

U.S. Department of
Homeland Security

United States
Coast Guard



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16671
P 340-26
October 2, 2026

NFEnergía LLC
Attn: Mr. Carlos Faris
Section 1 San Juan Harbor
San Juan PR, 00922

Dear Mr. Faris,

It has come to my attention through the Court Order dated October 1, 2026, that New Fortress Energy's (NFE) plans to bring Liquefied Natural Gas (LNG) into San Juan Bay via AMUR RIVER. CIV No. 25-1462 (SCC), ECF No. 420. The specifications of AMUR RIVER are beyond the scope of the Waterway Suitability Assessment (WSA) submitted by NFE in 2025 and its use has not been contemplated or evaluated by my office. Use of the AMUR RIVER to bring LNG into San Juan Bay may require reconsideration of my January 12, 2026, Letter of Recommendation (LOR). Please be advised that requests for reconsideration of an LOR must be submitted directly to this office in accordance with 33 CFR § 127.010.

Independent of the reconsideration issue, available evidence indicates that NFE has failed to comply with 33 CFR § 127.007(h)(2)–(3) on several occasions. My office must act prudently on this basis, and formal correspondence detailing these compliance findings will follow. In the interim, the remarks below provide some insight. They do not constitute a decision or determination of the Captain of the Port.

Under governing statutes and regulations, LNG facility operations generally may not commence before the Federal Energy Regulatory Commission (FERC) issues a Commission Order and formal Authorization. NFE's operation remains atypical because it has operated for several years without either instrument. While FERC exercised enforcement discretion in 2021—partially based on a favorable 2018 LOR issued by my office for a substantially smaller facility—NFE has since significantly expanded its operational scope. In 2025, NFE submitted a Follow-on Waterway Suitability Assessment (WSA). However, NFE has since failed to submit the mandatory updates and revisions required by federal regulation.

This failure to follow established regulatory procedures jeopardizes the validity of the suitability determination set forth in the January 12, 2026, LOR and compromises NFE's ability to secure an expeditious, favorable order from FERC.

In the absence of a FERC order, the requirements of 33 CFR § 127.007(g)–(h) govern directly. As noted, NFE failed to meet its obligations under 33 CFR § 127.007(h)(2)–(3), but this is not a determination that the operation is inherently unsafe. Rather, it establishes that: NFE has not provided mandatory operational updates to waterway stakeholders; and NFE currently lacks an

updated, favorable suitability determination from this office covering its existing operating profile.

The suitability determination in the January 12, 2026, LOR relies strictly on technical data and operational parameters supplied by NFE prior to that date. These inputs included: number, capacity, classification, and deployment protocol of escort and assist tugs; and physical dimensions and maneuvering characteristics of the LNG Floating Storage Units (FSUs). Based on rigorous review of that data, specific extraordinary safety measures were established, validated, and implemented. Current observations indicate changes that affect NFE's ability or willingness to execute these extraordinary measures as designed.

Navigational safety depends upon transparent, ongoing collaboration with port stakeholders to ensure that proposed operations are neither injurious to the public nor inconsistent with the public interest. Therefore, I urge NFE to convene a second risk analysis workshop—with the same stakeholder participation as the WSA Maritime Safety Risk Analysis Workshop held on July 23, 2024—to evaluate all proposed operational modifications and determine whether existing risk mitigations remain adequate. Consequently, NFE must formally revise its 2025 WSA to support an updated suitability assessment.

While this regulatory process proceeds, I expect NFE and all participating entities to adhere strictly to the risk mitigation measures established in the 2026 LOR. Safe maritime commerce depends upon strict compliance, transparency, and accountability among all port partners.

Formal correspondence outlining required actions and compliance deadlines will be issued within 30 days. If you have questions regarding this letter or required administrative processes, please contact CDR Alejandro M. Collazo González, Head of the Commercial Compliance and Waterways Management.

Sincerely,



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Luis J. Rodríguez
Captain, U.S. Coast Guard
Sector Commander

Copy: Federal Energy Regulatory Commission, Division of LNG
U.S. Army Corps of Engineers, Caribbean District, San Juan, PR
Puerto Rico Port Authority, San Juan, PR
San Juan Bay Pilots, San Juan, PR