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Comments regarding
Deepwater Port License Applications:
Liberty Natural Gas LLC, Port Ambrose Deepwater Port
Document USCG-2013-0363-0006

Sea Bright Public Beach
1099 Ocean Ave
Sea Bright, NJ

July 11, 2013

My name is Larry Furman. I live in Manalapan and am running for General Assembly to represent the 12th District.

I have some questions regarding the dangers, regulations, insurance requirements, and national security implications of this proposed LNG transfer station.

The Governor vetoed an offshore LNG transfer station in February, 2011¹. What has changed? Why should we allow this to go forward today or in the future?

I'm 5'8 in height, 165 pounds in weight, and about 3 cubic feet in volume. New LNG tankers hold 8.3 Million cubic meters - about 27 Million cubic feet - of LNG². These tankers holds the volume of about 7 Million people my size.

Just last week we just saw a horrific explosion involving a railroad train in Quebec, Canada. Earlier this year: problems with a Shell Oil rig in Alaska, an oil spill in Mayflower, Arkansas, and a gasoline tanker fire in Alabama. In 2010, the Deepwater

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- 1 Tom Dunphy, Middletown-NJ.Patch.com, "Christie vetoes off-shore liquified natural gas project, 2/11/11," by <http://middletown-nj.patch.com/groups/politics-and-elections/p/christie-vetoes-off-shore-liquified-natural-gas-project>
 - 2 Bloomberg News, Dec., 2012, <http://gcaptain.com/lng-carrier-fleet-growth-outpacing-liquefaction-capacity/>)

Horizon accident gushed about 5.1 million barrels of crude oil - 60,000 barrels a day for 85 days - into the Gulf of Mexico. Rep. Markwayne Mullen, R. Oklahoma, said "We can't have oil without oil spills." I agree.

What happens if – when – there is an accident? LNG is flammable. According to the Strauss Center, at U Texas, Austin, "Once an LNG tanker ignites, it would essentially be impossible to extinguish the fire until it burned itself out of fuel ³."

It's illegal to drive in New Jersey, New York, and many other states without insurance. However, nuclear power plant operators do not carry liability insurance, courtesy the Price Anderson Act of 1957. What are the insurance requirements for this or other LNG transfer stations? The "Port Ambrose" LNG transfer station is owned by a bank account in the Cayman Islands. If you drive without insurance, you risk jail. What are the legal consequences in the District of New Jersey of negligence or malfeasance on the part of a bank account in the Cayman Islands?

Since most domestically produced oil and gas comes from "Hydraulic Fracturing," aka Fracking, we can assume that most of this gas would come from fracking. Fracking is exempt from seven (7) major federal regulations.

1. The Clean Water Act, courtesy of The "Halliburton loophole," exempting corporations from revealing the chemicals used in fracking fluid⁴.
2. The Safe Drinking Water Act, also due to the "Halliburton loophole"⁵.

3 Strauss Center, U Texas, Austin, LNG Tankers, <http://strausscenter.org/hormuz/lng-tankers.html>

4 Clean Water Action, "Fracking: Laws and Loopholes", <http://cleanwater.org/page/fracking-laws-and-loopholes>,
Environmental Defense Center, "Fracking Federal Law: Loopholes & Exemptions," http://www.edcnet.org/learn/current_cases/fracking/federal_law_loopholes.html

5 EPA.Gov, "Water: Hydraulic Fracturing, Regulation of Hydraulic Fracturing Under the Safe Drinking Water Act," http://water.epa.gov/type/groundwater/uic/class2/hydraulicfracturing/wells_hydroreg.cfm. EPA's central authority to protect drinking water is drawn from the Safe Drinking Water Act (SDWA). The protection of USDWs is focused in the Underground Injection Control (UIC) program, which regulates the subsurface emplacement of fluid. Congress provided for exclusions to UIC authority (SDWA § 1421(d)), however, with the most recent language added via the Energy Policy Act of 2005.... SDWA specifically excludes hydraulic fracturing from UIC regulation under SDWA § 1421 (d)(1)

3. The Resource Conservation and Recovery Act, which exempts fracking from federal regulations pertaining to hazardous waste;
4. The Superfund law, which requires that polluters remediate for carcinogens like benzene released into the environment, except if they come from oil or gas;
5. The Comprehensive Environmental Response, Compensation, and Liability Act;
6. The National Environmental Policy Act; and
7. The Toxic Release Inventory under the Emergency Planning and Community Right-to-Know Act.

When I was a child, I would ask my mom for a cookie rather than sneak around behind her back to raid the cookie jar. She said "no" most of the time, especially before dinner, but when she said "yes" I didn't get into trouble. It seems clear that fracking disperses toxic chemicals and carcinogens into the biosphere. Otherwise why would the fracking industry demand these various exemptions?

Re national security - the U. S. government monitors who we call and who we e-mail. It even monitors who some of us correspond with using US Postal Service Mail⁶. If a few terrorists decide to kill themselves by blowing up a LNG tanker, or this transfer facility, we have a situation of tremendous and unprecedented environmental and economic consequences⁷. If those terrorists decide to kill themselves by blowing up an offshore wind turbine or a someone's rooftop solar array, we have relatively minor economic losses and a few dead terrorists.

Offshore wind can be designed to be artificial reefs - to nurture fish stocks and bird populations, to be distributed systems that are resilient in the face of an emergency, whether from a hurricane, earthquake, terrorist attack, or human error. Rooftop solar arrays can be designed to provide power in daylight during a general power failure - during emergencies. There is no - zero - risk of leak or fire from solar or wind. Similarly, wind, solar and geothermal systems do not create pollution due to ongoing operations, they don't burn fuel and they don't produce waste. They do not present safety hazards

6 Ron Nixon, New York Times, July 3, 2013, "U. S. Postal Service Logging All Mail for Law Enforcement," <http://www.nytimes.com/2013/07/04/us/monitoring-of-snail-mail.html>

7 Professor James A. Fay, M. I. T., Spills and Fires from LNG and Oil Tankers in Boston Harbor, (August 26, 2003). Online. Available: <http://www.greenfutures.org/projects/LNG/Fay.html>.

and do not present terrorist targets. Why on earth would we build systems that are inherently dirty and dangerous when we have safe and clean alternatives?

We lived through and are still recovering from Sandy. We need an energy infrastructure that mitigates atmospheric carbon dioxide, not one that pushes more carbon dioxide into the atmosphere, let alone one that pushes chlorine, benzene and other toxins into the water supply or onto our farm fields.

Our children and grandchildren will neither appreciate nor respect a decision to go forward with this LNG transfer station. We need to invest in infrastructure for the future. But this is not investing for the future; this is day-trading, or maybe playing poker or Russian Roulette.

We - man - think opportunistically. We chopped down old growth forests for homes, farms and firewood, and we extracted and burned the coal, oil, and gas that was easy to get out of the ground. Now we see over 400 ppm carbon dioxide in the atmosphere and we are seeing the effects. We also saw, in Fukushima, that nuclear accidents, when they occur, can be catastrophic, and that accidents anywhere are accidents everywhere.

We need to look with our opportunistic eyes at rooftops, for solar, at the oceans for the winds and the waves. We need to feel the geothermal temperature differentials for heat, cooling, and electricity. We need to build a clean and sustainable energy infrastructure.

The time is now. Because this is the Eearth⁸ we will leave our children.

⁸ Bill McKibben, "EAARTH, Making a Life on a Tough New Planet," Times Books, 2010. ISBN 0805090568