

December 9, 2016

Memorandum on Mountain Valley Pipeline Project

To: Drew Hammond, Acting Director, ODW
Arlene Warren, Policy and Planning Specialist

Through: Allen Knapp, Director, OEHS

From: Dwayne Roadcap, Division Director

RE: Comments regarding the Mountain Valley Pipeline from OEHS

This is in reply to your request for additional comments on the Mountain Valley Pipeline project, including the Atlantic Coast Pipeline's (ACP) application for a Certificate of Public Convenience and Necessity as requested by the Department of Environmental Quality.

Our understanding is that the pipeline's path and exact location may change and is not finalized at this time. Once the pipeline's path and exact location is known, then records at each local county health department can be reviewed to determine what records are available with respect to wells and onsite sewage systems.

In 1990, the Board of Health promulgated the Private Well Regulations (12VAC5-630-10 et. seq.), which establish requirements for the location and construction of private wells in the Commonwealth. These requirements include minimum separation distances from contaminant sources and other features contained in section 380 and Table 3.1. You can find a copy of the Private Well Regulations [here](#). Homeowners in the counties associated with the pipeline could be using springs, cisterns, hand-dug wells, and drilled wells near the pipeline's path. These water systems would likely have varying types of construction and not meet today's construction standards or regulations.

Protecting water quality for these property owners is a paramount concern so once the pipeline's location is confirmed, OEHS would recommend that a complete sanitary survey along the pipeline's path be performed by a team of persons with expertise in geology, hydro-geology, epidemiology, and public health. OEHS recommends that a sanitary survey within 1,000 feet on either side of the pipeline be performed at a minimum to ensure people and properties using local and regional groundwater and surface water for recreational use or human consumption are identified and protected. Keep in mind that some wells may be located below the ground surface and not visible to the eye, which might require a door-by-door assessment in some cases.

In November, 2014, OEHS provided Natural Resources Group (NRG), working on behalf of ACP, with available electronic information regarding the location of private wells constructed in the proposed project area. Please note, only wells permitted since 2003 are included in the information provided to NRG. Records for private wells constructed prior to 2003 may be available in hard copy, but many owners are likely to be using water sources that pre-date 2003. VDH recommends that the project team performing the sanitary survey contact each local health

department in the project area to obtain additional hard copy records to assure appropriate separation distances will be maintained between the proposed pipeline and private wells, springs, or cisterns serving nearby properties. You can find contact information for local health departments at <http://www.vdh.virginia.gov/home/local-health-districts> .

In addition to private well records, each local health department has records regarding the location of onsite sewage (septic) systems. In addition to making sure the pipeline does not impact groundwater and drinking water systems, the project team leading the sanitary survey project should identify onsite sewage systems near the pipeline's final path. Property owners must submit an application to the local health department in which the property is located to relocate any onsite sewage system impacted by the pipeline's construction.

The pipeline permitting and approval process should provide numerous options and safeguards to protect local and regional surface water and aquifers. The pipeline goes pass through karst topography, which presents specialized concerns. The Mountain Valley Pipeline and the Atlantic Coast Pipeline project will likely have a 42-inch diameter piping system. Burying the pipeline, if necessary, would likely require clearing wide swaths of brush, digging, boring, drilling, blasting and use of fuels and lubricants for heavy equipment. These activities can adversely affect karst landscapes or possibly create new sinkholes depending on site grading and landscaping.

The pipeline project needs to protect public health as follows:

- DEQ should provide VDH with copies of permits, plans, and studies performed throughout the project so VDH can stay informed, review material, and provide informal comments as necessary throughout the process.
- Permitting authorities should provide a mechanism to keep the public and local property owners informed through public notice and solicitation of public comments (i.e., 30-day comment period). Holding informational meetings to gather public input on the issues of water supply and recreational water to assess the impact of the project would be valuable. VDH should be invited to participate and offer formal comments though the permitting and application process. Specifically, VDH recommends receiving public comments related to the following questions:
 1. What are the public's concerns related to the impact of the project on water quality and quantity of private wells?
 2. What are the public's concerns related to the impact of the project on recreational use of surface water?
 3. What role should VDH play in assuring that public health is protected in regard to private wells and recreational water use in regard to the project?
 4. What safeguards should be in place to protect private wells and recreational water?
 5. Are additional legislative safeguards desired to protect human health, drinking water, or recreational water?

- Permitting authorities should acknowledge and address public comments received and defend any decision to issue an approval for the pipeline. VDH stands ready to help ensure VDH's comments are adequately addressed.
- The public should be allowed to request a public hearing on the project so that questions and information can be provided.