

June 15, 2018

DEQ - Water Board
NWP12InfoOnACP@deq.virginia.gov

Thank you for this opportunity to speak to Virginia's energy and environmental future. My name is Jane Twitmyer and I have been a resident of Virginia for 17 years. I first became involved in energy and environmental issues 30 years ago in CT, where I served my community in a variety of elected and appointed positions, including as an Inland/Wetlands Commissioner. I know and appreciate how important it is to listen to your community.

I remain concerned about the adequacy of the plans accepted by you, our regulators, as well as your commitment to construction oversight for the construction of the Atlantic Coast Pipeline. I am trying to understand an application process that allows the project developer to devise their own procedures, to hire their own enforcement officials, and to choose what procedure they will follow in the field from a list of generic "Best Practices." In addition, I have reviewed the ACP crossings water list, a list that is dominated by "N/A" waters, so I would like to repeat the disquieting words of a comment sent to you from Faber, VA ...

"I can only conclude that DEQ does not have the all information they need to be able to assess the impacts ACP is going to have" ... How can you, or FERC, assure us, your public "that there will be no degradation at this site, or that Virginia Water Quality standards can be met ... when the Water Quality Standard for the large majority of the water crossings have not been assessed."

In a different and more specific matter, as a resident of Wintergreen I would hope you will take a fresh look at the Reed's Gap crossing. Geologic information submitted by the WPOA shows that Reed's Gap is a very poor place to bury a 42" pipeline. Another submission entitled A High-Risk Proposal Drilling Through The Blue Ridge Mountains tells us: *"the information included in the DEIS is limited in both scope and reliability. The DEIS includes a Dominion claim that subsurface borings confirm expectations that the HDD drill path will be primarily through non-problematic solid rock. This*

claim, however, is contradicted by geophysical studies reported in previous Dominion submissions to FERC,” as well as the submission from the WPOA’s geologist. The contradictory geological assessments create a high level of expectation for failure using the HDD method.

Dominion has filed with the Nelson County Service Authority to purchase 40,000 gallons of water per day for a period of 2 years. The Wintergreen system is a self contained system mostly drawn from Stoney Creek and processed through the Wintergreen treatment facility. Exactly how that quantity of water, or the lesser amount of 10,000/day submitted as the HDD requirement in the DEIS, would be handled is unclear. Weight limited trucks would require 5 trips daily for 10,000 gallon/day.

In addition I have done a bit of research that suggests accidents using HDD drilling are common. Again, the top of the Blue Ridge does not look like an appropriate HDD drilling site. According to the ACP submission in Appendix H *“Because the drilling mud is pressurized, it can be lost, resulting in an inadvertent release or “hydrofracture.” The volume of mud lost would depend on several factors, including the size of the fault, the permeability of the geologic material. ... The migration of fluids could also occur horizontally, for instance in folded or fractured formations or in proximity to shallow groundwater such as perched aquifers/seeps/springs.... A release underground is typically more difficult to contain.”* The contradictory geology information suggests these issues are very real.

Finally, *“On non-NFS lands, pits or containment structures can be constructed to contain drilling mud released to the surface of the ground, and a pump may be used to transfer the drilling mud from the pit or the structure to a containment vessel. On NFS lands, the FS would only consider closed loop systems with containment tanks.” ...*

Should the state make the same containment requirements as the NFS? This activity is taking place on steep slopes. What amount of water is actually required for the drill? Where will it be drawn from? How will flow back be contained? Does the liability agreement signed by the state limit what Nelson County can obtain if damage occurs? Here is a compilation of a few recent HDD spills ... evidently not uncommon

- While drilling the first pipe under the Tuscarawas, a drilling company in April spilled about two million gallons of drilling fluid into a wetland.
- Because of that water contamination and related spillage concerns, drilling for the Mariner East 2 pipeline in Exton and 54 other locations around the state was suspended last month by an environmental judge
- State Rep. Leanne Krueger-Braneky (D., Delaware County, PA) has called for a halt to the pipeline construction. She said there were 61 spills of drilling fluid between April and June — and she expects more if drilling continues.
- The judge ordered Sunoco to halt its horizontal drilling in response to a filing by environmental groups that the process has polluted local waterways in Pennsylvania.

Finally, given a high probability that the HDD method will fail, and restrictions to crossing the ATP by Congress, is Plan C really an appropriate crossing of ATP and the Blue Ridge Parkway?

“the direct pipe crossing option would result in an additional 3,996 feet (12.3 acres) of cleared pipeline right-of-way (2,124 feet [6.8 acres] on the entry side (south side) and 1,872 feet [5.5 acres] on the exit side (north side) of the mountain). Atlantic would improve an existing logging/access road off Beech Grove Road to transport equipment and personnel to the entry workspace, which would result in an additional 2 acres of forest impact.

As regulators you must weigh the level of damage that will occur with this pipeline to the real benefits it will bring to the communities affected. As an advocate with a high level of knowledge about the dramatic changes occurring in our utility and energy industries, this pipeline does not bring our state enough benefits to make those damages and risks worth taking. Two proposed plants, submitted to FERC as contracted for the ACP gas have been removed from the list of future builds. They have been supplanted by another type of generation using gas, but those new uses are being changed out in other states that are moving to clean energy faster than Virginia.

The ACP is a mammoth project. It will be extremely difficult to assure the public that you can protect our waters. Dominion should rethink their future.