



Department of Energy

Washington, DC 20585

September 18, 2024

Via Email

Calum McClure
Chief Executive Officer
Cryopeak Energy Solutions Corporation
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RE: Administrative Notice of Expiration of Small-Scale Authorization
Cryopeak Energy Solutions Corporation, Docket No. 22-63-LNG

Dear Mr. McClure:

On August 25, 2022, in DOE/FECM Order No. 4865 (Order), as amended most recently in Order No. 4865-B, the Department of Energy's (DOE) Office of Fossil Energy and Carbon Management (FECM) granted a consolidated long-term authorization to Cryopeak Energy Solutions Corporation (formerly Cryopeak LNG Solutions Corporation) (Cryopeak).¹

Under that Order, DOE authorized Cryopeak to export domestically produced liquefied natural gas (LNG) in a volume equivalent to 51.75 billion cubic feet per year of natural gas, pursuant to section 3(a) of the Natural Gas Act (NGA) and DOE's regulations for small-scale exports of natural gas to any country 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 U.S. law or policy (non-FTA countries). Cryopeak is authorized to export the small-scale volume of natural gas from 30 liquefaction facilities (Facilities) listed in Appendix C of Cryopeak's Application. DOE also authorized Cryopeak to import LNG from Canada and Mexico and to export LNG from the Facilities to FTA countries on a long-term basis, both pursuant to NGA section 3(c). In Ordering Paragraph C of the Order, DOE required Cryopeak to commence the authorized small-scale export operations using the Facilities no later than two years from the date of issuance of the Order—by August 25, 2024.

DOE takes administrative notice that Cryopeak has not yet commenced small-scale exports and therefore has not complied with the small-scale requirement of Ordering Paragraph C. Accordingly, the portion of the Order authorizing small-scale exports of natural gas has expired. We emphasize, however, that Order No. 4865, as amended, remains in effect as to Cryopeak's

¹ See Cryopeak Energy Solutions Corp., Docket No. 22-63-LNG, <https://www.energy.gov/fecm/articles/cryopeak-energy-solutions-corporation-fecm-dkt-no-22-63-lng>.

authorized imports of LNG from Canada and Mexico and exports of LNG to FTA countries.

Sincerely,

Amy R. Sweeney
Director, Office of Regulation, Analysis, and Engagement
Office of Resource Sustainability