

INTRODUCTION

LIQUEFIED NATURAL GAS AND THE ENVIRONMENT

*Victor B. Flatt**

The Environmental & Energy Law & Policy Journal was founded by a dedicated group of students and faculty at the University of Houston Law Center who realized that the link between energy usage and environmental effects was so important that there needed to be a forum where these issues could be debated and considered together, rather than in isolation. In this, the Journal's second symposium issue, this goal is well realized with an examination of the trends, markets, and environmental ramifications of the potential vast increase in the use of Liquefied Natural Gas ("LNG") in this country. The Journal is very lucky to have such a distinguished panel of academics and practitioners to help explore this issue.

Many forces, from the war on terror to concerns over climate change, have brought us to this moment in history where proposed LNG import liquefaction terminals outnumber existing ones by 8 to 1. Sheila Slocum Hollis of Duane Morris, an expert on the politics and market forces underlying natural gas, and in particular LNG, brings us the most comprehensive discussion to date on the prospects for an increase in LNG. She notes that while many of these proposed terminals may not be built, the increasing use of LNG is coming and will have an important impact on this country's energy usage mix.

Irma Russell, Professor of Law and Director of the National Energy-Environmental Law & Policy Institute at the University

* Professor Flatt is the A.L. O'Quinn Chair in Environmental Law at the University of Houston. He currently serves as the Faculty Editor-in-Chief for the Environmental & Energy Law & Policy Journal, and was the faculty director for the LNG symposium.

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of Tulsa College of Law, then leads us through the many issues that the increasing use of LNG may suggest. The vast increase in the delivery of this one form of energy implicates environmental quality, regional development, economic trends, CO₂ production, and even the geo-politics of fossil fuel. Only recently, President Putin of Russia made a trip to Qatar, which sits on one of the biggest supplies of natural gas that is likely to be exported as LNG, to discuss the creation of a cartel similar to OPEC.

Professor Russell acknowledges that LNG may be the “best” of the fossil fuels environmentally, due to its relative clean burning and lower CO₂ output per unit of energy, but she makes an important argument that the seduction of increased natural gas as a solution to environmental problems may not be environmentally beneficial in the long run. In particular, she fears that it may lessen the push for renewable energy and further complicate the political costs associated with fossil fuels. Professor Russell also gives us an important review of the safety concerns associated with LNG, and why localities may oppose siting of LNG facilities.

Eileen Gauna, Professor of Law at the University of New Mexico School of Law, sees this opposition to siting of LNG facilities from a different point of view. Professor Gauna is an expert on issues of environmental justice, and she explores the many facets of environmental inequality that the increasing use of LNG will impact. Despite possible environmental positives that will be realized through the increasing use of natural gas to produce electricity and heating in this country, Professor Gauna notes the problematic politics of siting the new gasification terminals that will be needed to handle a major increase in LNG imports. The “not in my back yard,” or NIMBY, scenario is a familiar one, which Professor Gauna notes often leads to the concentration of environmental harms among poor and minority communities, those that are least likely to be able to oppose them. Though many parties opposed the “nationalization” of LNG terminal siting in the Energy Policy Act of 2005, Professor Gauna notes that this may be one of the few tools we have to limit the increasing concentration of these less-than-environmentally-desirable terminals in poor and minority areas like the Gulf Coast. What we are left with is a very complex picture of the environmental benefits and costs of increasing LNG use and where those costs and benefits will fall.

The symposium concludes with remarks by the Honorable Danny J. Boggs, chief judge of the Sixth Circuit Court of Appeals, and former Deputy Secretary of Energy in the Reagan

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administration. As one of the historic players in the perils and promise of LNG who has followed its ups and downs since his DOE days, Judge Boggs gives us a depth of perspective on the factors pushing LNG and how they may play out in the long run.

Together our authors provide an invaluable exploration of the complex and myriad issues associated with the recent push to exponentially expand the use of LNG in this country. From history to politics to climate change to environmental justice, our authors provide important food for thought about the factors, particularly environmental ones, which are important in the race towards LNG as a major energy source in the U.S. As the first in-depth academic exploration of LNG, we hope that this issue will long provide information for policy makers, academics, business, and the public.