



## *ABRA Update #205 – November 9, 2018*

### **Virginia State Air Board Defers Vote on Permit for ACP**



The Virginia State Air Pollution Control Board deferred until its December 10 meeting a decision on a needed air permit for the proposed compressor station in Buckingham County for the Atlantic Coast Pipeline. The vote was 6-0.

A major reason cited by board members for the deferred vote centered upon concerns over the disproportionate impact the compressor station would have on the minority community of Union Hill and the unsatisfactory response by the Department of Environmental Quality staff to those concerns.

Among the vast array of witnesses who presented testimony before the Board was Greg Buppert, Senior Attorney with the Southern Environmental Law Center. After pointing out the technical deficiencies in the proposed permit, Buppert reminded the Board that it also had the authority to deny the permit based on environmental justice considerations. He concluded his remarks:

“We wouldn’t put this compressor station next to an elementary school. We wouldn’t put it next to the University of Virginia. And we wouldn’t put it next to Monticello. The Board has to decide, if we won’t put it in these places, should Dominion be allowed to put it in the historic African American community in Union Hill.”

*Volunteer for ABRA’s Pipeline CSI Program*

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The Board will be compelled to vote on the permit application at its next meeting in order to comply with a statutory requirement that action on the permit application occur within 90 days of the end of the public comment period, which would be December 20.

### **Federal Court Halts ACP Stream Crossings in West Virginia**

The Fourth Circuit of the U.S. Court of Appeals on November 7 issued a stay on the ability of the Atlantic Coast Pipeline (ACP) to cross streams in West Virginia. [The Court's order](#) was issued in connection with a legal challenge to the U.S. Army Corps of Engineers' Nationwide 12 permit governing stream crossings for the ACP and will remain in effect until the Court renders an opinion on that challenge. The legal challenge was made by Appalachian Mountain Advocates (Appalmad), representing as plaintiffs the Sierra Club, West Virginia Rivers Coalition, West Virginia Highlands Conservancy, Appalachian Voices, and Chesapeake Climate Action Network.

Commenting on the stay, Appalmad stated: "ACP had threatened to start blasting through streams in Pocahontas and Randolph Counties as soon as tomorrow (November 8), so lawyers from Appalmad worked hard this week to stop them."

### **ABRA-CSI Seeks Help with Aerial Photo Review**

ABRA's Pipeline Compliance Surveillance (CSI) program is seeking assistance from knowledgeable individuals who can participate as CSI Aerial Photo Reviewers. Although we especially seek the help of professionals with erosion and sediment control, stormwater management, and other water-resource backgrounds, the involvement of others is welcomed and encouraged. Aerial Photo Reviewers will perform the important task of reviewing aerial imagery and other information related to Atlantic Coast Pipeline construction in order to evaluate both compliance with regulatory requirements and the effectiveness of runoff control measures.



*Pipeline construction at Grassy Run in Upshur County, West Virginia. An example of the kind of photos that photo reviewers would be examining.*

The Pipeline Air Force is currently obtaining hundreds of aerial photos of the 200-mile western mountainous section of the ACP construction route every one-to-two weeks. The photos, along with approved project construction plans and information concerning environmental requirements, can be accessed using the online [CSI Mapping System](#) and through the [CSI website](#). Aerial Photo Reviewers will be able to work from any location with access to the internet. See the [CSI Aerial Photo Reviewer Guidebook](#) for an overview.

Persons interested in becoming reviewers, please [click here](#).

## ***In the News:***

### **Local/Atlantic Coast Pipeline**

#### **Court orders temporary halt of W.Va. water crossing authorizations for ACP pipeline project**

- S&P Global – 11/8/18

<https://www.spglobal.com/platts/en/market-insights/latest-news/natural-gas/110818-court-orders-temporary-halt-of-wva-water-crossing-authorizations-for-acp-pipeline-project>

Atlantic Coast Pipeline faced another legal setback as a federal appeals court stayed a US Army Corps of Engineers' permit allowing West Virginia water crossings for the natural gas project pending a legal review.

#### **Atlantic Coast Pipeline costs reach \$7B**

- Construction Dive – 11/7/18

<https://www.constructiondive.com/news/atlantic-coast-pipeline-costs-reach-7b/541607/>

The costs just keep increasing. The benefits...were never real.

Related:

- <https://www.bizjournals.com/triangle/news/2018/11/02/dominion-ceo-stop-work-ordermay-increase-atlantic.html>

#### **Virginia has a pipeline problem**

- The Washington Post – 11/2/18

[https://www.washingtonpost.com/5387b236-d3b0-11e8-8c22-fa2ef74bd6d6\\_story.html?noredirect=on&utm\\_term=.a960c6cbbb4e](https://www.washingtonpost.com/5387b236-d3b0-11e8-8c22-fa2ef74bd6d6_story.html?noredirect=on&utm_term=.a960c6cbbb4e)

VA's former attorney general has something to say about the Atlantic Coast Pipeline and the incestuous Dominion/General Assembly relationship.

#### **ACP ON HORSEBACK IS A JOURNEY THAT WILL MAKE A STATEMENT**

- Allegheny Mountain Radio – 11/2/18

<https://www.alleghenymountainradio.org/acp-on-horseback-is-a-journey-that-will-make-a-statement/>

### **Regional/Mountain Valley Pipeline, other**

#### **Mountain Valley submits application for new pipeline to North Carolina**

- The Roanoke Times – 11/7/18

[https://www.roanoke.com/business/news/mountain-valley-submits-application-for-new-pipeline-to-north-carolina/article\\_2b5de766-1fbc-5552-959d-cb4a1331bf0c.html](https://www.roanoke.com/business/news/mountain-valley-submits-application-for-new-pipeline-to-north-carolina/article_2b5de766-1fbc-5552-959d-cb4a1331bf0c.html)

Related:

- <https://www.naturalgasintel.com/articles/116405-mvp-seeking-ferc-approval-for-southgate-expansion-into-north-carolina>

#### **Pipelines repeatedly cited by state regulators for environmental issues**

- Charleston Gazette-Mail – 11/8/18

[https://www.wvgazettemail.com/news/pipelines-repeatedly-cited-by-state-regulators-for-environmental-issues/article\\_2894c047-7ac1-5ba4-bb8d-c41b556e210e.html](https://www.wvgazettemail.com/news/pipelines-repeatedly-cited-by-state-regulators-for-environmental-issues/article_2894c047-7ac1-5ba4-bb8d-c41b556e210e.html)

As battles over two major natural gas pipelines play out in court, state regulators have continued to cite the Atlantic Coast Pipeline and Mountain Valley Pipeline for environmental problems. But there are no fines. And nothing is changing.

## As the midterm cycle ends, a grassroots battle against Trump's energy policy heats up

- Mic – 11/6/18

<https://mic.com/articles/192298/as-the-midterm-cycle-ends-a-grassroots-battle-against-trumps-energy-policy-heats-up#.Ba6K9dps2>

With the mid-term election over, a battle over Donald Trump's energy policy from grassroots organizers is gaining momentum.

## Sections of pipe washed away by flood returned to MVP construction area

- The Roanoke Times – 11/1/18

[https://www.roanoke.com/news/local/franklin\\_county/sections-of-pipe-washed-away-by-flood-returned-to-mvp/article\\_eba97d26-46e8-556a-aa82-ca53b663de83.html](https://www.roanoke.com/news/local/franklin_county/sections-of-pipe-washed-away-by-flood-returned-to-mvp/article_eba97d26-46e8-556a-aa82-ca53b663de83.html)

## Big Picture:

### The Energy 202: The nation just elected a bunch of governors who campaigned on clean energy

- The Washington Post – 11/8/18

[https://www.washingtonpost.com/news/powerpost/paloma/the-energy-202/2018/11/08/the-energy-202-the-nation-just-elected-a-bunch-of-governors-who-campaigned-on-clean-energy/5be3462c1b326b392905467b/?utm\\_term=.dcada8a49004](https://www.washingtonpost.com/news/powerpost/paloma/the-energy-202/2018/11/08/the-energy-202-the-nation-just-elected-a-bunch-of-governors-who-campaigned-on-clean-energy/5be3462c1b326b392905467b/?utm_term=.dcada8a49004)

Nationwide, at least 10 candidates for governor won their races who campaigned on aggressively moving their states away from burning fossil fuels and toward relying on renewable forms of energy for electricity.

### Chatterjee blasts Clean Power Plan, praises EPA replacement in filed comments

- Utility Dive – 11/5/18

<https://www.utilitydive.com/news/chatterjee-blasts-clean-power-plan-praises-epa-replacement-in-filed-comment/541421/>

So, perhaps Chatterjee is not so "changed" after all...

### Federal judge blocks Keystone XL pipeline, saying Trump administration review ignored 'inconvenient' climate change facts

- The Washington Post – 11/9/18

[https://www.washingtonpost.com/nation/2018/11/09/keystone-xl-pipeline-blocked-by-federal-judge-major-blow-trump-administration/?utm\\_term=.36bb1439442c](https://www.washingtonpost.com/nation/2018/11/09/keystone-xl-pipeline-blocked-by-federal-judge-major-blow-trump-administration/?utm_term=.36bb1439442c)

In reversing s previous decision based solely on political grounds, the administration ran afoul of the Administrative Procedure Act, which requires "reasoned" explanations for government decisions, particularly when they represent reversals of well-studied actions.

### Constitution Pipeline Granted Two-Year Extension by FERC

- Natural Gas Intelligence – 11/6/18

<https://www.naturalgasintel.com/articles/116383-constitution-pipeline-granted-two-year-extension-by-ferc>

FERC seems unwilling to let the project die. Why?

### The cost of energy storage has stalled adoption of renewable power. Energy Vault has a solution.

- TechCrunch – 11/7/18

<https://techcrunch.com/2018/11/07/the-cost-of-energy-storage-has-stalled-adoption-of-renewable-power-energy-vault-has-a-solution/>

The storage system works like a pumped hydro dam...but stores energy in stacked concrete blocks instead.

### Global energy in 2050 – can renewables supply it all?

- Physics World – 11/7/18

<https://physicsworld.com/a/global-energy-in-2050-can-renewables-supply-it-all/>

Basically...yes. Or, *almost* yes!