



## *ABRA Update #233 – June 14, 2019*

### **Safety Threats of ACP Highlighted to PHMSA**

No further work on the Atlantic Coast Pipeline should occur until safety threats can be fully assessed and remedied according to a comprehensive letter sent this week to the Pipeline and Hazardous Materials Safety Administration (PHMSA), an agency of the U.S. Department of Transportation.

In a [June 10 letter to PHMSA Administrator Howard Elliott](#), William Limpert, a Bath County, VA landowner whose property would be adversely impacted by the ACP and who is a member of ABRA's Steering Committee, warned about the "threat to public safety from the ACP from landslides and earth movement, but other public safety concerns exist as well. These include risks from flooding, karst terrain, difficult construction in extreme terrain, and degradation of the pipe exterior corrosion protection from excessive exposure to sunlight during storage."

Continuing, Limpert wrote:

I am aware that FERC approves the siting of interstate natural gas pipelines, and that FERC allows an operator's hired consultant to perform a geohazard assessment. This puts PHMSA in the unenviable position of insuring public safety on a project that PHMSA neither approves nor assesses for geohazards. That, along with the current proliferation of new natural gas pipelines, and your limited staff makes your job a difficult one. Nevertheless, I believe that you have the authority to adequately protect the public safety if you act aggressively, use all of the tools at your disposal, and do not allow the industry to control your agenda.

I appreciate the recent PHMSA Advisory Bulletin ADB-2019-02 regarding the threat to pipelines from landslides, earth movement, and other geological hazards. The bulletin lists a large number of recent pipeline failures. These failures indicate that current practices are not sufficient to protect the public safety., especially from a project as fraught with peril as the ACP. I applaud the comprehensive list of suggestions to operators in the bulletin to improve safety. Nevertheless, I believe that most operators will not act on PHMSA suggestions. I believe that PHMSA needs to require operators to make safety upgrades, or they won't be done.

*Volunteer for ABRA's Pipeline CSI Program*

**Volunteer**

*Submit a report to the Pipeline CSI*

**Report**

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## **Congressional Subcommittee Schedules Hearing on Pipeline Safety**

A hearing on “Legislative Solutions to Make Our Nation’s Pipelines Safer” will be held on June 19 before the Energy Subcommittee of the U.S. House of Representatives Committee on Energy and Commerce. In announcing the hearing, the committee chair Frank Pallone (D-NJ) and subcommittee chair Bobby Rush (D-IL) said:

“This week marked the 20th anniversary of the pipeline explosion in Bellingham, Washington that killed three young people and devastated a community. We owe it to them, their families and to all the victims of pipeline explosions to ensure we are doing everything possible to enhance pipeline safety in this country. At next week’s hearing, we’ll discuss proposals that will make meaningful improvements to the safety of our country’s pipeline network.”

The pending legislative proposals before the subcommittee are:

- Discussion Draft: [The Safer Pipelines Act of 2019](#)
- H.R. 2139: [The Leonel Rondon Pipeline Safety Act](#)

A live webcast of the Wednesday, 10:30 am hearing will be available by clicking [here](#).

## **FERC Questioned at Congressional Hearing About Climate Analysis**

The four sitting members of the Federal Energy Regulatory Commission fielded a barrage of questions this week about how the agency incorporates climate change considerations in their decision making. At the June 12 hearing before Energy Subcommittee of the U.S. House of Representatives Committee on Energy and Commerce, Committee Chairman Frank Paollone (D-NJ) stated: "To date, FERC's efforts to account for greenhouse gas emissions in the pipeline review process leaves much to be desired." Subcommittee Chair Bobby Rush (D-IL) added: “Consumers are demanding this type of change, and it is important that FERC works as a partner to make this happen, rather than as another obstacle standing in the way,”

For more about the hearing, click [here](#). A livestream of the complete hearing can be viewed by clicking [here](#).

In a separate hearing on June 13, the Select Committee on the Climate Crisis of the U.S. House of Representative held a hearing on “Solving the Climate Crisis: Ramping Up Renewables.” For more on that hearing click [here](#) and for a livestream recording of the hearing, click [here](#).

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

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

#### **Lawyers’ Committee for Civil Rights Under Law Files Brief Supporting Environmental Justice for Historic African-American Community in Virginia**

- Blue Virginia – 6/10/19

<https://bluevirginia.us/2019/06/lawyers-committee-for-civil-rights-under-law-files-brief-supporting-environmental-justice-for-historic-african-american-community-in-virginia>

## Pipeline project milestones continue through 2019

- The Recorder – 6/14/19

[https://www.abralliance.org/wp-content/uploads/2019/06/Pipeline-project-milestones-continue-through-2019-Recorder\\_20190614.pdf](https://www.abralliance.org/wp-content/uploads/2019/06/Pipeline-project-milestones-continue-through-2019-Recorder_20190614.pdf)

The 4-part timeline concludes in May of 2019.

## ‘They care about corporations:’ Landowners demonstrate pipeline project’s toll

- Virginia Mercury – 6/12/19

<https://www.virginiamercury.com/2019/06/12/they-care-about-corporations-landowners-demonstrate-pipeline-projects-toll/>

Four Corners Farm is emblematic of the struggles of landowners along the pipeline route.

## Democratic legislators call on court to overturn Union Hill permit

- Virginia Mercury – 6/10/19

<https://www.virginiamercury.com/blog-va/democratic-legislators-call-on-court-to-overturn-union-hill-permit>

The brief, filed Friday with the U.S. Court of Appeals for the 4th Circuit, is also signed by the Virginia State Conference NAACP and the Center for Earth Ethics, an institute within the Union Theological Seminary founded by Karenni Gore that seeks to combat ecological destruction.

## Virginia Pipeline Projects Could Drive Voters to the Polls

- Bloomberg Environment – 6/11/19

<https://news.bloombergenvironment.com/environment-and-energy/virginia-pipeline-projects-could-drive-voters-to-the-polls>

## Dominion confident it will win Atlantic Coast Pipeline legal challenges

- S&P Global Platts – 6/11/19

<https://www.spglobal.com/platts/en/market-insights/latest-news/natural-gas/061119-dominion-confident-it-will-win-atlantic-coast-pipeline-legal-challenges>

Dominion Energy expects to win one of two legal challenges its Atlantic Coast Pipeline faces within the next four to six weeks and be able to resume construction on a portion of the 600-mile route after that, an executive said Tuesday.

## Regional/Mountain Valley Pipeline, other

### Letter: What business will use this gas?

- The Roanoke Times – 6/13/19

[https://www.roanoke.com/opinion/letters/letter-what-business-will-use-this-gas/article\\_beb90a6f-d778-51bb-8538-6834c2a6e21d.html](https://www.roanoke.com/opinion/letters/letter-what-business-will-use-this-gas/article_beb90a6f-d778-51bb-8538-6834c2a6e21d.html)

### Planting a stake for bereaved landowners

- The Register-Herald – 6/11/19

[https://www.register-herald.com/news/planting-a-stake-for-bereaved-landowners/article\\_b7d79186-5399-5503-aa0b-5ec7739747c8.htm](https://www.register-herald.com/news/planting-a-stake-for-bereaved-landowners/article_b7d79186-5399-5503-aa0b-5ec7739747c8.htm)

As shareholders took part Tuesday in an EQM meeting in Pittsburgh, a different type of stakeholders held their own meeting in Summers County concerning EQM’s 300-mile pipeline project through West Virginia and into Virginia.

### DEQ denies water quality permit for MVP Southgate natural gas pipeline

- The Progressive Pulse – 6/14/19

<http://pulse.ncpolicywatch.org/2019/06/13/deq-denies-water-quality-permit-for-mvp-southgate-natural-gas-pipeline/>

MVP had estimated it would start construction early next year; given the inevitable delays and probable legal challenges, that timetable looks unlikely.

### Editorial: Should pipeline tree-sitters get 20 years in prison?

- The Roanoke Times – 6/11/19

[https://www.roanoke.com/opinion/editorials/editorial-should-pipeline-tree-sitters-get-years-in-prison/article\\_865717f5-ae7f-5c70-abad-a7e253d6c66f.html](https://www.roanoke.com/opinion/editorials/editorial-should-pipeline-tree-sitters-get-years-in-prison/article_865717f5-ae7f-5c70-abad-a7e253d6c66f.html)

What penalty should be paid by pipeline protestors who try to block construction?

## **Gov. Justice, Energy Leaders Oppose Bloomberg Anti-Coal Plan**

- The Intelligencer – 6/14/19

<http://www.theintelligencer.net/news/top-headlines/2019/06/gov-justice-energy-leaders-oppose-bloomberg-anti-coal-plan/>

WV's fossil fuel champion/governor doesn't like Beyond Carbon campaign. Who'd have guessed?

## **Big Picture:**

### **Climate Change Poses Major Risks to Financial Markets, Regulator Warns**

- The New York Times – 6/11/19

<https://www.nytimes.com/2019/06/11/climate/climate-financial-market-risk.html>

A top financial regulator is opening a public effort to highlight the risk that climate change poses to the nation's financial markets, setting up a clash with a president who has mocked global warming and whose administration has sought to suppress climate science.

### **FERC Dems Make Climate Change Case In House Hearing**

- Law360 – 6/12/19

[https://www.abralliance.org/wp-content/uploads/2019/06/FERC-Dems-Make-Climate-Change-Case-In-House-Hearing-Law360\\_20190612.pdf](https://www.abralliance.org/wp-content/uploads/2019/06/FERC-Dems-Make-Climate-Change-Case-In-House-Hearing-Law360_20190612.pdf)

Commissioners Richard Glick and Cheryl LaFleur told Democrats on the House Committee on Energy and Commerce's energy subcommittee that FERC is not fulfilling its legal obligations to evaluate the greenhouse gas emissions impacts of pipelines and other gas projects.

Related:

- <https://www.jdsupra.com/legalnews/ferc-commissioners-offer-insights-into-27867/>

### **'Reaching end game': New paper on climate change raises alarm**

- Al Jazeera English – 6/8/19

<https://www.aljazeera.com/news/2019/06/game-paper-climate-change-raises-alarm-190608101953511.html>

The paper portrayed what the year 2050 will look like if urgent action to build carbon-neutral energy systems around the world fails to come to fruition in the next 10 years.

### **Utilities ask Congress to 'come to grips' with clean energy requirements by setting nationwide rules**

- Washington Examiner – 6/13/19

<https://www.washingtonexaminer.com/policy/energy/utilities-ask-congress-to-come-to-grips-with-clean-energy-requirements-by-setting-nationwide-rules>

Though they still call 100% renewables scenario 'impossible' utilities, even Dominion, are asking for certainty in the regulatory environment in order to plan for, and operate in, the future energy market.

### **Lower 48 Associated Gas, Market Forces Seen Muscling Out Appalachian Growth**

- Natural Gas Intelligence – 6/14/19

<https://www.naturalgasintel.com/articles/118685-lower-48-associated-gas-market-forces-seen-muscling-out-appalachian-growth>

With free or negatively-priced gas available in the Permian to feed Gulf Coast LNG terminals, the potential for higher prices in Appalachia is unlikely to spur continued pipeline expansion in that region.

### **Natural gas: Part of the problem or the solution?**

- Euractiv – 6/14/19

<https://www.euractiv.com/section/climate-strategy-2050/opinion/natural-gas-part-of-the-problem-or-the-solution/>

Different regions face different gas choices, but the common aims must be to avoid overinvesting in new gas infrastructure, to give priority to zero-carbon alternatives, and to build a carbon-free society for all, including for those who still lack energy access.

## Breathe easier: States are passing a buttload of clean-energy bills

- Grist – 6/10/19

<https://grist.org/article/breathe-easier-states-are-passing-a-buttload-of-clean-energy-bills/>

When the Clean Air Task Force added up all these commitments, it found they cover 40 percent of the electricity produced in the United States.

## Gas-fired generation could see more battles under Bloomberg campaign

- S&P Global – 6/13/19

<https://www.spglobal.com/platts/en/market-insights/latest-news/natural-gas/061319-gas-fired-generation-could-see-more-battles-under-bloomberg-campaign>

Bloomberg last week announced plans to put \$500 million toward moving the US economy to 100% clean energy by supporting state clean energy policies, backing the climate movement, electing state and local representatives, and moving beyond coal and gas.

## Renewables Finally Beat Coal For U.S. Electrical Generating Capacity

- Solar Industry Magazine – 6/11/19

<https://solarindustrymag.com/renewables-finally-beat-coal-for-u-s-electrical-generating-capacity>

FERC's numbers also reveal that the nation's renewable energy capacity has been growing, on average, a percentage point each year.



**PUBLIC MEETING**

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**REGIONAL SPEAKERS**

Dr. Mary Finley-Brook, Associate Professor  
Geography & Environmental Studies at University of Richmond  
speaking on "Dirty BIG Secrets: The Real Impacts  
of Fossil Fuel Development"

Anne Carter Witt, Geohazards Specialist  
at Virginia Department of Mines, Minerals and Energy,  
speaking on "Landslides Associated with  
Hurricane Camille : 1969"

**AND...**

**PIPELINE CSI UPDATES**

**LEGAL NEWS  
& STATUS REPORTS**

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**SUNDAY, JUNE 30TH**  
DOORS OPEN 6PM | MEETING 6:30PM

**NELSON CENTER**  
8445 THOMAS NELSON HIGHWAY  
LOVINGSTON, VA

**AND HEY!**

Come see us each Saturday morning  
at the Nelson County Farmer's Market!  
Talk to knowledgeable volunteers about the  
proposed pipeline, sign a petition, and enter  
for a chance to win a NO PIPELINE Prize Package!