

**U.S. Department of Energy**  
**Categorical Exclusion Determination**  
**Office of Fossil Energy and Carbon Management**



**CARIB ENERGY (USA) LLC**  
**DOCKET NO. 16-98-LNG**

**PROPOSED ACTION DESCRIPTION:** Carib Energy (USA) LLC (Carib Energy) filed an application (Amendment Application) with the Office of Fossil Energy and Carbon Management (FECM) on May 3, 2024, pursuant to section 3 of the Natural Gas Act (NGA)<sup>1</sup> and 10 CFR Part 590 of the Department of Energy's (DOE) regulations.

In the Amendment Application, Carib Energy seeks to amend its existing long-term authorization to export domestically produced liquefied natural gas (LNG), DOE/FE Order No. 3937, which DOE issued on November 28, 2016, for a term of 20 years. Under Order No. 3937, Carib Energy is authorized to export LNG in approved International Organization for Standardization (ISO) containers, by vessel, in a volume equivalent to 1.3 billion cubic feet (Bcf) per year (Bcf/yr) of natural gas to any country in Central America, South America, and the Caribbean with which the United States does not have a free trade agreement (FTA) requiring national treatment for trade in natural gas, and with which trade is not prohibited by United States law or policy (non-FTA countries).<sup>2</sup> Carib Energy is currently authorized to source the LNG for export from five existing natural gas liquefaction facilities owned and operated by Pivotal LNG, Inc. or by one of Pivotal's affiliates (Facilities), as identified in Order No. 3937.

Carib Energy asks DOE to amend Order No. 3937 in two respects. First, Carib Energy asks DOE to add an additional existing Pivotal facility—the JAX LNG facility located in Jacksonville, Florida—to the list of authorized Facilities from which Carib Energy may source LNG for export. Second, Carib Energy requests an increase in its authorized export volume from 1.3 Bcf/yr to 7.0 Bcf/yr of natural gas. Upon review of the Amendment Application, DOE determined that Carib Energy's proposed exports in the amended volume (7.0 Bcf/yr) from the six authorized Facilities (including the JAX LNG facility) qualify as "small-scale natural gas exports" under DOE's regulations codified in 2018 (after Order No. 3937 was issued).<sup>3</sup>

DOE's proposed action is to grant the Amendment Application under DOE's small-scale natural gas export regulations. If granted, Carib Energy will be authorized to export LNG in a volume equivalent to 7.0 Bcf/yr of natural gas and sourced from the five Facilities identified in Order No. 3937, as well as the JAX LNG facility, for a total of six authorized Facilities. This amended authorization would be subject to certain terms and conditions set forth in both Order No. 3937 and the DOE order granting the Amendment Application.

**CATEGORICAL EXCLUSION APPLIED:** B5.7 - Export of natural gas and associated transportation by marine vessel

For the complete DOE National Environmental Policy Act regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of 10 CFR Part 1021.

Regulatory Requirements in 10 CFR 1021.410(b): (See full text in regulation)

✓ ] The proposal fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D.

✓ ] There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal.

✓ ] The proposal has not been segmented to meet the definition of a categorical exclusion. This proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

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<sup>1</sup> 15 U.S.C. § 717b.

<sup>2</sup> *Id.* § 717b(a).

<sup>3</sup> See 10 C.F.R. §§ 590.102(p), 590.208(a).

Based on my review of the proposed action, as NEPA Compliance Officer, I have determined that the proposed action fits within the specified class(es) of action, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

Signature: **BRIAN LAVOIE**  Digitally signed by BRIAN LAVOIE  
Date: 2024.09.10 11:23:29 -04'00'

Date Determined: **9/10/24**

**Brian D. Lavoie, NEPA Compliance Officer, Office of Fossil Energy and Carbon Management**