



Western Pocahontas Properties

Limited Partnership

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REGULATORY COMMISSION

ORIGINAL

September 14, 2017

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

RE: Atlantic Coast Pipeline (Docket No.'s CP 15-554-000 & CP15-554-001)

Dear Secretary Bose:

Western Pocahontas Properties Limited Partnership and WPP LLC (collectively "WPP") own coal and or mineral, with extensive surface rights, in Harrison, Lewis and Randolph Counties of West Virginia. This letter supplements our original letter to you dated January 24, 2017 (attached as Exhibit A). In reviewing the status of the Atlantic Coast Pipeline (ACP), we understand that the project has not been approved, but the Final Environmental Impact Statement ("FEIS") has been. Section 4.1.3 of the FEIS (attached as Exhibit B) noted the ACP would cross 15 known underground coal mines but would not interfere with any active mines. We believe FERC has been misinformed regarding the status of active coal mines, permits and planned operations of coal operators that will be affected by ACP.

Our particular concern relates to the mining operations of our Lessee, Carter Roag Coal Company, in Randolph County, West Virginia, located on WPP property and shown on Exhibit C attached. Mining operations on WPP property that ACP will disrupt consist of the following active facilities and planned mines:

- Blue Rock Knob Refuse Area - Permit #O-0031-85 – Active Mining Operation.

Carter Roag Coal Company operates a coal preparation plant and associated refuse disposal area that have been in continuous operation since 2004. The refuse area has an area permitted for coal removal and for the generation of overburden material for reclamation purposes. The proposed ACP route also crosses an area permitted for coal removal, spoil disposal and drainage control structures. The ACP will make this permitted and actively used area unusable due to blasting restrictions and safety concerns.

- Morgan Camp Mine – Permit # U-2012-97 – Active coal mine.

The Morgan Camp Mine was permitted in 1998 to mine metallurgical coal. The mine was faced-up in 2007 with limited mining, and then the mine was temporarily idled. Construction resumed on the mine portal and haul roads in July, 2017, is active now, and mining is planned to resume in October, 2017. The proposed route of the ACP is through the deep mine permit (portal facilities area) and overlies the planned (permitted) deep mine. It is also under existing haul roads. Subsidence is expected. In other words, they want to put the line right through the middle of the center of activity at this active coal mine. Construction of the pipeline will create safety hazards and directly interfere with mining and transportation of coal from the mine. Blasting during pipeline installation may force the evacuation of the mine, and lost production and revenue will certainly occur. Blasting near the mine could cause entry instability.

- Beech Mountain Deep Mine Permit – Permit # U-2014-08 – Soon to be active.

The Beech Mountain Deep Mine Permit was approved in 2010. Carter Roag Coal Company plans to begin construction in late 2017 and begin mining coal in 2018. The proposed route of the ACP overlies the permitted reserve area, underlies and crosses haul roads, and interferes with mining. Subsidence is expected. Blasting during pipeline installation may force the evacuation of the mine and result in lost production and revenue. Blasting near the mine could cause entry instability.

WPP has identified potential health and safety issues which will occur when the pipeline is installed and could occur while mining under or near this proposed 42" inch pipeline. These issues include, but are not limited to, pipeline leaks caused by mine subsidence and inadvertent or accidental pipeline ruptures caused by equipment operator errors. If a pipeline leak occurs it is possible for gas to enter the mine openings and the mining areas by natural migration or an intake ventilation fan could actually pull the gas into the mine where a spark could ignite the gas causing an explosion resulting in the loss of life.

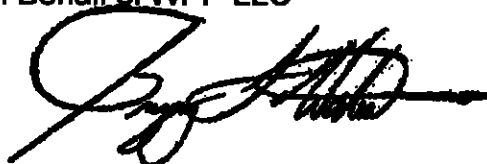
While the FEIS downplays the likelihood of some of our concerns occurring, it does not offer the guarantee they will not or cannot happen. Now the question becomes "is FERC willing to possibly put the lives of miners at risk when a change of location of the pipeline to an area previously recommended by WPP would remove that risk." Secondary concerns which should be considered include increased costs of mining due to the constant restaging of mining equipment.

WPP has previously submitted to ACP a recommended alternative location (as shown on attached Exhibit C) to the east of these mining operations which would remove the risk of these safety and economic concerns. It is inconceivable to WPP that FERC would approve the construction of this pipeline in its presently proposed location given the risks and concerns expressed above.

WPP requests that FERC deny approval of this pipeline until WPP's concerns have been addressed.

Sincerely,

NRP (Operating) LLC
On Behalf of WPP LLC



Gregory F. Wooten
Vice President and Chief Engineer

Cc: Atlantic Coast Pipeline, LLC – Dominion Energy

Attention: Jamie S. Burton
Senior Land Agent
Atlantic Coast Pipeline, LLC
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EXHIBIT - A

NRP (OPERATING) LLC
5260 Irwin Road
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(304) 522-5757 • Fax (304) 522-5401

January 24, 2017

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE., Room 1A
Washington, DC 20426

RE: Atlantic Coast Pipeline (Docket No.'s CP 15-554-000 & CP15-554-001)

Dear Secretary Bose:

Western Pocahontas Properties Limited Partnership and WPP LLC (collectively "WPP") have mineral ownership, with extensive surface rights appurtenant thereto, in Harrison, Lewis and Randolph Counties, West Virginia within the foot print of this pipeline as presently proposed. This letter is to express WPP's objection to this project due to the apparent lack of concern by the operators and owners of the Atlantic Coast Pipeline regarding these ownership rights. It is our belief that FERC should require the owners and operators of pipelines subject to FERC approval to address the concerns and property rights of any owners of any estates lying within the footprint of a pipeline of this nature.

WPP has identified potential health and safety issues and operating inefficiencies which could occur while mining under or near this proposed pipeline. The pipeline as proposed would present safety issues when mining, not to mention the costs associated with constantly restaging equipment for surface mining operations. We notified Dominion of our concerns, and those concerns have not been addressed in any manner.

An area of particular concern to WPP and a specific example of the concern expressed above is a mining operation of Carter Roag Coal Company in Randolph County, West Virginia, located on property of WPP. The mining operation consists of the following facilities and or planned mines:

1. Morgan Camp #8 Deep Mine, Lower Sewell Seam – State Permit U-2012-97/MSHA Id. 46-08656
2. Morgan Camp #7 Deep Mine, Lower Sewell Seam – State Permit U-2009-97/MSHA Id. 46-08651
3. Beech Mountain Deep Mine – State Permit U-2014-08/MSHA Id. 46-09333
4. 1A Deep Mine – Lower Sewell Seam – State Permit U-111-83/MSHA Id. 46-06715
5. Proposed Buchanan Surface Mine, Sewell Seam
6. Proposed Hicks Ridge Surface Mine, Peerless Seam.
7. Blue Knob Refuse Disposal Facility – State Permit 0-31-85

As presently proposed the Atlantic Coast Pipeline runs essentially right through the heart of this mine complex. It would render two deep mine portals useless and may ultimately result in the loss of all reserves within this mine complex which total 13,361,778 tons broken down as follows:

Surface Met Coal	639,451 tons
Underground Met Coal	7,874,901 tons
Surface Thermal Coal	1,411,338 tons
Underground Thermal Coal	<u>3,436,088 tons</u>
Totals Tons	13,361,778 tons

The estimated present day value of these tons are as follows:

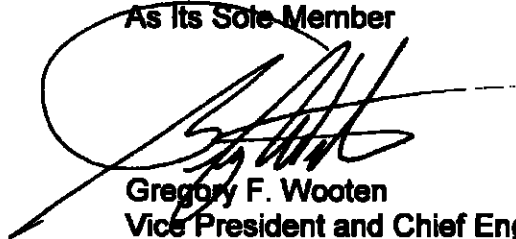
Total Met coal – 8,514,352 x \$191/ton = approximately 1.6 Billion Dollars
 Total Thermal Coal – 4,847,426 x \$55/ton = approximately 266 Million Dollars
 Total Value of Coal Reserves = approximately 1.9 Billion Dollars
 *Numbers are rounded off

The loss of this coal would also mean a loss of approximately 5% of the gross sales price of the coal or approximately 95 million dollars to the State of West Virginia. As you can see, the potential economic losses for the coal owner, coal operators, and the State of West Virginia are devastating. By adjusting the line location slightly to the east these losses could be avoided and it is inconceivable to WPP that FERC would approve the construction of this pipeline in its presently proposed location given the potential economic hardships which could occur.

Given the cavalier approach of the owners and operators of the Atlantic Coast Pipeline to the concerns and potential economic losses to WPP, we ask that FERC deny approval of this pipeline until WPP's concerns have been addressed.

Sincerely,

NRP (Operating) LLC
On Behalf of WPP LLC
As Its Sole Member

A handwritten signature in black ink, appearing to read 'G. Wooten', is written over the typed name and title. The signature is stylized and somewhat illegible.

Gregory F. Wooten
Vice President and Chief Engineer

TI/vg

CC: Ryan Rowland
Right of Way Supervisor
DOYLE LAND SERVICES, INC.
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Jamie Burton
Senior Land Agent
Dominion Transmission Inc.
Jamie.s.burton@dom.com

EXHIBIT - B

- **As part of its Implementation Plan (recommended Environmental Condition No. 6), Atlantic should file with the Secretary, for review and written approval by the Director of OEP, a revised *Karst Terrain Assessment Construction, Monitoring, and Mitigation Plan* that includes monitoring of all potential karst areas for subsidence and collapse using LiDAR monitoring methods during years 1, 2, and 5 following construction.**

Because methane is lighter than air, it would generally dissipate rapidly in the event of a pipeline leak, thereby causing little to no impact on karst or groundwater resources. However, concern was raised regarding the potential impacts of natural gas being drawn into a cave due to barometric changes, and methane dissolution into groundwater in the event of a leak. Because the pipeline would be installed either in soil or weathered bedrock, it is highly unlikely that any methane gas would be drawn into cave systems due to changes in atmospheric pressure. Moreover, the *Karst Mitigation Plan* specifically requires inspection of the trench during construction for any openings into the subsurface, and if openings are found, they would be sealed and/or mitigated to prevent migration and transport of contaminants, including gas-phase hydrocarbons. Methane has a solubility limit of 3.5 ml/100 ml of H₂O at 17 degrees Celsius, and is highly evaporative and readily degasses from aqueous solution and is considered non-toxic when dissolved in water. If methane was to partition into the groundwater, the impacts would be local and temporary. However, concentrations of methane in water exceeding 10 mg/L may have explosive potential if the methane degasses and migrates into enclosed spaces such as water well casings. Given that the pipeline would be monitored during operation and the likelihood of a gas release is low, we conclude that the probability for methane to impact karst features and associated groundwater to be low.

4.1.3 Mineral Resources

Non-fuel mineral resources identified in states and commonwealths crossed by ACP and SHP include crushed stone, sand and gravel, cement, lime, zirconium (Virginia only), phosphate rock (North Carolina only), and feldspar (North Carolina only) (USGS, 2013a).

The Appalachian region has a long history of coal production and numerous commercial coal mining operations (surface and underground) have operated since the late 1700s (Pennsylvania Department of Environmental Protection [PADEP], 2015a). Approximately 216 million tons of coal were mined in 2011 in Pennsylvania, Virginia, and West Virginia. No coal mining occurs in North Carolina (USGS, 2013a). Underground coal mines crossed by ACP and SHP would be room-and-pillar mines, where mine structural integrity is maintained by leaving pillars of the coal resource and timbers to provide mine ceiling (or roof) support, or longwall mines where a hydraulic roof support system is used during coal extraction and removed as the coal bed is removed. The roof rock is left unsupported as the hydraulic support system is removed, allowing the roof to collapse and potentially causing subsidence of the overlying ground surface. ACP pipelines would cross 15 known underground coal mines and SHP pipelines would cross 1 known underground coal mine. Additional discussion of potential impacts associated with mine subsidence is provided in section 4.1.4.5.

Oil and gas has been produced from conventional and unconventional reservoirs in Pennsylvania, West Virginia, and Virginia. Conventional production typically involves drilling vertical wells into sandstone and limestone reservoirs, whereas unconventional production involves drilling horizontally into shale deposits and hydraulically fracturing the shale to stimulate production. Conventional drilling for oil and natural gas resources has occurred in the ACP and SHP region since 1859. Over the last 5 years, the use of horizontal drilling and hydraulic fracturing have resulted in oil and gas production from the Marcellus Shale and Utica Shale in Pennsylvania and West Virginia.

A total of 304 and 166 active and inactive oil and gas wells have been identified within 0.25 mile of ACP and SHP, respectively (WVDEP, 2014a), along with gathering lines and other production facilities. Of these, a total of 14 active and 4 inactive or abandoned oil and gas wells occur within the ACP workspace. In addition, nine reclaimed surface mines would be crossed by the AP-1 mainline, in Lewis, Upshur, and Randolph Counties, West Virginia. No oil and gas wells occur within SHP workspace. Atlantic would consult with the well owners to revise construction workspace to avoid the well, or route around the well by an agreed-upon buffering distance. Comments were received concerning unknown orphan oil and gas wells that are not identified in state databases and could be encountered during construction. All oil and gas wells that were observed during project civil survey efforts were surveyed and incorporated into project alignment sheets. If a previously unidentified well is found during construction, Atlantic and DETI would follow a process similar to encountering a previously unknown utility line. The well would be identified, mapped, flagged, and avoided by the pipeline trenchline. If removal of the well is determined to be necessary, Atlantic or DETI would consult the owner and appropriate regulatory agencies as needed. Construction of ACP would require shallow excavation, and as a result, no impact would occur on the relatively deep oil and gas resources or the associated wells. As such, we conclude that ACP and SHP would not significantly impact active and inactive oil and gas wells in the project area.

Three active mineral resource facilities were identified within 0.25 mile of ACP. No active mining operations have been identified within 0.25 mile of SHP, and no active mineral resource facilities are crossed by ACP or SHP. Comments were received concerning inactive or proposed coal mines that may be crossed by ACP. Atlantic has identified 26 coal mines that are crossed by ACP in West Virginia where the mine status is identified as abandoned, permit revoked, closed-released, or not started. Atlantic has also identified 15 non-fuel mineral mines (manganese, limestone, clay, shale, and sand and gravel) that are within 0.25 mile of ACP. Atlantic is coordinating with these mine owners and/or operators to minimize and/or avoid impacts on these mines. Based on the above, we conclude that ACP and SHP would not significantly impact mineral resource operations in proximity to the projects.

4.1.4 Geologic Hazards

Geologic hazards are natural, physical conditions that can result in damage to land and structures or injury to people. Potential geologic hazards in ACP and SHP areas include earthquakes, surface faults, soil liquefaction, landslides, flooding; karst, acid-producing rock, and ground subsidence associated with historic underground coal mining.

4.1.4.1 Seismic Related Hazards

Most significant earthquakes around the world are associated with tectonic subduction zones, where one crustal plate is overriding another (e.g., the Japanese islands), where tectonic plates are sliding past each other (e.g., California), or where tectonic plates are converging (e.g., the Indian Sub-continent). Unlike these highly active tectonic regions, the east coast region of the United States occurs on the trailing edge of the North American tectonic plate, which is relatively quiet. While the east coast of the United States is relatively seismically quiet, earthquakes do occur in ACP and SHP areas, largely due to trailing edge tectonics and residual stress released from past orogenic events.

The shaking during an earthquake can be expressed in terms of the acceleration due to gravity (g). Seismic risk can be quantified by the motions experienced by the ground surface or structures during a given earthquake, expressed in terms of g. For reference, peak ground acceleration (PGA) of 10 percent of gravity (0.1 g) is generally considered the minimum threshold for damage to older structures or structures not constructed to resist earthquakes (Federal Emergency Management Agency [FEMA], 2006). The American Society of Civil Engineers Technical Council on Lifeline Earthquake Engineering defines the 10 percent probability of exceedance in 50 years (475-year return period) as the contingency design earthquake

for pipelines. The 2006 International Building Code has adopted the 2 percent probability of exceedance in 50 years (2,475-year return period) for the design of buildings (International Code Council, 2006).

The USGS (Petersen et al., 2016) estimates there is a 2 percent chance for an earthquake to occur over the next 50 years (recurrence interval of 2,475 years) that would result in a PGA greater than 0.1 gravity (g) for two locations within ACP and SHP areas. The area within the AP-1 mainline between MPs 170 to 260 is an area where PGA between 0.10 g and 0.15 g may be attained due to the proximity of the Central Virginia Seismic Zone (CVSZ)⁴ located approximately 25 miles to the northeast. The area near the terminus of the AP-2 mainline near Charleston, North Carolina is an area where PGA between 0.10 g and 0.11 g may be attained (Petersen et al. 2015). In such an event, the perceived shaking would be strong, but the potential damage would be light. The USGS also estimates that there is a 10 percent chance for an earthquake to occur in the next 50 years (i.e., a recurrence interval of 475 years) that would result in a PGA of between 0.02 g and 0.04 g in the project area. The remainder of ACP and SHP would be in areas with lower seismic risk than the areas noted above.

Earthquakes can also cause damage by causing the ground surface to break along a fault line. For a fault to be considered active, displacement must have taken place in the last 10,000 years (USGS, 2008). There is no evidence that the alignment crosses any active faults exhibiting surficial ground rupture. Sub-surface or blind faults present less potential for displacement of bedrock during earthquakes than surface faults. The USGS has completed several studies to identify Quaternary (less than 1.6 million years old) faults and other tectonic structures in the eastern United States (Crone and Wheeler, 2000; Wheeler, 2005), resulting in a database of Quaternary faults, liquefaction features, and other tectonic potential tectonic features (Quaternary Fault and Fold Database) (USGS, 2006). These features are evaluated and classified into one of four categories (Class A, B, C, or D). Class A features have geologic evidence that demonstrates the existence of a Quaternary fault or tectonic origin either exposed by mapping or inferred deformational features. Class B features have geologic evidence that is indicative of a Quaternary deformation, but the fault is not deep enough to be a potential source for earthquakes or the evidence available is too significant to assign a fault as Class B, but not enough to assign as Class A. Class C features do not have sufficient evidence to demonstrate the existence of a tectonic fault, or Quaternary slip or deformation associated with the feature. Class D features are defined by the USGS as not to be seismogenic (Crone and Wheeler, 2000).

The CVSZ is a Class A feature located within the Appalachian Piedmont Province, and at its closest point as defined by the USGS, is located approximately 25 miles to the northeast of ACP at AP-1 MP 210. The CVSZ is associated with the Spotsylvania high-strain zone, which is a boundary of weakness between two bedrock terranes (Chopawamsic and Goochland), and the location of the August 23, 2011 earthquake event that occurred in Mineral, Virginia. The CVSZ has the potential for future earthquakes that relieve stresses that buildup within the bedrock of central Virginia as the North American Tectonic Plate moves westward. The proximity of ACP to the CVSZ increases the potential for a significant seismic event in the project area, which is reflected in the USGS PGAs discussed above (Crone and Wheeler, 2000).

ACP and SHP do not cross any identified faults that exhibit evidence of activity within the last 1.6 million years. The proposed ACP is within 100 miles of nine faults identified in the USGS Quaternary Fault and Fold Database; three Class C faults would be crossed by the project at ACP segment AP-1 MP 186, near the intersection of segments AP-1, AP-2, and AP-3, and at ACP segment AP-2 MP 150. SHP would not intersect any known, mapped, or inferred active fault lines (USGS, 2006).

We received comments regarding the August 23, 2011 magnitude (M) 5.8 earthquake (MMI VII to VIII) near Mineral, Virginia and the associated Quail Fault as a concern. The Mineral earthquake occurred

⁴ The Central Virginia Seismic Zone include various terranes that were accreted onto the edge of the North American tectonic plate in the Paleozoic era.

EXHIBIT - C



PROPOSED DOMINION ATLANTIC COAST PIPELINE AND POTENTIAL IMPACT TO WPP LLC MINERAL OWNERSHIP BLC LANDS, RANDOLPH COUNTY WV

LEGEND

- Dominion Atlantic Coast Pipeline (With 500' Buffer - 1/27/2017)
- Proposed Alternate Route of Dominion Atlantic Coast Pipeline (7/17/2017)
- WPP Proposed Alternate Route
- NRP Footprint
- Past Mining
- Projected Surface Mining
- Projected Deep Mining
- Coal Reserve Areas
- Mining Permit Areas

Scale: 1:100,000
 Date: 10/20/17
 Project: WPP Proposed Alternate Route of Dominion Atlantic Coast Pipeline (7/17/2017)

