

CP07-63-000

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# Congressman C.A. Dutch Ruppertsberger Maryland 2<sup>nd</sup> Congressional District

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EXTERNAL AFFAIRS  
2009 JAN 13 P 3 34  
FEDERAL ENERGY  
REGULATORY COMMISSION

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This fax is for: Chairman Kelliher

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2008-00006

**Congress of the United States**  
**Washington, DC 20515**

January 13, 2009

Mr. Joseph T. Kelliher  
Chairman  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, D.C. 20426

Dear Chairman Kelliher:

The Federal Energy Regulatory Commission is scheduled to meet on January 15, 2009, to issue a license for the Liquefied Natural Gas project at Sparrows Point, Maryland. FERC's actions go against the wishes of many citizens of Maryland, the Governor, the Baltimore County Executive and Members of the Congressional delegation and we ask that you delay this action until the Obama Administration can review the security and environmental concerns.

FERC has moved quickly, and in doing so has dismissed environmental and security concerns that surround this project. If these concerns are not fully addressed, this project should not move forward.

To service the Sparrow's Point LNG facility, LNG tankers would have to travel through the narrowest portions of the Chesapeake Bay, under the Bay Bridge, through heavily used commercial fishing and recreational boating areas, to the mouth of the Port of Baltimore. This is a densely populated area that is less than two miles away from the residential neighborhoods of Dundalk, Turner's Station, and Edgemere, home to 65,000 Marylanders. Based upon its review of AES' waterway suitability assessment for the Chesapeake Bay, the U.S. Coast Guard found in 2008 that the Bay is not currently suitable, but could be made suitable for the type and frequency of LNG marine traffic associated with the proposed Sparrow's Point Terminal. The Coast Guard found the waterway unsuitable because the measures proposed by AES to mitigate the risks associated with LNG transits in the Bay were inadequate, because the port community "currently does not have sufficient resources available to implement the safety and security measures necessary to responsibly manage the maritime safety and security risks," and because AES did not explain how it would ensure that adequate resources would be made available. Further, the Coast Guard indicated that AES must develop a formal Transit Management Plan that details those measures that would be implemented to mitigate the risks associated with LNG tanker transits through the Bay. To date, a final Transit Management Plan has not been developed and there is no formal indication from the Coast Guard either that AES has proposed measures adequate to mitigate the risks associated with LNG tanker transits in the Bay or that adequate resources necessary to implement these risk mitigation measures have been put in place in the Bay.

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Chairman Kelliher

In addition to security, there are also concerns about the environmental impact of the project. In a letter dated January 6, 2009, the U.S. Department of the Interior recommended FERC postpone the decision, stating, "There are unanswered questions related to the federally listed, endangered, and threatened species that may be affected by this project." If constructed, the LNG facility would be located in an environmentally sensitive area of the Chesapeake Bay.

The federal government needs to be a responsible partner. We believe the recent recommendation for delay by the Department of the Interior, together with the strong security concerns, warrant a delay. We ask FERC to delay any further decisions on this project until the Obama Administration has examined all facts and investigated the concerns of the citizens of Maryland. Thank you for your time and consideration in this matter.

Sincerely,

*C. Dutch Roggenburg*

*Robert A. Nicholas*

*Bob Cudi*

*Elijah E. Turner*

*John P. Lubin*