

# The Recorder

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Bath & Highland Counties – Virginia

## Federal agency's lack of response to coating concerns unacceptable

/ June 25, 2020

*Editor's note: The following letter was written June 15 to Neil Chatterjee, chairman of the Federal Energy Regulatory Commission, about the proposed Atlantic Coast Pipeline. Chairman Chatterjee:*

FERC has failed to adequately address significant public health, public safety, and environmental threats from the Atlantic Coast Pipeline, including threats from the fusion bonded epoxy coating on the exterior of the pipes. This coating contains numerous toxic and carcinogenic substances, including silica, a carcinogen by inhalation. The ACP has not followed recommended storage procedures for the pipes, and this has exacerbated the threats.

Coating manufacturer 3M indicates the coating degrades in sunlight, and recommends protection to prevent the degradation. 3M also states that degraded coating is removed from the surface of the pipes by wind, blowing particulate matter, rain, and tidal splash.

The pipes for the ACP have been left in the sun for the past four years with no protection against degradation of the coating as recommended by 3M. Inspection findings, obtained through a PHMSA FOIA request, revealed that the coating on most of the pipes was already degrading in the fall of 2017. Please note this is in direct contradiction to a letter I received from PHMSA stating the fall 2017 inspections found no coating degradation.

I am concerned the loose, powdery degraded coating will contain silica, which makes up 20 to 40 percent of the coating. I am concerned the silica will become airborne, and be inhaled by persons near the very large pipe storage locations, and other locations where pipes are exposed to the wind.

3M also states that degraded coating will contain byproducts that are toxic to aquatic life.

I am also concerned the degraded coating will enter surface waters and groundwater. This would negatively impact aquatic species, including endangered species, and would threaten the health

of persons along the ACP route who use private wells and springs for their drinking water. This is especially concerning in the 71 miles of karst the ACP would traverse in its current route.

I am further concerned coating degradation has reduced the thickness of the remaining intact coating, and reduced the flexibility of the coating, leaving the pipes more prone to corrosion, failure, and catastrophic explosion. Inspection information obtained through the FOIA request indicated no tests were conducted for coating flexibility. I have been in touch with PHMSA on these issues, and they have consistently withheld information.

According to PHMSA, there are six large pipe storage yards for the ACP located in West Virginia, Virginia, and North Carolina. They are in close proximity to housing developments, public buildings, churches, golf courses, and major water bodies. Persons living near these yards would be most at risk, as would be persons working in, and frequenting nearby facilities. Aquatic species in the Roanoke and Monongahela Rivers, as well as smaller water bodies are at risk. Persons who eat fish from these water bodies may also be at risk.

FERC has not been entirely absent in this matter. FERC did request a report on the coating from the ACP following concerns that were raised by the Virginia Departments of Health and Environmental Quality in a letter to FERC dated March 21, 2019.

The ACP supplied a report to FERC. However, the report included studies that used very questionable methodology, contaminated sampling wipes, and misstated a prior study. Perhaps the biggest failure is the failure to test the degraded coating for silica.

The North Carolina Department of Health and Human Services reviewed the ACP report, and also concluded it was inadequate. In a letter dated Oct. 25, 2019, NCDHHS requested that FERC require more information from the ACP to better clarify the public health risk to North Carolina residents.

The ACP report is seriously flawed. Nevertheless, FERC has apparently passively acquiesced in acceptance of this fundamentally unreliable report, by not rejecting it, and by not requiring scientifically accurate follow-up studies.

FERC has failed to respond in writing to both the states of Virginia and North Carolina regarding their concerns about the coating impacts to the public health of their citizens.

This is unacceptable.

FERC has failed to respond to my five previous letters posted to the FERC ACP docket regarding concerns with coating impacts. This is unacceptable. FERC has failed to address this significant threat to the public health, public safety, and the environment. This is unacceptable, and FERC is responsible for the consequences of their inaction.

I demand FERC act to fully investigate the impacts to public health, public safety, and the environment from the pipeline coating, and protect the public and the environment from those

impacts. I demand that FERC respond in writing to the states of Virginia and North Carolina, and to me regarding our shared concerns regarding negative impacts from coating.

I have attached my report on the coating deficiencies, which provides detailed information. This will enable you to better understand, and act on these serious public health, public safety, and environmental threats FERC has heretofore failed to adequately evaluate.

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