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## **Dominion fine worries opponents of future pipeline**

by **Rick Steelhammer**, Staff writer

In light of the consent order, opponents of Dominion's planned Atlantic Coast Pipeline are already voicing their concerns about the company's ability to protect the environment as the multi-state pipeline crosses steep mountain ridges, streams and public lands as it makes its way through West Virginia.

The G-150 pipeline, which Dominion recently sold, extends from northern Brooke County through Ohio County and into Marshall County, where it terminates at Dominion's new natural gas processing complex being built at Natrium.

According to the consent order, state Department of Environmental Protection inspectors began issuing notices of violation of state water quality laws to the pipeline company in October 2012, when sediment deposits were found in Battle Run in Ohio County. Later in 2012, inspectors found slips along the pipeline route that allegedly allowed sediment to accumulate in Sims Run and in unnamed tributaries of Little Tribble Creek, Grave Creek, Bartletts Run, Leach Run and Little Toms Run in Marshall County. During a March, 2013, inspection, DEP officials determined that sediment problems persisted at Sims Run and tributaries of Little Tribble Creek as well as in Long Run and Middle Run, resulting in additional violation notices.

From June 12, 2013 to Jan. 6, 2014, Dominion failed to respond to repeated requests by DEP personnel to provide information about the location of earthen slips associated with pipeline construction and any efforts being made to remediate them, according to the consent order.

On Jan. 15 of this year, DEP inspectors investigated a spill report at the Lightburn Compressor Station near Jane Lew in Lewis County, and found that underground pipelines associated with the station were leaking water produced in the drilling process that wasn't being contained by secondary containment structures.

The following month, DEP inspectors cited Dominion for operating a ruptured pipeline that released a crude oil and water mix into Dry Fork in Marshall County, and then failing to contain the leak or report it to the DEP.

Among other things, the consent order mandates that Dominion:

- n Must follow the state's best management practices for sediment and erosion control in all of its DEP-regulated pipeline construction projects.
- n Complete a groundwater protection plan for the Lightburn Compressor Station within 90 days.
  - n Provide DEP with a list of all earthen slips recorded at all its West Virginia pipeline construction projects within 60 days.
  - n Provide DEP with geo-referenced line work and placement data for all Dominion pipeline construction or restoration projects with active permits within 60 days.
- n Conduct, within 120 days, a geo-technical analysis to determine the root causes of historical pipeline right-of-way failures.
  - n Develop, within 90 days, a written policy on how Dominion should prevent, contain and remediate earthen slips associated with pipeline construction in West Virginia.
- n Pay \$55,470 in civil penalties to the state Water Quality Management Fund for "legislative rule violations" within 30 days.

The consent agreement was signed by Brian C. Sheppard, Dominion Transmission's vice president of pipeline operations.

"This enforcement action on the part of the West Virginia DEP really provides no incentive for future compliance," said Rick Webb, coordinator of the Dominion Pipeline Monitoring Coalition. "It simply reinforces the perspective that pipeline construction companies can get away with almost anything. Dominion's \$55,000 fine is simply the cost of doing business, and it's certainly much cheaper than if Dominion's contractors had done the work properly and avoided the damage to begin with."

The consent order, Webb said, "simply gives Dominion more time to do what it was already supposed to do."

The investigation that led to the consent order does call into question Dominion's ability to build, in an environmentally responsible manner, the planned 550-mile Atlantic Coast Pipeline from Harrison County to North Carolina, Webb said.

The Atlantic Coast Pipeline, he said, "would cross 20 or more steep mountainsides. It would cross 30-plus miles of national forest, multiple high-quality streams and the highest concentration of high-ecological-integrity landscape in the mid-Atlantic region. This pipeline simply cannot be build without causing unacceptable degradation."

"Dominion works hard to comply with all environmental rules and regulations," according to a prepared statement released by Dominion Transmission's communications department in the wake of the consent order. "In this instance, Dominion did not meet its own expectations where — in certain situations — the restored slopes failed, allowing sediment to enter streams during and after construction of a natural gas liquids pipeline in Marshall County.

"Dominion remains committed to full compliance with all federal, state and local regulations," the statement continued, and will "implement all requirements of the consent order to ensure we do not encounter the same issues on future projects."

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