

# Background on Puget Sound Energy (PSE) Tacoma Liquefied Natural Gas Facility

*Project, Litigation, and Community Opposition*

Revised: November 16, 2021

## What is Tacoma LNG?

The Tacoma Liquefied Natural Gas (LNG) facility is a refinery proposed by Puget Sound Energy (PSE) on the Tacoma Tideflats, located on the ancestral territory of the Puyallup Tribe. The facility is capable of refining and storing 8 million gallons of liquefied fracked gas. Although it is largely constructed, the facility is not yet operational and is currently being challenged in court by environmental advocates and the Puyallup Tribe.

## Project Impacts and Concerns

Citing climate, health, and safety concerns, the project has faced years of fierce opposition from the local community and from the Puyallup Tribe, whose treaty territory includes areas where the facility is located.

The facility, which stores and requires transport of extremely volatile materials by pipeline, ship, and truck, is located immediately adjacent to the Puyallup Reservation, the residential neighborhood of Northeast Tacoma, an immigration detention center holding up to 1,575, and several other high-risk facilities including the US Oil Refinery and toxic superfund sites in the Port. The refinery would also emit toxins including benzene, xylene, toluene, and particulate matter, known to cause asthma, cancer, birth defects, and premature death among other health conditions. In addition to these immediate health and safety con-



cerns, community organizations and the Puyallup Tribe cite that the project essentially functions as a massive fracked gas storage facility, locking in major new fossil fuel infrastructure that undermines Washington's ability to meet our state climate goals. The new fracked gas facility is also at odds with the Climate Emergency Declarations issued by both the City of Tacoma and the Puyallup Tribe in 2019.

In addition to these risks, permitting agencies responsible for the project also *failed to engage the Puyallup Tribe in meaningful consultation.* These

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concerns have also been affirmed by the Tacoma Human Rights Commission, which urged the City of Tacoma to conduct additional evaluation due to the failure to properly consult the Puyallup Tribe, and the risks that the facility poses to tribal members and people detained at the Northwest Detention Center. This additional evaluation was never conducted.

## Appeal and Current Project Status

In December 2019, the Puyallup Tribe, as well as the five environmental organizations represented by Earthjustice, filed appeals challenging Tacoma LNG's permits. These appeals are attempting to invalidate PSE's air permits issued by the Puget Sound Clean Air Agency (PSCAA), on the grounds that they were issued based on flawed and inadequate analysis that dramatically underestimated the climate impacts of the project.

In January, 2021, Washington Attorney General filed an amicus brief in support of the lawsuit challenging PSE's LNG facility, stating that "by obscuring the Project's actual climate impact and omitting the speculative nature of its assumptions, the FSEIS



## Project Timeline

- 2014** ● Puget Sound Energy (PSE) proposed the facility, triggering an Environmental Impact Statement (EIS) from the City of Tacoma. The EIS was required because the project has the potential to cause significant environmental impacts.
- 2016** ● Despite not having permits approved, PSE began construction of the LNG plant.
- 2017** ● The Puget Sound Clean Air Agency (PSCAA) issued a notice of violation to PSE for their "failure to obtain a notice of construction approval prior to construction".
- Early 2018** ● PSCAA determined that another EIS (known as a supplemental, or SEIS) was needed because the original EIS touted LNG as a "cleaner" fuel source, but did not provide evidence to prove that statement. The SEIS looks at air pollution impacts from the LNG facility, particularly greenhouse gases (GHG).
- April 2019** ● Tacoma Human Rights Commission urged the City of Tacoma to conduct additional evaluation of the facility due to the failure to properly consult the Puyallup Tribe and the risks that the facility poses to tribal members and people detained at the Northwest Detention Center. *This additional evaluation was never conducted.*
- May 2019** ● Governor Jay Inslee reversed his previous approval of the project, stating, he "cannot in good conscience support continued construction of a liquefied natural gas plant in Tacoma...We have to act based on clear science."
- Summer 2019** ● PSCAA announces preliminary approval for the final necessary permit for the project and holds a comment period and public hearing on the draft EIS. Over 80 community organizations, hundreds of Tacoma community members, and Puyallup Tribal leadership and members comment in opposition to the project.



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failed in its primary purpose under the State Environmental Policy Act (SEPA).” In addition to the permit appeal, advocates have also sought a stay on construction and delayed approval of operation of the facility as it nears completion ahead of a decision on the legal challenges to the facility—a timeline that is only possible because PSE began illegally constructing the facility years before receiving all the necessary permits.

In April 2021, the Puyallup Tribe and five environmental organizations represented by Earthjustice had a hearing before the Pollution Control Hearings Board (PCHB) and are now expecting a decision on their appeals in November. If advocates are successful in their appeal, PSCAA would be required to conduct a new environmental analysis and permitting process in order for PSE to operate the facility.

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## Project Timeline (cont.)

Dec  
2019

PSCAA issues the final permit for the project and five environmental organizations and the Puyallup Tribe file appeals challenging the permit, pushing back against PSCAA’s determination that the climate impacts of the LNG facility would be negligible and claiming that its environmental impact statement misrepresents the dramatic impacts of fracked gas on our climate and community safety.

Jan  
2021

Washington Attorney General filed an amicus brief in support of the lawsuit challenging PSE’s LNG facility, stating that “by obscuring the Project’s actual climate impact and omitting the speculative nature of its assumptions, the FSEIS failed in its primary purpose under the State Environmental Policy Act (SEPA).”

March  
2021

Power Past Fracked Gas coalition put Puget Sound Energy (PSE) on mock trial in Washington People’s Court of Public Opinion to hold PSE, bringing attention to PSE’s broader pattern of appalling actions ignoring tribal and community concerns, recklessly pursuing new fossil fuel infrastructure, and actively impeding state and local policy efforts to transition away from fracked gas and toward clean energy.

April  
2021

The Puyallup Tribe and environmental advocates had their hearing against PSE’s Tacoma LNG in front of the Pollution Control Hearings Board, challenging a critical air permit for the facility.

Nov  
2021

The Pollution Control Hearings Board will issue a decision on the appeals of the Puyallup Tribe and environmental advocates—determining whether PSE can proceed with operation or invalidating its permits and requiring additional environmental analysis.



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