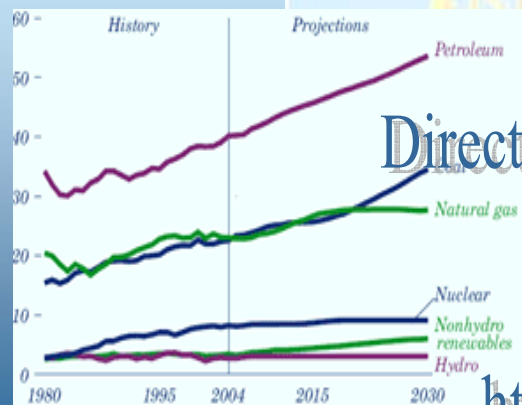




LNG Deepwater Port Licensing



H. Keith Lesnick

Director, Office of Deepwater Port Licensing

U.S. Maritime Administration

<http://www.marad.dot.gov/DWP/LNG>



Overview

- **MARAD is responsible for issuing or denying Deepwater Port licenses.**
- **Decisions are based primarily on nine factors outlined in the Deepwater Port Act.**
- **Licensing decisions involve input and approvals from a number of Federal and State agencies.**

DWPA Licensing Criteria

To issue a license, the Maritime Administrator must find that:

- 1) The applicant is financially responsible;
- 2) The applicant can and will comply with applicable laws, regulations, and license conditions;
- 3) The Deepwater Port is in the national interest;
- 4) The Deepwater Port will not unreasonably interfere with international navigation;
- 5) The port will be constructed using the best available technology to prevent or minimize impact on the marine environment;

DWPA Licensing Criteria – Cont'd

- 6) The EPA must confirm that the port will comply with the Clean Air Act, the Clean Water Act, and the Marine Protection, Research and Sanctuaries Act;**
- 7) The Secretaries of Army, State, and Defense must be consulted;**
- 8) The Adjacent Coastal State Governors must approve of the project; and**
- 9) The project must be consistent with State Coastal Zone Management Program(s).**

Coordination with Federal and State Officials

- **MARAD works with over 15 Federal agencies to identify and address areas of concern relating to the proposed project to meet its statutory obligations under the DWPA.**
- **The DWPA conditions issuance of a license on the approval of the Governor(s) of the “adjacent coastal State or State(s).”**
- **Adjacent Coastal States are states:**
 1. **Connected by pipeline;**
 2. **Located within 15 miles of a DWP, or**
 3. **Designated upon request.**
- **Designation of Adjacent Coastal States coordinates the Governor’s input into the DWPA review process.**

Post License Approvals

The DWPA requires that a licensee comply with applicable Federal and State laws for obtaining various technical and environmental permits relating to the construction and operation of a deepwater port. A few examples include:

- Operations Manual approved by the U.S. Coast Guard
- Section 404 permit issued by the U.S. Army Corps of Engineers
- Prevention of Significant Deterioration and Title V Air Quality permits issued by the U.S. EPA
- National Pollution Discharge Elimination System (NPDES) permit issued by the U.S. EPA

Suspension or Termination of Licenses

- **If a licensee fails to comply with any license term or condition during construction or operation, the license may be:**
 - **Automatically suspended or terminated upon the occurrence of a fixed or agreed upon condition, event, or time;**
 - **Suspended or revoked through an action in the United States District Court; or**
 - **Immediately suspended by MARAD, if necessary to protect public health or safety, or to eliminate imminent and substantial danger to the environment.**

MARITIME ADMINISTRATION

DEEPWATER PORT LICENSING

MARAD

<http://www.marad.dot.gov/DWP/LNG/>