

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



**JAX LNG, LLC**  
**DOCKET NO. 24-73-LNG**

**PROPOSED ACTION DESCRIPTION:** JAX LNG, LLC (JAX) filed an application (Application) with the Department of Energy's (DOE) Office of Fossil Energy and Carbon Management (FECM) on July 25, 2024, pursuant to section 3 of the Natural Gas Act (NGA)<sup>1</sup> and 10 CFR Part 590 of DOE's regulations. JAX filed a clarification to the Application on December 20, 2024.

In relevant part, JAX states that its proposed exports qualify as "small-scale natural gas exports" under DOE's regulations at 10 CFR 590.102(p) and 590.208(a). Specifically, JAX seeks long-term authorization to export domestically produced liquefied natural gas (LNG) in a volume equivalent to 51.75 billion cubic feet (Bcf) per year of natural gas (0.14 Bcf per day). In the Application as clarified, JAX requests that the export term commence on the date of first commercial export and extend through December 31, 2050. JAX requests authority to export the LNG 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).<sup>2</sup>

JAX states that it seeks to export the LNG in two ways. First, JAX may load LNG into International Organization for Standardization (ISO) containers to be transported from the JAX LNG facility (located near Jacksonville, Florida) by truck or barge, then loaded onto container ships or roll-on/roll-off ocean-going carriers for export at the Port of Jacksonville or other ports capable of handling ISO containers using existing facilities. JAX also may source LNG from other facilities. In that scenario, the LNG will be transported by road using Department of Transportation-approved highway trailers, in either LNG tanker trucks or ISO containers: (1) to JAX's facility, where the LNG will be offloaded into JAX's LNG storage facilities and commingled with LNG produced by JAX, or (2) to nearby existing ports handling ISO containers. In Appendix C to the Application, JAX identifies 14 existing facilities from which it seeks to obtain LNG for export, including the JAX LNG facility (collectively, the Facilities).

Second, JAX states that it may load bunkering vessels that may be used to transfer LNG for marine fuel to cargo ships and cruise ships in foreign ports.

DOE's proposed action is to authorize the exports described in the Application as small-scale natural gas exports. If granted, the authorization would permit the requested export of LNG sourced from the 14 Facilities and loaded into ISO containers as set forth above, or by vessel as bunker fuel for ship-to-ship transfer, subject to certain terms and conditions set forth in the DOE order.

**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

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<sup>1</sup> 15 U.S.C. § 717b.

<sup>2</sup> *Id.* § 717b(a). In the Application, JAX also requests authorization to export LNG in the same volume to FTA countries under NGA section 3(c), *id.* § 717b(c), on a non-additive basis. That request is not subject to this categorical exclusion determination.

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.<sup>3</sup>

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: \_\_\_\_\_

Date Determined: \_\_\_\_\_

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

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<sup>3</sup> DOE is aware of the decision in *Marin Audubon Soc’y v. Fed. Aviation Admin.*, No. 23-1067 (D.C. Cir. Nov. 12, 2024). To the extent that a court may conclude that the Council on Environmental Quality (CEQ) regulations implementing NEPA are not judicially enforceable or binding on this agency action, DOE has nonetheless elected to follow those regulations at 40 C.F.R. Parts 1500-1508, in addition to DOE’s procedures/regulations implementing NEPA at 10 C.F.R. Part 1021, to meet its obligations under NEPA, 42 U.S.C. §§ 4321 *et seq.*