

US EPA ARCHIVE DOCUMENT



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October 8, 2014

Mr. Wren Stenger
Director, Multimedia Planning and Permitting Division
United States Environmental Protection Agency, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

ATTN: Mr. Jeff Robinson

Re: Cheniere Corpus Christi Pipeline, L.P.
Permit No. PSD-TX-1304-GHG
Withdrawal of GHG Permit Application for Sinton Compressor Station

Dear Mr. Stenger:

By this letter, Cheniere Corpus Christi Pipeline, L.P. (CCPL) is formally withdrawing its pending application to EPA Region 6 for a greenhouse gas (GHG) Prevention of Significant Deterioration (PSD) permit for the Sinton Compressor Station, originally filed on August 31, 2012. CCPL applied for this permit based on EPA's earlier determination under 40 C.F.R. § 52.21(b)(49) that the anticipated GHG emissions from the Sinton Compressor Station triggered PSD review. A draft GHG PSD permit (PSD-TX-1304-GHG) was issued by Region 6 on February 6, 2014. On March 27, 2014, Region 6 sent a letter to CCPL requesting the selection of a GHG PSD permitting authority pursuant to the pending approval of Texas GHG permitting rules and the anticipated withdrawal of the Texas GHG Federal Implementation Plan. On May 8, 2014, CCPL responded and notified EPA Region 6 that it had selected the Region as the GHG PSD permitting authority for the Sinton Compressor Station.

On June 23, 2014, prior to final issuance of the Sinton Compressor Station's GHG PSD permit, the United States Supreme Court issued a decision in *Utility Air Regulatory Group v. EPA*, 134 S. Ct. 2427 (2014), in which the Court held invalid the EPA regulations under which the permit application was filed, supporting CCPL's withdrawal of the application. Our withdrawal of the permit application in light of the underlying requirement becoming invalid also is consistent with recent EPA guidance regarding air permitting following the *UARG* decision. Specifically, EPA's guidance provides that "EPA does not intend to continue processing PSD or Title V permit applications for Step 2 sources or require new applications for such permits in cases where the EPA is the permitting authority." McCabe & Giles, "Next Steps and Preliminary View on the Application of Clean Air Act Permitting Programs to Greenhouse gases Following the Supreme Court's Decision in *Utility Air Regulatory Group v. Environmental Protection Agency*," at 2 (July 24, 2014).

CCPL will of course remain subject to all permits required by the Texas Commission on Environmental Quality related to the Sinton Compressor Station's authorization as a minor source of other pollutants. We also wanted to acknowledge all the effort you and your staff put into processing our permit application.

Please do not hesitate to contact me with questions at (713) 375-5204 or Andrew Chartrand at (713) 375-5429.

Sincerely,

R. Keith Teague
Chief Operating Officer
Cheniere Energy, Inc.