

January 30, 2017

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

Greetings:

It is my understanding that Dominion Transmission, Inc. wrote to you on 1/24/17 to submit a variance request and a Notice to Proceed for its New Market Project Docket Nos. CP14-497-000.

See: [Dominion New Market Variance Documents](#)

For reasons that I will document below, I request that the Federal Energy Regulatory Commission (FERC) **DENY** the above-referenced variance request and withhold authorization for the proposed New Market project to proceed until a requisite Stormwater Pollution Prevention Plan (SPPP) is resubmitted after its fatal flaws have been corrected.

Dominion's Limit of Disturbance (LOD) Wetland and Waterbody Encroachment Variance Request

Dominion's variance request would allow construction activity within the LOD delineated at multiple sites to encroach upon the 50-foot wetland or waterbody buffer required by applicable Wetland and Waterbody Construction and Mitigation Procedures. Those variances could cause irreparable water quality hazards and must not be granted.

Variance Would Apply to Borger Compressor Station

The variance request would most importantly apply to the Borger Compressor Station site located at 219 Ellis Hollow Creek Road, Ithaca, NY. This site has wetlands and waterways either adjoining or in close proximity on three sides of the facility (East, South and West).

I reviewed the above-referenced Dominion variance request as well as the New York SPPP submitted in compliance with a mandated State Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity (GP-0-15-02).

Dominion's Variance Request and Stormwater Pollution Prevention Plan Based on Fatally Flawed Analysis

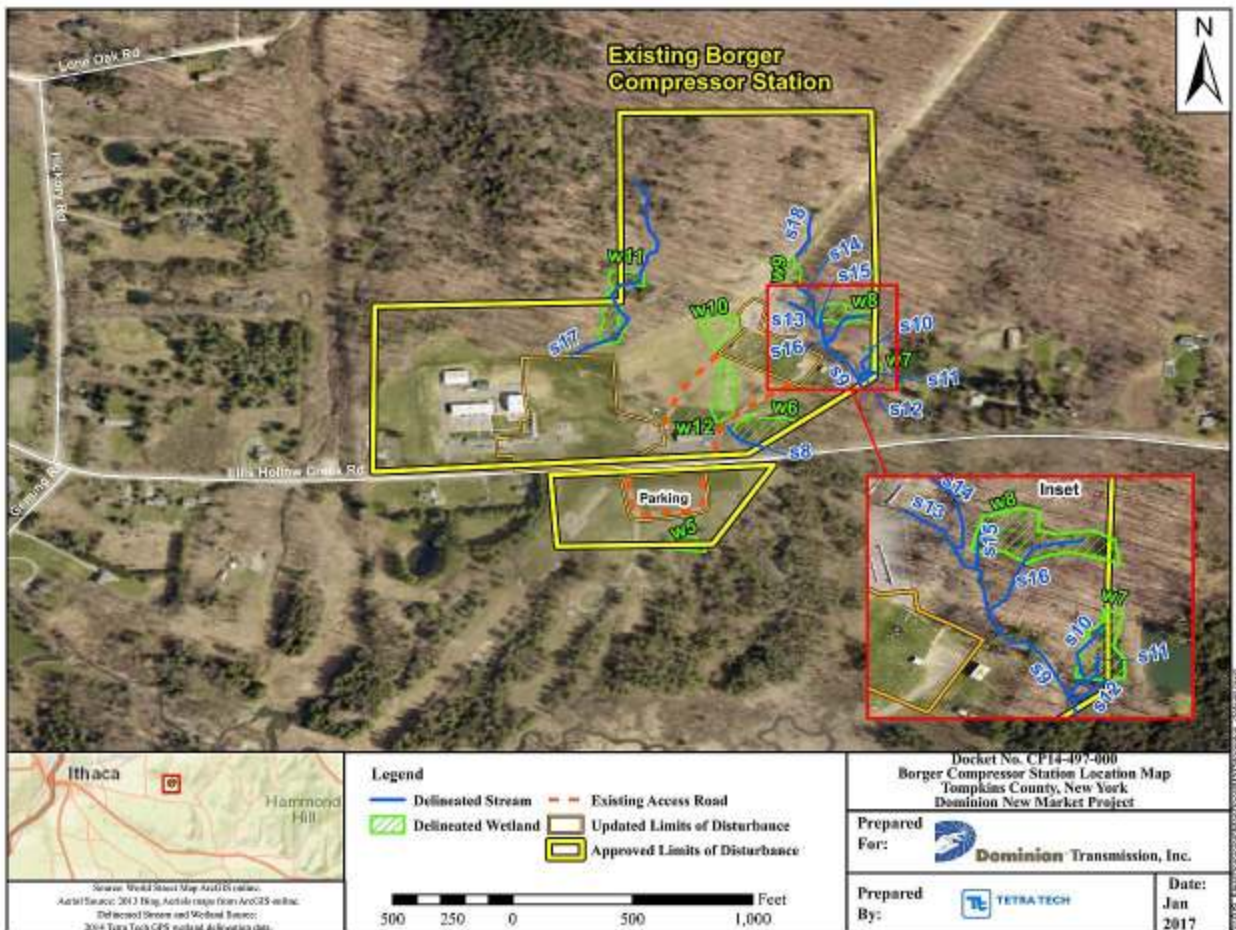
I request that FERC **DENY** Dominion's variance request because it is based on a fatally flawed SPPP that has multiple documented shortcomings which render it unsuitable for

regulatory compliance purposes.

Section 2.1.4 Surface Water and Wetlands in Project Area states:

"Wetland and waterbody delineation surveys were conducted by Tetra Tech, Inc. at the existing compressor station. Several existing wetlands and waterbodies were discovered at the Borger Compressor Station. However, all of these features are located **outside** (emphasis added) of the proposed Limit of Disturbance (LOD)."

This erroneous conclusion is reflected in Dominion's variance request. See first map at: [Borger Compressor Station Maps - Inadequate Wetland Assessment and Toxic Cleanup](#)

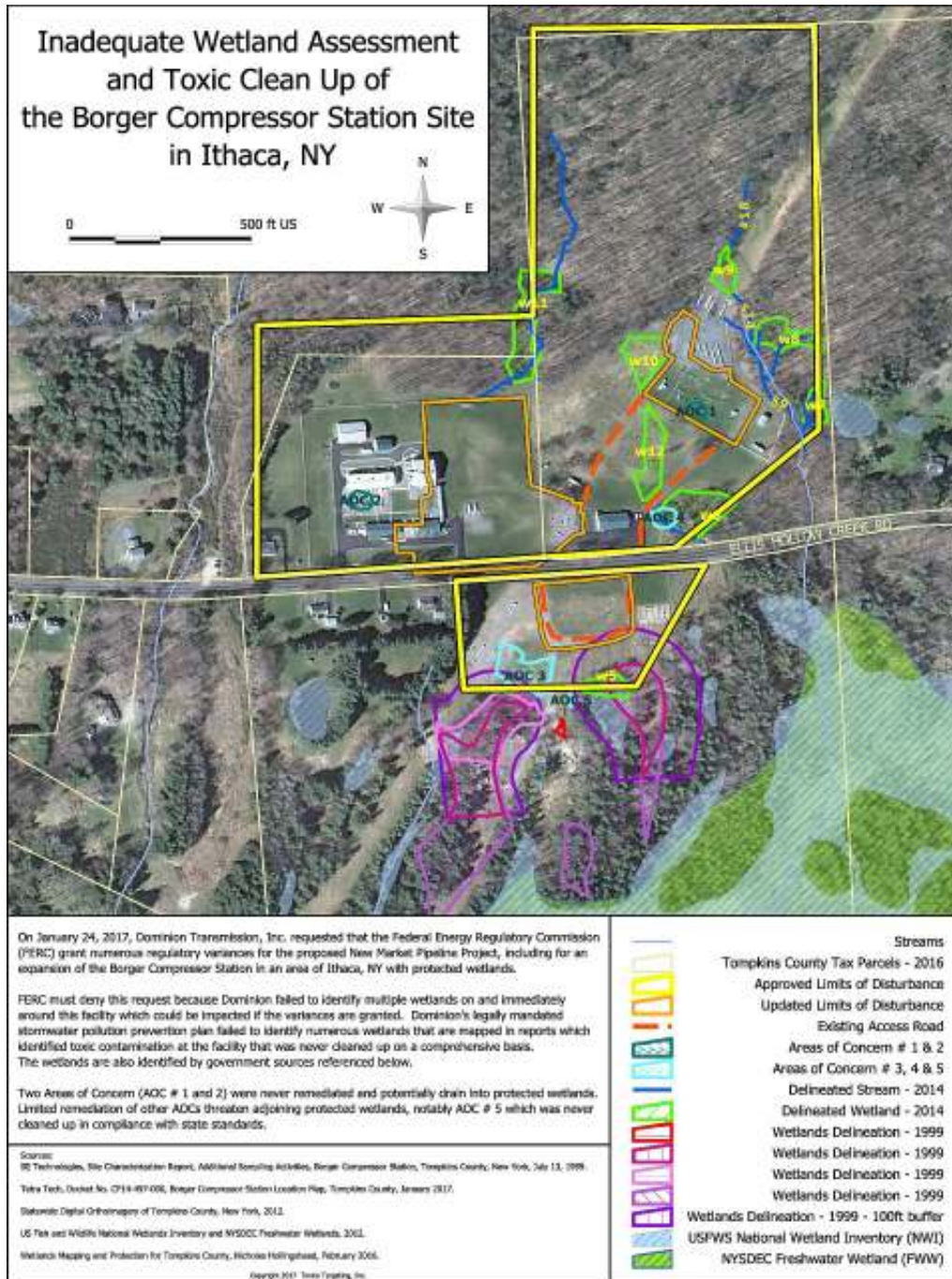


Dominion's SPPP Fails to Identify Multiple Protected Wetlands Within the Original and Proposed Revised Limit of Disturbance Areas

Dominion's SPPP failed to identify multiple protected wetlands, including protected wetlands earlier delineated in multiple reports prepared to assess the impact of toxic

contamination hazards that were never cleaned up to state standards at the Borger Compressor Station Site.

These wetlands and buffer zones are located within the original as well as the proposed revised LOD areas. See second map at: [Borger Compressor Station Maps - Inadequate Wetland Assessment and Toxic Cleanup](#)



There is no question that the maps presented in Dominion's Variance request are woefully inaccurate. The project site delineation does not comport with local tax parcel boundaries. Wetlands do not line up with spatial delineations available from local, state and federal authorities. Multiple streams are not delineated.

Please note that Areas of Concern (AOC) #1 and #2 were not remediated even though high levels of petroleum were identified through soil sampling and analysis. A total of 89,714 parts per million of Total Organic Carbon was detected at AOC #1. A total of 8,776 parts per million of TOC was detected at AOC #2.

AOC #5 was not cleaned up to state standards even though Polynuclear Aromatic Hydrocarbon exceedances were reported near the protected wetlands delineated in Figures 1 and 2.

These AOCs potentially drain into protected wetlands and critical waterways.

For your review, the original pipeline spill and protected wetland maps are presented at: [Inadequate Investigation and Clean up Documentation Borger Compressor Station CNG Spill # 9806491](#)

Dominion's spill prevention plan is also meaningless because numerous toxic spills were never cleaned up to state standards at the Borger Compressor Station Site and multiple other existing Dominion Pipeline sites.

See: [Dominion Pipeline \(earlier known as CNG\) spills](#)

Conclusion

I request that FERC reject the variances requested for the proposed Dominion New Market Pipeline and withhold authorization for the proposed project to proceed at this time.

The New York State Department of Environmental Conservation (DEC) has clearly failed to review and provide oversight for Dominion's New Market SPPP. Given the numerous fundamental problems that I documented at Borger Compression Station, the findings of the entire SPPP must be called into question for all sites involved.

I request that FERC require the SPPP plan to be rescinded and done over to resolve the problems I documented. All the other New Market sites must be double-checked for similar shortcomings.

As you know, FERC granted conditional approval for Dominion New Market based on the principle of "compensatory mitigation." I request that FERC's approval be rescinded until DEC requires the Borger Compressor Station site and all other components of the existing pipeline to be investigated and remediated in strict compliance with all applicable toxic clean up requirements.

As part of that effort, the protected wetlands threatened by AOCs #3 and #5 must be cleaned up and restored because they drain into Cascadilla Creek, a major tributary to Cayuga Lake. More than 30,000 local residents drink water from that waterbody.

FERC also must mandate full remediation compliance for the Borger Compressor Station Site given that Section 401 of the U. S. Clean Water Act requires DEC to certify that the Dominion New Market Pipeline will not cause water quality violations.

See: [Section 401 Certification](#)

I trust that you will find my comments self-explanatory, but please do not hesitate to contact me if I can answer any questions that you might have regarding this matter.

Very best regards,

Walter Hang

cc: Honorable Barbara S. Lifton
Honorable Steven Englebright
Honorable Thomas F. O'Mara
Honorable Charles E. Schumer
Honorable Kirsten Gillibrand
Honorable Andrew M. Cuomo
Honorable Basil Seggos
Honorable Acting EPA Region 2 Administrator