

UNITED STATES OF AMERICA  
DEPARTMENT OF ENERGY  
OFFICE OF FOSSIL ENERGY AND CARBON MANAGEMENT

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EAGLE LNG PARTNERS JACKSONVILLE II LLC

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DOCKET NO. 22-168-LNG

ORDER AMENDING LONG-TERM AUTHORIZATION  
TO EXPORT LIQUEFIED NATURAL GAS  
TO FREE TRADE AGREEMENT NATIONS  
AND FOR SMALL-SCALE EXPORTS OF LIQUEFIED NATURAL GAS

DOE/FECM ORDER NO. 4975-B

JULY 16, 2025

## I. DESCRIPTION OF REQUEST

On March 12, 2023, the Department of Energy's (DOE) Office of Fossil Energy and Carbon Management (FECM) issued DOE/FECM Order No. 4975 (Order)<sup>1</sup> to Eagle LNG Partners Jacksonville II LLC (Eagle Maxville) under section 3 of the Natural Gas Act (NGA).<sup>2</sup> Under this consolidated Order, Eagle Maxville is authorized to export domestically produced liquefied natural gas (LNG) in a volume equivalent to 51.75 billion cubic feet per year (Bcf/yr) of natural gas for a term extending through December 31, 2050, as follows:

- (i) Under section 3(c) of the NGA,<sup>3</sup> to any country with which the United States has, or in the future may enter into, a free trade agreement (FTA) requiring national treatment for trade in natural gas (FTA countries), and
- (ii) Under section 3(a) of the NGA,<sup>4</sup> to any other country with which trade is not prohibited by U.S. law or policy (non-FTA countries), as qualifying "small-scale natural gas exports" under DOE's regulations.<sup>5</sup>

Under Order No. 4975, the approved FTA and small-scale export volumes are not additive.<sup>6</sup>

Eagle Maxville is authorized to load this LNG into approved ISO IMO7/TVAC-ASME LNG (ISO) containers at LNG production facilities in the United States, then to transport the ISO containers by truck and load the containers for export onto container ships or ocean-going carriers at nearby ports.<sup>7</sup> Specifically, in Order No. 4975, DOE authorized Eagle Maxville to

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<sup>1</sup> *Eagle LNG Partners Jacksonville II LLC*, DOE/FECM Order Nos. 4975 and 4078-B, Docket Nos. 22-168-LNG and 17-79-LNG, Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Free Trade Agreement Nations, for Small-Scale Exports of Liquefied Natural Gas, and Vacating Prior Authorization (Mar. 12, 2023), <https://www.energy.gov/sites/default/files/2023-03/ord4975.pdf>. Because DOE vacated Order No. 4078, as amended, at Eagle Maxville's request, we refer only to Order No. 4975 for purposes of this Order.

<sup>2</sup> 15 U.S.C. § 717b. The authority to regulate the imports and exports of natural gas, including liquefied natural gas, under section 3 of the NGA has been delegated to the Assistant Secretary for FECM in Redelegation Order No. S4-DEL-FE1-2023, issued on April 10, 2023.

<sup>3</sup> 15 U.S.C. § 717b(c). The United States currently has FTAs requiring national treatment for trade in natural gas with Australia, Bahrain, Canada, Chile, Colombia, Dominican Republic, El Salvador, Guatemala, Honduras, Jordan, Mexico, Morocco, Nicaragua, Oman, Panama, Peru, Republic of Korea, and Singapore. FTAs with Israel and Costa Rica do not require national treatment for trade in natural gas.

<sup>4</sup> 15 U.S.C. § 717b(a).

<sup>5</sup> See 10 C.F.R. §§ 590.102(p), 590.208(a); see also *Eagle LNG Partners Jacksonville II LLC*, DOE/FECM Order No. 4975, at 12 (Ordering Para. A).

<sup>6</sup> See DOE/FECM Order No. 4975 at 11 (Term & Condition H).

<sup>7</sup> See *id.* at 3, 5, 12 (Ordering Para. A).

export LNG obtained from any of the 13 facilities listed in Appendix C of its original application.<sup>8</sup> DOE stated that, “[i]f in the future, Eagle Maxville wishes to obtain LNG for export from [other] facilities ..., it will be required to file with DOE a request to amend this Order to add those facilities.”<sup>9</sup>

On March 15, 2024, Eagle Maxville filed an amendment application<sup>10</sup> under NGA section 3, asking DOE to amend Order No. 4975 “to add 28 new facilities to the list of facilities from which [it] may source LNG for export,” for a total of 41 potential facilities from which Eagle Maxville may obtain LNG.<sup>11</sup> Eagle Maxville listed these 41 facilities, together with their associated ports, as Amended Appendix C to the 2024 Amendment Application.<sup>12</sup> On June 13, 2024, DOE granted Eagle Maxville’s requested amendment in Order No. 4975-A.<sup>13</sup>

On April 30, 2025, Eagle Maxville filed another amendment application (2025 Amendment Application),<sup>14</sup> under NGA section 3, asking DOE to amend Order No. 4975, as amended by Order No. 4975-A,<sup>15</sup> “to add transfers of U.S.-sourced LNG in bunkering operations

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<sup>8</sup> See DOE/FECM Order No. 4975 at 12 (Ordering Para. A).

<sup>9</sup> *Id.* at 12 n.45.

<sup>10</sup> Eagle LNG Partners Jacksonville II LLC, Application to Amend Long-Term, Multi-Contract Authorization to Export Natural Gas to Free Trade Agreement and Non-Free Trade Agreement Nations, Docket No. 22-168-LNG (Mar. 15, 2024), <https://www.energy.gov/sites/default/files/2024-03/DOE%20Amendment%20Application%20for%20Eagle%20LNG%20Export%20%28Final%20with%20Opinion%29.pdf> [hereinafter 2024 Amendment Application].

<sup>11</sup> *Id.* at 2.

<sup>12</sup> See *id.* at 3 and Amended Appendix C.

<sup>13</sup> *Eagle LNG Partners Jacksonville II LLC*, DOE/FECM Order No. 4975-A, Docket No. 22-168-LNG, Order Amending Long-Term Authorization to Export Liquefied Natural Gas to Free Trade Agreement Nations and for Small-Scale Exports of Liquefied Natural Gas, at 6 (Ordering Para. A) (June 13, 2024).

<sup>14</sup> Eagle LNG Partners Jacksonville II LLC, Application to Amend Long-Term, Multi-Contract Authorization to Export Natural Gas to Free Trade Agreement and Non-Free Trade Agreement Nations to Include Exports of LNG by Ship-to-Ship Transfers Within the Territorial Seas and Ports of Foreign Countries, Docket Nos. 22-168-LNG and 17-79-LNG (Apr. 30, 2025), <https://www.energy.gov/sites/default/files/2025-05/2025.04.30%20Eagle%20LNG%20Maxville%20Application%20to%20Amend%20to%20Add%20%20Bunkering%20in%20Foreign%20Territorial%20Waters.pdf> [hereinafter 2025 Amendment App.].

<sup>15</sup> Eagle Maxville also requested an amendment to Order No. 4078-B (under Docket No. 17-79-LNG). As explained above at note 1, DOE’s Order No. 4078-B vacated underlying Order No. 4078, as amended. Therefore, DOE interprets Eagle Maxville’s request specifically to amend Order No. 4975 (as amended by Order No. 4975-A).

conducted within the territorial seas of foreign countries (including ports of such foreign countries) to the categories of activities” its amended authorization allows.<sup>16</sup>

In support of this requested amendment, Eagle Maxville cites DOE’s recent order noting that “the ship-to-ship transfer of bunker fuel may constitute an ‘export’ of LNG in certain circumstances.”<sup>17</sup> Eagle Maxville seeks “the same authorization to export LNG through deliveries in bunkering events taking place in the territorial seas of foreign countries (including foreign ports),” and specifically requests that its current Order No. 4975, as amended, “apply to Eagle Maxville’s ship-to-ship transfer of U.S. LNG for use as marine fuel when the receiving ship (regardless of the flag or registration of the receiving ship) is located in the territorial sea of a foreign country (including in foreign ports), as determined by that country and recognized by the United States.”<sup>18</sup> Eagle Maxville states that its amendment request would allow it “to continue to supply LNG as marine fuel in accordance with its existing contractual commitments and to take advantage of new opportunities to supply LNG for use as bunkering fuel through transfers in the territorial seas of foreign countries and in foreign ports as those opportunities appear.”<sup>19</sup> Eagle Maxville notes that it “is not seeking any other changes to its Existing Authorizations in this Amendment Application and, in particular, is not seeking to increase the quantity of LNG it is authorized to export.”<sup>20</sup> Eagle Maxville adds that “no construction is needed in order for Eagle Maxville to continue to supply LNG for export through bunkering operations occurring in the territorial waters (including ports) of foreign countries.”<sup>21</sup>

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<sup>16</sup> 2025 Amendment App. at 2.

<sup>17</sup> *Id.* at 5 (citing *JAX LNG, LLC*, DOE/FECM Order No 5233-A, Docket No. 24-73-LNG, Order Granting Request for Rehearing and Clarification and Modifying Order, at 8 (Feb. 25, 2025)).

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

<sup>21</sup> *Id.* at 6.

In this consolidated Order, DOE grants Eagle Maxville’s 2025 Amendment Application. Specifically, DOE authorizes Eagle Maxville to export U.S. LNG not only when loaded in approved ISO containers on vessels, but also when loaded into bunkering vessels for transfer as marine fuel to ships located within the territorial sea of a foreign country (including in foreign ports), as determined by that country and recognized by the United States,<sup>22</sup> for export to FTA countries and to non-FTA countries (as small-scale natural gas exports), as set forth below.

Additionally, as established in Order No. 4975, this amendment does not provide Eagle Maxville with an independent right to purchase or load LNG at any of the authorized facilities.<sup>23</sup> DOE takes no position on the commercial arrangements that may be necessary for Eagle Maxville to effectuate the export of LNG approved in Order No. 4975, as amended by Order No. 4975-A and this Order.

## **II. FINDINGS AND CONCLUSIONS**

### **A. Amendment to FTA Authorization**

Section 3(c) of the NGA was amended by section 201 of the Energy Policy Act of 1992 (Pub. L. 102-486) to require that applications requesting authority for (a) the import and export of natural gas, including LNG, from and to a nation with which there is in effect a FTA requiring national treatment for trade in natural gas, and/or (b) the import of LNG from other international sources, be deemed consistent with the public interest and granted without modification or delay. The portion of the 2025 Amendment Application requesting an amendment to the FTA authorization in DOE/FECM Order No. 4975, as amended, falls within NGA section 3(c).

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<sup>22</sup> See Cf. 33 C.F.R. § 2.22(b) (U.S. Coast Guard regulation stating that, “[w]ith respect to any other nation, territorial sea means the waters adjacent to its coast that have a width and baseline recognized by the United States.”); see also U.S. Dep’t of State, Office of Ocean & Polar Affairs, Limits in the Seas (updated Jan. 2025), <https://www.state.gov/limits-in-the-seas> (documenting maritime boundaries and/or claims for “coastal States” around the world).

<sup>23</sup> *Eagle LNG Partners Jacksonville II LLC*, DOE/FECM Order No. 4975, at 12 (Ordering Para. B).

Therefore, DOE is charged with granting the requested amendment without modification or delay.

### **B. Amendment to Small-Scale Natural Gas Export Authorization**

As noted, DOE previously determined in Order No. 4975, as amended, that Eagle Maxville's exports to non-FTA countries qualify as small-scale natural gas exports under 10 C.F.R. §§ 590.102(p) and 590.208(a).<sup>24</sup> In the 2025 Amendment Application, Eagle Maxville is not seeking any changes to its requested small-scale export authorization (including to the 51.75 Bcf/yr volume limitation),<sup>25</sup> except to include certain bunkering fuel operations in its authorized export activities. Additionally, DOE's National Environmental Policy Act procedures provide for a categorical exclusion if neither an environmental impact statement nor an environmental assessment is required—specifically, categorical exclusion B5.7 (10 C.F.R. Part 1021, Subpart D, Appendix B5), *Export of natural gas and associated transportation by marine vessel*.<sup>26</sup> On July 15, 2025, DOE issued a categorical exclusion for the non-FTA portion of Eagle Maxville's 2025 Amendment Application under this provision.<sup>27</sup> Accordingly, pursuant to 10 C.F.R. § 590.208(a), Eagle Maxville's requested amendment to its small-scale authorization in Order No. 4975, as amended, is deemed to be consistent with the public interest under NGA section 3(a), and DOE grants the requested amendment.

### **C. Reporting Obligations**

In the 2025 Amendment Application, Eagle Maxville states that “going forward, it will have to report as exports all ship-to-ship transfers of LNG which it has supplied for use as

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<sup>24</sup> See *id.* at 4, 7-8.

<sup>25</sup> 10 C.F.R. § 590.102(p).

<sup>26</sup> See 10 C.F.R. Part 1021, Subpt. D, App. B, Categorical Exclusion B5.7; see also U.S. Dep't of Energy, National Environmental Policy Act Implementing Procedures; Final Rule, 85 Fed. Reg. 78,197 (Dec. 4, 2020).

<sup>27</sup> U.S. Dep't of Energy, Categorical Exclusion Determination, Eagle LNG Partners Jacksonville II LLC, Docket No. 22-168-LNG (July 15, 2025).

marine fuel that occur within the territorial sea of a foreign country, including transfers that take place in foreign ports.”<sup>28</sup> In order to meet this reporting obligation, Eagle Maxville requests DOE to clarify how they should determine the date the export occurred in its reports to DOE. The date of the export should be reported as the date on which the LNG was transferred from the bunkering vessel to a receiving ship for the ship’s consumption and use as marine fuel. As stated earlier, this LNG would only be reported as an export when the receiving ship is located anywhere in a foreign country’s territorial sea (including in a foreign port).<sup>29</sup>

### **III. ORDER**

Pursuant to section 3 of the Natural Gas Act, it is ordered that:

A. The 2025 Amendment Application filed by Eagle LNG Partners Jacksonville II LLC (Eagle Maxville) to amend descriptions of activities by which it is authorized to export LNG is granted.

B. In DOE/FECM Order No. 4975, as amended by DOE/FECM Order No. 4975-A, Ordering Paragraph A is amended to state in full:

A. Eagle LNG Partners Jacksonville II LLC (Eagle Maxville) is authorized by DOE to export domestically produced LNG obtained from any of the 41 facilities listed in Amended Appendix C to the Amendment Application filed on March 15, 2024.<sup>30</sup> Eagle Maxville is authorized to export this LNG in a volume equivalent to 51.75

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<sup>28</sup> 2025 Amendment App. at 7 (citing *JAX LNG, LLC*, DOE/FECM Order No 5233-A, Docket No. 24-73-LNG, Order Granting Request for Rehearing and Clarification and Modifying Order, at 14 (Feb. 25, 2025)).

<sup>29</sup> See U.N. Convention on the Law of the Sea, Art. 2(1) (establishing that “[t]he sovereignty of a coastal State extends, beyond its land territory and internal waters and, in the case of an archipelagic State, its archipelagic waters, to an adjacent belt of sea, described as the territorial sea”) (emphasis added); see also 33 C.F.R. § 2.22 (describing both the U.S. territorial sea and the territorial sea of any other nation).

<sup>30</sup> If, in the future, Eagle Maxville wishes to obtain LNG for export from facilities other than the 41 facilities listed in Amended Appendix C, it will be required to file with DOE a request to amend this Order to add those facilities. DOE will evaluate that request under the same standards of review discussed above.

billion cubic feet per year of natural gas in two ways: (i) in approved ISO containers on vessels, and (ii) loaded into bunkering vessels for transfer as marine fuel to ships located within the territorial sea of a foreign country (including in foreign ports).<sup>31</sup> The FTA and small-scale authorizations will commence on the date of this Order and extend through December 31, 2050. Eagle Maxville is authorized to export this LNG on its own behalf and as agent for other entities that hold title to the natural gas, pursuant to one or more contracts of any duration.<sup>32</sup>

C. In DOE/FECM Order No. 4975, Ordering Paragraph C is amended to state in full:

C. Exports of LNG under this Order may be exported by vessel to any country with the capacity to import LNG, and with which trade is not prohibited by U.S. law or policy. This encompasses ships receiving exports of LNG for use as marine fuel via ship-to-ship transfer, when the ship is located within the territorial sea of such a foreign country (including in a foreign port).

D. In DOE/FECM Order No. 4975, Ordering Paragraph G is amended to insert the following paragraph between the first and second paragraphs (so that the second paragraph becomes the third):

For exports of LNG for use as marine fuel, registration requirements apply at the point of ship-to-ship transfer of such fuel, provided such transfer occurs within the territorial sea of a foreign country (including in foreign ports).

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<sup>31</sup> As previously noted, DOE defers to each country's determination of its own territorial sea for this purpose, as recognized by the United States; *see also supra* note 22.

<sup>32</sup> *See* U.S. Dep't of Energy, Including Short-Term Export Authority in Long-Term Authorizations for the Export of Natural Gas on a Non-Additive Basis, 86 Fed. Reg. 2243 (Jan. 12, 2021).



E. All other obligations, rights, and responsibilities established by DOE/FECM Order No. 4975, as amended by Order No. 4975-A, remain in effect.

Issued in Washington, D.C., on July 16, 2025.

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Office of Resource Sustainability