

Franklin County Board of Supervisors

October 18, 2016

James Golden – Department of Environmental Quality

Mountain Valley Pipeline

- **Federal Energy Regulatory Commission – FERC**
- Long and Expansive Regulatory Process
- FERC Regulates Construction and has substantial authority over Natural Gas Projects
- Department of Transportation Regulates Safety

DEQ's Role and Responsibility

- National Environmental Policy Act (NEPA) – DEQ coordinates the Commonwealth's comments and recommendations to FERC
 - [DCR, VDACS, DOF, VMRC, DGIF, VDH, DHR, DMME, VDOT]
- Draft Environmental Impact Statement (DEIS) released for public comment on September 16, 2016 and closes on December 22, 2016.

Erosion and Sediment Control (Stormwater)

- Clean Water Act (CWA) exempts project from Stormwater Permitting Requirements
- **Annual Standards and Specifications Program**
- **§ 62.1-44.15:31.** State entities, including the Department of Transportation, and for linear projects set out in subsection B, electric, natural gas, and telephone utility companies, interstate and intrastate natural gas pipeline companies, and railroad companies shall, and federal entities and authorities created pursuant to § [15.2-5102](#) may, annually submit a single set of standards and specifications for Department approval that describes how land-disturbing activities shall be conducted.

Annual Standards and Specifications – Additional Requirements

- Project-specific Erosion and Sediment Control (ESC) plans are required to be submitted for DEQ review and approval
- ESC plans, approval, and supporting documents must be posted on EQT's website for public view
- Inspection reports conducted by EQT must be submitted to DEQ
- Payment to DEQ is required for the costs incurred to hire additional technical expertise to assist DEQ

401 Water Quality Certification

- Required for stream crossings and associated wetland impacts and is a collaborative process with the Army Corps of Engineers (ACOE) 404 process
 - - Nationwide Permit (NWP12)
 - - Individual 404 or 401 Permits
- Water Quality Standards will be maintained throughout the project
 - Numerical Standards
 - Narrative Standards
 - Antidegradation

Locality Role – Stormwater and Erosion and Sediment Control

- Annual Standards and Specifications – may be preemptive
 - Construction in pipeline right of way
 - Temporary Access Roads and Lay-down/Staging Areas
 - Compressor Station Construction
 - Permanent Roads solely for access and maintenance of pipeline
- DEQ is evaluating a collaborative non regulatory role for affected localities in the areas of ESC plan review and field evaluations

Questions ?

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