that LLNG neither wished to move forward with its proposed LNG export facility nor to maintain its FTA authorization.\textsuperscript{19} DOE/FE therefore vacated LLNG’s FTA authorization under NGA section 16, but it did so without objection by LLNG and without prejudice to LLNG, should LLNG wish to seek an export LNG authorization in the future.\textsuperscript{20} The LLNG proceeding was a highly unusual scenario where all evidence indicated that the company was no longer pursuing its proposed LNG export project and had, in fact, ceased to exist as a commercial operation. In vacating LLNG’s FTA order without prejudice, DOE responded appropriately in both implementing its statutory authority under NGA section 16 and in upholding the integrity of its natural gas regulatory program under 10 CFR part 590.

**II. DOE/FE Policy on Non-FTA Export Authorizations**

Potential importers of U.S. LNG and financiers of LNG export projects (collectively, interested stakeholders) have expressed concern about DOE/FE rescinding one or more non-FTA export authorizations in the future. In raising this concern, they point to the language in the existing non-FTA authorizations (quoted above) in which DOE/FE has observed its authority under NGA section 16 to “make, amend, and rescind such [export] orders . . . as it may find necessary or appropriate . . . .” Citing DOE/FE’s language, they have asked what potential “developments” in the U.S. LNG market could rise to the level of “such significant consequence as to put the public interest at risk”—such that DOE would unilaterally rescind one or more non-FTA export authorizations or take other action to protect the public interest under NGA section 3(a).

As a preliminary matter, DOE/FE wishes to allay concerns about the security of existing (or future) non-FTA export authorizations. In this policy statement, DOE/FE affirms its commitment to all export authorizations issued under the NGA, including long-term authorizations approving the export of LNG to non-FTA countries. As indicated above, DOE/FE currently has issued 29 final non-FTA export authorizations, based on a thorough consideration of the public interest under section 3(a) of the NGA. In each of these proceedings, DOE/FE reviewed a substantial administrative record addressing factors including economic impacts, international impacts, security of natural gas supply, and environmental impacts, among others. In granting each application, DOE/FE concluded that exports of U.S. LNG will generate net economic benefits to the broader U.S. economy and will provide energy security and environmental benefits to the global community (including emerging economies presently reliant upon more carbon intensive fuels).\textsuperscript{21} DOE/FE stands firmly behind these factual findings and legal conclusions—many of which have been challenged and upheld in federal court.\textsuperscript{22} Authorization holders, as well as any interested stakeholders, thus should have the utmost confidence in the validity of DOE/FE’s LNG export authorizations for the full term of each non-FTA order. Indeed, as noted above, DOE has never rescinded a non-FTA export authorization for any reason. DOE has vacated one FTA order under NGA section 16, but the circumstances of that proceeding were based solely on the inaction of the authorization holder.\textsuperscript{23}

As a matter of law, DOE preserves its authority to take action as necessary or appropriate to carry out its duties under the NGA.\textsuperscript{24} However, DOE does not foresee a scenario where it would rescind one or more non-FTA authorizations. The United States government takes very seriously the investment-backed expectations of private parties subject to its regulatory jurisdiction. In particular, DOE understands the far-ranging economic investments and natural gas supply commitments associated with these authorizations over their full term— affecting both U.S. and global interests. DOE emphasizes that it remains committed to the durability and stability of the export authorizations it has granted under the NGA, as well as to supporting the approved export of U.S. natural gas around the world.

\textsuperscript{19} See, e.g., Eagle LNG Partners Jacksonville II LLC, DOE/FE Order No. 4078, at 23–38.
\textsuperscript{21} See supra at 4–5.
\textsuperscript{22} 15 U.S.C. 7170.
The public hearing will convene at 9:00 a.m. and end at 6:00 p.m. ET or 2 hours after the last registered speaker has spoken, whichever is earlier. The EPA will make every effort to accommodate all individuals interested in providing oral testimony. A lunch break is scheduled from 12:00 p.m. until 1:00 p.m. The hearing schedule, including the list of speakers, will be posted on the EPA’s website at https://www.epa.gov/so2-pollution/primary-national-ambient-air-quality-standard-naaqs-sulfur-dioxide. Verbatim transcripts of the hearing and written statements will be included in the docket for the action. This hearing will be held at a U.S. government facility. Individuals planning to attend the hearing should be prepared to show valid picture identification, such as a driver’s license, to the security staff in order to gain access to the meeting room. However, driver’s licenses from states and territories that do not comply with the REAL ID Act will not be accepted as identification. The REAL ID Act, passed by Congress in 2005, established new requirements for entering federal facilities. These requirements took effect on July 21, 2014. If your driver’s license is issued by American Samoa, you must present an alternative form of identification to enter the federal building where the public hearing will be held. Acceptable alternative forms of identification include: Federal employee badges, passports, enhanced driver’s licenses and military identification cards. For additional information for the status of your state regarding the REAL ID Act, go to https://www.dhs.gov/real-id-enforcement-brief. For additional information on building access and alternative forms of identification, go to https://www.epa.gov/aboutepa/visiting-epa-headquarters.

How can I get copies of this document and other related information?

The EPA has established a docket for this action under Docket ID No. EPA–HQ–OAR–2013–0566 (available at https://www.regulations.gov). The EPA has also made available information related to the proposed action on the following website: https://www.epa.gov/so2-pollution/primary-national-ambient-air-quality-standard-naaqs-sulfur-dioxide.


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