES's
20 proposed site be in the interests of the American public's
21 interest? Well, I agree with all my representatives, that
22 it's not.

23 To me this is a big business interest, versus the
24 American public's interest. And your mission statement is
25 for the American public's interest. So all I can say here -

1 - how can all these government officials be wrong, and AES
2 be right?

3 On behalf of my wife, my children -- two of my
4 sons are here in the audience, and myself, I oppose this
5 site for approval of construction, operation of this LNG
6 facility, and the pipeline to transfer this gas. Thank you.

7 (Applause)

8 DR. YUILL: Anna Mullen, Thomas Suneson, Rick
9 Chadsey. Larry Silverman and Andrew Fellows.

10 Anna Mullen?

11 (No response.)

12 MS. WACHHOLDER: Thomas Suneson.

13 MR. SUNESON: My name is Thomas Suneson and I'm
14 with the MEBA, Marine Engineers Beneficial Association. We
15 represent the officers on most ships, and I just want to
16 talk about concerns, actual security concerns.

17 The security, it could be breached. And you're
18 going to be able to lock down that terminal, you're going to
19 have everybody coming into that terminal. You can have the
20 ship come in, you can keep ships and everybody away from it
21 for 500 yards, or whatever; but the real threat is somebody
22 from right on that ship, because 90 percent of the ships
23 that come into this port are foreign flag, and like the
24 gentleman said earlier, they load them up in ports all over
25 the world, We don't know who's on those ships.

1 So that's the concern I have right here, is the
2 people coming into this port on those ships are coming right
3 to that terminal; we have no idea who they are. We have
4 American Merchant Marine, we have to go through every
5 background check imaginable. They know who is on the ship
6 when you have a U.S. ship; U.S. flag and U.S. crew. And
7 that's what I'm concerned about.

8 These ships coming in here, you haven't a clue
9 who's on them. I just want to make sure, if it's a security
10 issue, it should have Americans on those ships. That's all
11 I have to say. Thank you.

12 (Applause)

13 CMDR PENOYER: I wanted to address that issue
14 real quickly; I think you're right on with your concern
15 about the crew; the Coast Guard is similarly concerned, and
16 we have assessed that very, very closely as part of our
17 Waterway Suitability Report.

18 As a broad generalization without getting into
19 the details that I can't discuss, for obvious reasons, we do
20 have notices of arrival from arriving foreign ships well in
21 advance of them making the United States. The Department of
22 Homeland Security, the Coast Guard, Customs and Border
23 protection, we jointly, the three, review the crew lists,
24 and all arriving foreign vessels are subject to a boarding
25 regime by the Coast Guard and Customs well before they get

1 into the Bay, for the purposes of checking foreign crewmen.

2 That being said, your point with regard to U.S.
3 Merchant Mariners going through much more extensive
4 background checks in relation to their credentials and their
5 twit cards and so on, is correct, and I appreciate those
6 comments very much.

7 MR. SUNESON: Well, I mean I just want to state,
8 you can go out and check all these sailors, but you have no
9 idea who they are or their background; it's impossible for
10 you to figure out who they are or where they're from.

11 Thank you.

12 MS. WACHHOLDER: Thank you.

13 MR. CHADSEY: Hi, I'm just wondering, while we're
14 here, I think you're setting yourself up for a --

15 DR. YUILL: Name, please?

16 MR. CHADSEY: My name is Rick Chadsey. I'm a
17 landowner along the gas pipeline. I have 322 platted
18 subdivision lots along the gas pipeline.

19 (Holding chart up to Panel.)

20 I don't know if you can see, because I know what
21 it's like, I used to be on a planning board; your eyes are
22 in the back of your head. But I have 322 lots that are
23 backing up to the BGE right-of-way that are already platted,
24 and have rear yard setbacks of 20 feet.

25 The only information that I've received has been

1 from AES. I received their wonderful little packet of
2 general information -- a description of Mid-Atlantic,
3 contact information, and one document they forwarded me from
4 FERC. And a lovely map that doesn't show me anything.

5 My problem is I that I came here tonight because
6 the information came in the "What You Need to Know" packet
7 from AES, tells me that there's underground storage
8 facilities, monitoring stations, they're storing gas in
9 geological formations under the property. I come to this
10 meeting tonight and find out that none of that's true.

11 So then I find out there's an Environmental
12 Impact Statement that was never forwarded to me by anyone
13 whatsoever, which would mean on 88 miles of pipeline there's
14 probably a lot of property owners that have not seen the
15 Environmental Impact Statement in this room and the room in
16 Harford County, or the one in Baltimore where all your
17 meetings are going to be; there's a lot of people that don't
18 know what's going on.

19 So as a landowner, I don't know what my setback
20 is now. I've worked with Transcontinental -- an engineer by
21 trade; I've worked with Transcontinental Pipeline, I've
22 worked for Columbia Pipeline. and they all have specific
23 crossing information and setback information. I already
24 have recorded, vested lots, which have a value, they have a
25 value to me.

1 And basically, if you're going to take a setback
2 on my property, and I consider that a taking, I do wish to
3 be compensated. Now of all these people you've heard here
4 tonight, I'm being selfish. These people are looking out
5 for their community. I am personally being selfish, and I
6 actually feel bad for taking all this time and being
7 selfish, but it's a small crowd, so it's not as bad.

8 (Laughter)

9 I also had to deal with the Army Corps of
10 Engineers, multiple times, on just small road crossings,
11 that took 24 months to get a permit denied or approved.
12 This thing is moving awfully quickly.

13 I mean, to put a box culvert so I can put a road
14 over a stream would take me 24, sometimes 48 months. We're
15 talking a huge facility. I've had to do mitigation for this
16 little bitty area, and we're talking acres and acres of
17 wetland disturbance.

18 I need to conclude now; because somebody's going
19 to get upset. So thank you.

20 (Applause)

21 MS. WACHHOLDER: Mr. Chadsey, I wasn't sure, did
22 you sign up to get on our mailing list, back at the desk
23 today? I apologize if --

24 MR. CHADSEY: Yes, I did, but it's awfully late
25 in the process. I mean, I actually -- once I found out what

1 I was finding out this evening, called several of my
2 neighbors, and they hadn't received anything, either. So to
3 issue a permit, you've got to notice --

4 MS. WACHHOLDER: We sent out notices, it's been
5 about two years, we sent out notice that said 'If you want
6 to remain in our mailing list, to return the form' --

7 MR. CHADSEY: But shouldn't the property owners -
8 -

9 MS. WACHHOLDER: You probably received it.

10 MR. CHADSEY: I mean -- guinea pigs -- Yes, I
11 should have gotten a copy of the Environmental Impact
12 Statement.

13 MS. WACHHOLDER: What we did is we sent this
14 original notice out two years ago, and for our list we said,
15 'If you want to stay on our mailing list and get the EIS,
16 you must return this form' because we had a lot of people we
17 sent it to. And we only wanted to send our document to
18 people that were interested and not getting this huge book
19 on their front step.

20 So the mailing list that we sent the DEIS to were
21 the people that returned that mailer; so we may have
22 inadvertently not sent to you or -- it was two years ago.

23 MR. CHADSEY: Probably two years ago --

24 MS. WACHHOLDER: Might have been a different
25 landowner?

1 MR. CHADSEY: The company I'm with I wasn't with
2 two years ago.

3 MS. WACHHOLDER: So maybe it was the previous
4 landowner.

5 MR. CHADSEY: But there was a previous person;
6 both at the same time, Two years ago everybody wouldn't
7 have -- 'What are you talking about?' You know, there
8 probably should have been multiple notices telling the
9 people -- once this hits the newspaper, people's ears start
10 perking up.

11 MS. WACHHOLDER: We also -- I don't know if you
12 had had a chance with Laura in the back, who has some maps -
13 -

14 MR. CHADSEY: Yes. I mean that was like "Oh boy,
15 maps, I've been looking for maps." You know, I haven't been
16 able to get anything. I tried the website, tried your
17 website, tried your website. I just couldn't get the
18 information.

19 MS. WACHHOLDER: Okay, thank you.

20 MR. CHADSEY: All right.

21 MS. WACHHOLDER: We only have a couple more
22 speakers; Larry Silverman and Andrew Fellows.

23 MR. SILVERMAN: Good evening, my name is Larry
24 Silverman; I live in Takoma Park, Maryland. I am an
25 environmental lawyer for many years, and I also teach

1 environmental law policy part time at Johns Hopkins in a
2 master's degree program. I've had people from FERC among my
3 students, I've had a number of coasties.

4 I want to talk very briefly tonight about the
5 Coast Guard. I don't think enough has been said about the
6 Coast Guard. I'll start by saying I have the greatest
7 admiration for the Coast Guard, and with good reason.
8 During Hurricane Katrina, they were the only federal agency
9 that acquitted themselves with honor, and outstanding
10 competence.

11 I notice when the Congress wanted to designate a
12 lead in protecting the National Capital Area, protecting
13 Congress themselves, they didn't take the Navy at Patuxent
14 River Station, they didn't take the Air Force at Bolling or
15 Andrews, they didn't take the Marines who have a barracks
16 right in town, they took the Coast Guard, because they think
17 you guys can get the job done.

18 And I think you can get the job done, too. And
19 when the Coast Guard says we can assure safety, I cannot
20 question it except for one question: At what cost? Because
21 assuring the safety of ships going up an 87-mile corridor
22 through various strategic assets, and doing it the most
23 difficult way possible, let's say you're not going to close
24 the bridge, you're not going to block the recreational
25 boaters, you're going to accommodate everybody. Doing it

1 the most difficult way possible takes some resources.

2 This is not the only job the Coast Guard has.
3 The Coast Guard, I understand, also interdicts drug traffic
4 from overseas, and I heard, there's a rumor that there's
5 some drugs in Baltimore, and at the Port of Baltimore --
6 there was even an HBO special about it.

7 So are you going to diminish your drug
8 interdiction efforts in order to protect the LNG facilities?
9 You also protect the marine resources; we're talking about
10 restrictions on fishermen, all kinds of rules and
11 regulations; there's the New Ocean Commission. There are
12 lots of suggestions, but none of that means anything unless
13 the Coast Guard is out there to enforce it.

14 So in order to protect the LNG vessels going up
15 the Chesapeake, are you going to diminish that effort?

16 And now port security, that's a good job for you,
17 that Congress decided to give you. Are you going to
18 diminish that effort in order to protect the LNG facility?
19 That would make no sense at all, because this just makes the
20 job of port security much more difficult for you, much more
21 difficult.

22 Now if you are a huge force, that would be one
23 thing, but I understand that there are fewer members of the
24 Coast Guard than there are police officers in New York City.
25 I mean, that's astounding.

1 If you had the greatest technical facilities and
2 equipment, maybe this could be done, but I understand your
3 capital fleet is older than most of your recruits; that
4 Congress seems to believe -- they indicated that the Coast
5 Guard would be number 40 in the national navies of the
6 world. That when you tried to give your old ships to the
7 South American Navy, they turned them down.

8 Now I know there's a big, \$28 billion plan to
9 improve your capital fleet, but I think it's about 20 years
10 away.

11 So when you say you protect the ships and you say
12 you can even allow for the recreational traffic and won't
13 close the bridges, I kind of believe you. But I don't think
14 you can do everything. And I would say to my friends at
15 FERC -- and my son worked for FERC for three years, and I
16 have a lot of respect for FERC -- I know you want to secure
17 our country's energy systems and our energy supplies, and I
18 know you realize that most of the energy comes to this
19 country through ships coming to our ports from overseas.

20 And to secure those ships, you need the Coast
21 Guard, that's a resource you have. But that's not an
22 infinite resource; that is a very limited, overtaxed
23 resource.

24 And I would ask you at FERC to think very deeply,
25 "Is this how we want to invest, invest our resources, to

1 protect this long, dangerous group with so many other uses?
2 Is this the best way we can use our wonderful Coast Guard?"

3 And to the Coast Guard I would say to you: I
4 know any mission you're assigned to, if you're like every
5 other Coast Guard person I've ever met, you'll say "Yes,
6 sir, we'll get the job done." But sometimes, I think
7 sometimes it's good to say No, that you can't do this job
8 without doing that job.

9 And I know in your private councils, you'll talk
10 about this: What are we going to sacrifice? What are we
11 going to cut? And I hope you'll make some of that
12 discussion more open so people really see the true cost in
13 terms of the Coast Guard, of this proposal.

14 Thank you so much.

15 (Applause)

16 CMDR PENOYER: Thank you, sir. I appreciate your
17 comments. You're very generous.

18 Captain Kelly and Captain Schraf are the two
19 respective captains of the port that control the Chesapeake
20 Bay. We tried to make it as clear as we could in the
21 Waterway Suitability Report that the port community, and I
22 deliberately use that term to convey that safety, security,
23 environmental protection on the waterway is not solely a
24 Coast Guard activity; this is something we do as a team. We
25 have federal partners, we have state partners, we have

1 county and local partners in the marine environ. We can't
2 do any of missions without them.

3 Taken as a whole, the Coast Guard included, we
4 made it very clear in our Waterway Suitability Report that
5 even as a whole, we do not have the assets, we do not have
6 the resources to do this.

7 Captain Kelly categorically will not allow LNG
8 traffic unless those assets are present; and that entails no
9 sacrifice of our other missions; that's not subject to, for
10 discussion at all. It cannot happen. We can't protect one
11 thing to leave another unguarded.

12 So I just wanted to make it very clear that none
13 of the tradeoffs that concern you are actually under
14 discussion. And I think as the Waterway Suitability Report
15 made clear, we consider that to be a very significant issue
16 that has to be addressed.

17 MR. FELLOWS: Good evening. I'm Andy Fellows,
18 I'm Chesapeake Regional Director for -- Water Action, a
19 national organization; we have a million members.

20 Thank you all for your patience and your
21 respectful caring, and members of the community. I have
22 over 28 years of organizing experience, and this was kind of
23 a dream. We're not responsible for the turnout tonight, but
24 the kind of eloquent, heartfelt -- that you heard from the
25 community of reasons to oppose this proposed terminal.

1 I think that from the Army Corps of Engineers'
2 perspective, around the dredging issues and impacts on
3 Maryland, the Coast Guard's perspective for many reasons is,
4 from the first perspective, the Department of Transportation
5 perspective, this really doesn't make sense.

6 I also rarely see a proposal with such uniform,
7 bipartisan opposition amongst elected officials, and then I
8 think that both for environmental reasons and also I think
9 for economic reasons. So I'm a member of the Maryland
10 Environment Justice, Communities Commission.

11 The area around where this terminal is proposed,
12 Sparrows Point, Dundalk, Turner Station, is the Baltimore
13 County sort of environmental justice siting zone for areas
14 where it had huge environmental impacts by decisions that
15 have been made in the past; toxics, lack of enforcing the
16 permits.

17 And part of the reason why this is a bad proposal
18 is because of the dredge, what is known to be contained in
19 the dredge that's out there. But also because of the fact
20 that these communities had suffered such negative impacts
21 over the last decade, really they're -- toward restoring the
22 waters of Bear Creek, Back River, the Patapsco, and the
23 waters in the surrounding areas.

24 To put in another facility that will likely have
25 a negative impact, especially a potential catastrophic

1 impact, an accident or a terrorist event, makes no sense.

2 I'll close by saying that this event is so much
3 the opposite of what I believe -- I don't have a way of
4 proving this -- but I believe this will kind of kick off by
5 Vice-President Cheney, who met behind closed doors with
6 energy executives, some potentially including AES, to
7 discuss the number of gas terminals throughout the United
8 States along the coastlines.

9 No, there's no public record of what happened in
10 those discussions. At this end, we have a very public
11 discussion and very public opposition to the proposal. It's
12 hard to imagine a decision making process where at the end,
13 the community which is so strongly against this will be
14 overridden by basically what was kicked out by a back-burner
15 -- policy discussion.

16 So I strongly urge you to oppose this proposal,
17 but I thank you for holding tonight's hearing. Thank you.

18 (Applause)

19 MS. WACHHOLDER: Thank you. That's the last
20 speaker we have on the list. If anyone else like to speak,
21 please come on up.

22 No? All right. Well, with that, I'd like to
23 thank you for attending, and your comments will be in the
24 record. Thank you.

25 (Whereupon, at 11:23 p.m., the scoping meeting

1 concluded.)

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25