



September 28, 2018

Ms. Kimberly Bose  
Federal Energy Regulatory Commission  
Office of the Secretary  
Washington, DC 20428

**Re: Docket No. CP18-46-001: Comment Regarding Adelphia Gateway Pipeline Amended Application**

Dear Ms. Bose,

The Delaware Riverkeeper Network (“DRN”) is providing the following comments to be considered by the Federal Energy Regulatory Commission (“Commission” or “FERC”) with respect to the proposed Adelphia Gateway Pipeline Project (the “Project” or “Adelphia”).

On August 31, 2018, Adelphia filed an amendment to its January 12, 2018 application under section 7(c) of the Natural Gas Act and Part 157 of the Commission’s rules and regulations. Adelphia requested that their application reflect an increase in design capacity on Zone North A from 175,000 dekatherms per day (Dth/d) to 250,000 Dth/d. Zone North A is a portion of the already existing system that was built in the 1970’s and is currently a dual use (natural gas /oil) pipeline that has been transporting natural gas exclusively since 2014. It consists of 34.5 miles of 18-inch Mainline, extending north from an existing interconnection with Texas Eastern Transmission L.P. and runs from Bucks County, Pennsylvania to the Martins Creek Terminal in Lower Mount Bethel Township, Northampton County, Pennsylvania.

**FERC Must Mandate That Adelphia File A New & Complete Application That Includes A Properly Informed Analysis Of The Project’s Impacts.**

The Delaware Riverkeeper Network wholly rejects Adelphia’s claims in their amended application that the substantial increase of natural gas transported per day that they are requesting “does not alter Adelphia’s analysis, contained in the Application, of the potential adverse impacts to landowners and communities affected by the Project” and that “there is no need to supplement the scoping of or further update the Environmental Report of the Application or the related Resource Reports thereto.” This claim is blatantly false and clearly disproven in the statements within this comment, most obviously because:

- 1) An increase in the capacity of natural gas being transported by the project has obvious and direct impacts on the project’s contribution to greenhouse gas emissions, to upstream

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impacts including induced fracking, and to the overall operation air emissions of the project, among others; and

- 2) Adelphia has stated throughout their original Application that there “are no FERC-jurisdictional activities proposed for the existing 18- inch diameter line north of milepost 49.4 or for the 4.4 miles of 20-inch-diameter pipeline ...[Zone North A]...; therefore, these facilities are not discussed further in this report.”

It is wholly inappropriate and false for Adelphia to claim that an increase in capacity has no effect on the environmental and community impacts of a project; and it is even more egregious for Adelphia to claim that the environmental and community impacts resulting from the conversion, operation, and increased capacity of Zone North A are fully covered in their Application materials--which in turn state that Zone North A is exempt from environmental review. FERC should not have accepted these claims from Adelphia at face value and opened up a comment period under that premise, adding further legitimacy to these claims.

Additionally, Adelphia has continually piecemealed or entirely left out critical components of its proposed project, and downplayed, misrepresented or ignored the impacts the project would have on the environment and people. Adelphia must be required to resubmit its application and include all of the information needed for FERC to conduct a proper environmental review and for the public to fully understand of the scope and impacts of the project. Only then can the public be assured the true impacts of the project will be properly weighed against the benefits.

While the Delaware Riverkeeper Network offers the following comments underscoring these issues and other remaining and new concerns over the project, we believe this comment period is based on an undeniably false premise and that FERC must require Adelphia to provide complete, accurate, and accessible information on the project in the form of a new application and public comment period.

Adelphia Has Failed To Provide All Of The Information Needed To Conduct A Proper Environmental Review.

### **False Claims and Missing Information in Application Amendment for 75,000 dekatherm Increase**

Adelphia’s amended application characterizes their proposed increase in capacity of natural gas being transported through Zone North A as only impacting the rate structure of their application, with no bearing on the environmental or community impacts of the project. Stating that “The Amendment sought herein does not impact in any manner their resource report exhibits other than Exhibit G and Exhibit P,”<sup>1</sup> and that it will affect “design capacity and transportation rates only.”<sup>2</sup> Adelphia claims that “This Amendment does not request any changes to the proposed facilities or additional facilities ...[and so]... there is no need to supplement the scoping or further update the Environmental Report of the Application or the related Resource Reports.” This characterization is false and seeks to avoid the proper review by FERC as mandated by the Natural Gas Act and National Environmental Policy Act.

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<sup>1</sup> Adelphia, Amended Application p. 3

<sup>2</sup> Adelphia Amended Application 9

An increase in capacity leads to an increase in the project's operational emissions, air quality, ambient noise and noise impacts, overall cumulative impacts of the project on the region, effects on public health and safety, as well as the amount of natural gas extracted, transported, and used, ultimately increasing greenhouse gas emissions and climate change impacts.

**An Increase in Gas Transported By A Pipeline Will Inevitably Lead to An Increase in Air Pollution Emissions, Greenhouse Gas Emissions and Climate Change Impacts, And Induce Increased Production and Consumption of Natural Gas Due to the Project.**

**1. FERC Must Ensure Adelphia Provides Additional Analysis of the Increase in Greenhouse Gas Emissions and Consequential Climate Change Impacts That will Result From the Additional Gas Transported By the Project.**

In its original application Adelphia evaluated a full burn scenario in order to show the “worst case” scenario for natural gas. Because this amendment seeks to increase the amount of natural gas that flows through the pipeline, it would only make sense that at the minimum Adelphia modify this study to reflect the increase in greenhouse gas (GHG) emissions, as an increase in dekatherms per day will inevitably increase the GHG and climate change emissions associated with the project.

It is a fact that during the “transport, storage, and distribution” phases of the natural gas delivery process, large amounts of methane leak into the atmosphere.<sup>3</sup> Even conservative estimates of leakage during gas transmission, storage and distribution have given a range of up to 3.6%.<sup>4</sup> Direct emissions from transmission may include but are not limited to carbon dioxide (CO<sub>2</sub>) and nitrous oxide (N<sub>2</sub>O) emissions, as well as fugitive methane emissions.<sup>5</sup> Therefore, contrary to Adelphia’s statements that an increase in dekatherms of gas will have no impact on the environment, such an increase has a clear impact on greenhouse gases emitted from the project, both as a direct result of the transmission and as an indirect result due to encouraging the fracking of and end use of natural gas.

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<sup>3</sup> R. Howarth, D Shindell, R. Santoro, A. Ingraffea, N. Phillips, A Townsend-Small, *Methane Emissions from Natural Gas Systems*, Background Paper Prepared for the National Climate Assessment, Reference number 2011-0003, Feb. 25, 2012; See also U.S. EPA 1997. *Methane Emissions from the Natural Gas Industry*. USEPA National Risk Management Research Laboratory, June 1997, EPA-600-SR-96-080.

<sup>4</sup> Howarth, R. W. (2014). A bridge to nowhere: methane emissions and the greenhouse gas footprint of natural gas. *Energy Science & Engineering*.; See also Howarth, R. Howarth, D Shindell, R. Santoro, A. Ingraffea, N. Phillips, A Townsend-Small, *Methane Emissions from Natural Gas Systems*, Background Paper Prepared for the National Climate Assessment, Reference number 2011-0003, Feb. 25, 2012, p. 55

<sup>5</sup> “The U.S. natural gas transmission network contains more than 279,000 pipeline miles. Along this network, compressor stations are one of the largest sources of fugitive emissions, producing an estimated 50.7 billion cubic feet (Bcf) of methane emissions annually from leaking compressors and other equipment components such as valves, flanges, connections, and open-ended lines.” *Envtl. Prot. Agency, Lessons Learned from Natural Gas STAR Partners 1* (Oct. 2003), available at [http://www.epa.gov/gasstar/documents/ll\\_dimcompstat.pdf](http://www.epa.gov/gasstar/documents/ll_dimcompstat.pdf).

Moreover, under NEPA, FERC has a mandate to review GHG emissions and the consequential climate change effects of a project. FERC must ensure that Adelphia provides information that guarantees their review of the project will be able to accurately reflect the effects of the project.

## **2. FERC Needs to Require that Adelphia Provide Information Concerning the Upstream and Downstream Impacts of the Additional Fracking, Transportation, and Consumption of Natural Gas.**

An increase in gas transported will necessitate an increase in natural gas fracked and inevitable lead to an increase in gas consumed. Therefore Adelphia's amendment must include information and a review of the increased environmental and community effects that will occur due to the additional upstream and downstream impacts of the project.

Moreover, as part of its NEPA mandated environmental review of a project, FERC is required to consider a project's effects on the upstream and downstream impacts of natural gas extraction. The DC Circuit has clearly explained: "An agency conducting a NEPA review must consider not only the direct effects, but also the indirect environmental effects, of the project under consideration."<sup>6</sup> "Indirect effects" are those that "are caused by the [project] and are later in time or farther removed in distance, but are still reasonably foreseeable."<sup>7</sup> Effects are considered reasonably foreseeable if they are "sufficiently likely to occur so that a person of ordinary prudence would take [them] into account in reaching a decision."<sup>8</sup> In addition, CEQ has stated that an agency conducting a NEPA analysis must "take account of all phases and elements of the proposed action over its expected life."<sup>9</sup> And that the impacts of these "other actions" considered in the cumulative impact analysis need not be directly initiated by the project.<sup>10</sup>

Here, there is no question that Adelphia induced the additional fracking for and usage of natural gas due to its increase in capacity and therefore such uses must be accounted for in FERC's NEPA review.<sup>11</sup> Adelphia admitted this itself when it stated that: "The proposed design capacity increase in Zone North A will make additional firm capacity available providing the opportunity for shippers to transport gas supplies in interstate commerce and increase the reliability and flexibility of the natural gas pipeline grid in the area through this addition of capacity in the market."<sup>12</sup> Therefore, new pipeline capacity enables, supports, and induces operators to advance,

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<sup>6</sup> *Sierra Club v. FERC*, 867, F.3d 1357, 1373 (D.C. Cir. 2017); *See* 40 C.F.R. § 1502.16(b).

<sup>7</sup> *Id.* § 1508.8(b).

<sup>8</sup> *EarthReports, Inc. v. FERC*, 828 F.3d 949, 955 (D.C. Cir. 2016) (citations omitted)

<sup>9</sup> Draft NEPA Guidance on COnsideration of the Effects of the Effects of CLimate Change and Greenhouse Gas Emissions, Council On Environmental Quality, February 18, 2010, at p.at 5.

<sup>10</sup> *See also Nat. Res. Def. Council. v. Hodel*, 865 F.2d 288, 298 (D.C. Cir. 1988) (determining that the cumulative impact assessment of an Outer Continental Shelf ("OCS") oil and gas leasing activity must consider the cumulative impacts of "simultaneous OCS development in different areas" without requiring that such other OCS development be caused by the proposed leasing activity).

<sup>11</sup> *U.S. v. 27.09 Acres of Land*, 760 F. Supp. 345, 351– 52 (S.D.N.Y 1991) (finding a FONSI unsupportable where the cumulative impact analysis for construction of a Postal Service facility failed to consider the impacts of future nearby development without requiring that such other development be caused by construction of the proposed facility)

accelerate, and complete natural gas drilling and production and there can be no doubt whatsoever that the construction of an interstate natural gas transmission line is causally related to the development of shale gas resources in the Project area.

Additionally, FERC itself has stated that. “The geographic scope of our cumulative impacts analysis varies from case to case, and resource to resource, depending on the facts presented.”<sup>13</sup> So that when “project consists entirely of construction and modification of compressor stations--not construction of linear pipeline--the project impacts will be confined to discrete areas.”<sup>14</sup> Adelphia is distinct from such a project as it involves the construction and operation of a major pipeline and the pipeline is in direct proximity to where the gas is fracked and where it will be used.<sup>15</sup>

With Adelphia, there is a clear indication that its purpose is to transport interstate natural gas from Pennsylvania, as Pennsylvania is the second largest producer of natural gas in the United States.<sup>16</sup> Additionally, Adelphia has stated that its bases its capacity to carry gas on the demand shown by end consumers.<sup>17</sup> Further, there are indications of the potential use of the additional gas transported on the pipeline from this pipeline. Kelly-Clark Corporation (“K-C”) in their letter of support for the project stated that they were “in the process of significant investment in its Mill in Chester, PA and installation and operation of the Adelphia Project is critical component of the success of K-C’s plans.”<sup>18</sup> Additionally, that “[t]imely approval and construction of the Adelphia Gateway Project si a key aspect of K-C’s securing such dependable natural gas supply for the Mill’s planned CHP. As such, K-C encourages the Commission to act with all deliberate speed to approve this important component of our nation’s natural gas infrastructure so that the project can move forward.”

Therefore, Adelphia must supplement this amendment to their application with an analysis that accounts for potential upstream and downstream impacts.

## **2. FERC Must Ensure That Adelphia Updates Air Quality Studies To Reflect the Increase in Gas Transported and Consequential Air Emissions That Will Occur As a Result.**

In its amended application Adelphia failed to examine the air emissions from the existing 18-inch Main Line, there is no doubt that an increase in gas transported will lead to an increase in air

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<sup>13</sup> Order Denying Rehearing, Dominion Transmission, Docket No. CP14-497. Issued May 18, 2018. 163 FERC ¶ 61,128, pg. 14

<sup>14</sup> Order Denying Rehearing, Dominion Transmission, Docket No. CP14-497. Issued May 18, 2018. 163 FERC ¶ 61,128, pg. 15

<sup>15</sup> Adelphia is a project applying under Section 7(c) of Natural Gas Act.

<sup>16</sup>Dep, Pa. “2016 Oil and Gas Annual Report.” *PA Oil and Gas Mapping*, [www.dep.state.pa.us/oilgasannualreport/index.html](http://www.dep.state.pa.us/oilgasannualreport/index.html).

<sup>17</sup> Abbreviated Application for Adelphia Gateway, LLC, FERC Docket No. CP18-46, January 11, 2018. (App.) Exhibit Z-3.

<sup>18</sup> K-C Comment in Support

emissions as emissions released are largely dependent on amount of gas flowing through the pipeline itself.

In addition to emissions that come from transport of the natural gas through transmission lines other appendices of pipeline projects including “gathering pipelines, compressors, and related components that collect and transport the gas” release air pollutants during operation.<sup>19</sup> Air emissions from these projects introduce pollutants such as methane, ethane, benzene, toluene, xylene, carbon monoxide and ozone into the air of surrounding communities.<sup>20</sup> These emissions have the potential to cause significant damage to the surrounding environment and the health of individuals who live in the area.

Zone A of this project, where Adelphia is proposing to increase natural gas transport, is comprised of four blowdowns and two compressor stations, all of which will most likely have an increase in emissions based because the gas transported in them increases in volume. Air effects from blowdowns and compressor stations have been shown to have a demonstrated effect on the health of surrounding population,<sup>21</sup> as these stations create air pollution that leads to chronic respiratory issues, cardiovascular issues and heart attacks, neurological issues, cancer, and reproductive and development toxicity, among others.<sup>22</sup>

Further, the Compressor and blowdown stations being built in the Project will most likely have short, sudden emissions of gases sparingly throughout the year. Such events have been shown to have different effects on human health and the environment as compared to a steady continuous release. People living near compressor stations report strong odors as well as visible plumes during venting or blowdowns, as well as health issues such as burning eyes and throat, skin irritation, coughing, and headache.

Additionally, given the location of this pipeline these additional emissions would affect residents of areas already burdened by elevated levels of pollution, since the areas are in nonattainment of the NAAQS under the 8-Hour Ozone (Northampton, Bucks, Montgomery, Chester, Delaware, and New Castle Counties) and PM-2.5 standards (Delaware County),<sup>23</sup> NOx and VOCs both being precursors to ozone.

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<sup>19</sup> CRS\_Natural Gas and Methane 4

<sup>20</sup> Brown, CM, et al. (2002). Effects of pipeline rights-of-way on fish habitat at two Alberta stream crossings. In Environmental Concerns in Rights-of-Way Management: Seventh International Symposium. Elsevier Science Ltd. P. 82

<sup>21</sup> Understanding Natural Gas Compressor Stations, PennState Extensions, available at: <https://extension.psu.edu/understanding-natural-gas-compressor-stations>

<sup>22</sup> Understanding Natural Gas Compressor Stations, PennState Extensions, available at: <https://extension.psu.edu/understanding-natural-gas-compressor-stations>

<sup>23</sup> EPA, *Nonattainment Areas for Criteria Pollutants (Green Book)*, available at <https://www.epa.gov/green-book> (last visited May 31, 2018).

In addition to Adelphia avoiding their responsibility to examine additional air impacts, they have maintained that they do not need to consider air emissions at all out of Zone North A as they state that operation of the lines “are not part of the scope of Range Resource Report 9 and therefore not discussed further.”<sup>24</sup> At the minimum, Adelphia should now examine the impacts on the Main Line valve due to the dekatherm increase to ensure that all aspects of the project are getting considered and they are not attempting to breakdown a larger project into small modifications as to avoid a full environmental review. But in addition, FERC should also demand that the analyze all emissions from Zone North A as they are all part of FERC jurisdiction and need to be examined during FERC NEPA review.<sup>25</sup>

### **In Addition to Definite Changes That Will Occur in the Project, Depending on the Way That Adelphia Meets the New Threshold of 250,000 Dekatherms/day The Modification Could Lead to Changes in Other Aspects of the Application As Well**

“The main methods typically used to grow pipeline capacity are increasing gas compression and increasing pipeline diameter.”<sup>26</sup> “It is usually more cost-effective to increase gas compression, as the more gas can be compressed (with higher pressure), the smaller the pipeline diameter can be.”<sup>27</sup> With Adelphia’s additional compressor stations and blowdowns, it is likely that they plan to increase pressure in parts of the pipeline in order to increase their transportation. If this is true, such a system will directly increase noise, air emissions, public health, and public safety as a result.

#### **1. FERC Must Ensure that Adelphia Accounts for the Added Noise Pollution That Could Occur as A Result of the Additional Gas Transported**

The trade off for the “economic benefit” of building compressor stations instead of increasing pipeline diameter “is an increased potential for noise generation as the equipment needed to achieve the high gas pressure can be a significant noise source.”<sup>28</sup> The noise can stem from the “flutter” or “hum” of natural gas moving through the pipeline at high speeds or as a result of bursts of noise from the activity at blowdowns and compressor stations.<sup>29</sup>

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<sup>24</sup> Resource Report 9, pg. 2.

<sup>25</sup> 15 U.S.C. § 717f(e). (“the proposed service, sale, operation, construction, extension, or acquisition, to the extent authorized by the certificate, is or will be required by the present or future public convenience and necessity; otherwise such application shall be denied.”)

<sup>26</sup> <https://pgjonline.com/magazine/2015/november-2015-vol-242-no-11/features/combating-noise-in-gas-pipeline-transmission>

<sup>27</sup> <https://pgjonline.com/magazine/2015/november-2015-vol-242-no-11/features/combating-noise-in-gas-pipeline-transmission>

<sup>28</sup> <https://pgjonline.com/magazine/2015/november-2015-vol-242-no-11/features/combating-noise-in-gas-pipeline-transmission>

<sup>29</sup> <https://pgjonline.com/magazine/2015/november-2015-vol-242-no-11/features/combating-noise-in-gas-pipeline-transmission> and <https://www.newsleader.com/story/opinion/readers/2016/05/20/pipeline-noise-may-detrimental-health/84671888/>

Noise is not only bothersome for local residents but also damaging to people's hearing and the local environment.<sup>30</sup> The Environmental Protection Agency (EPA) has produced studies showing the health effects of noise pollution on people can include: including high blood pressure, coronary disease, migraine headaches, and low-birthweight babies.”<sup>31</sup>

In its original application and information presented since, Adelphia hypothesizes that its noise reducing technology, which is not specifically explained, will lead help to control and eliminate this issue. FERC needs to require that Adelphia has submitted adequate evidence that noise will be accounted for and controlled in their application.

## **2. FERC Must Ensure that the Transportation of Additional Gas Will Not Result in Threats To Public Safety, & Require Adelphia Provide the Public With a Full Safety Assessment**

The claim that the safety of Zone North A, even at the previously proposed capacity, is addressed in the project materials on the record is directly contradicted by Resource Report 11 of the original application, “Reliability and Safety,” which states:

There are no FERC-jurisdictional activities proposed for the existing 18- inch diameter line north of milepost 49.4 or for the 4.4 miles of 20-inch-diameter pipeline (see Resource Report 1-General Project Description); therefore, these facilities are not discussed further in this report.

While the Delaware Riverkeeper Network and other members of the public are not privy to specific supporting data and assumptions regarding the operational design limits of Zone North A, which are filed as Critical Energy Infrastructure Information (“CEII”) and not publically available, it is troubling that, with very little explanation beyond having realized that gas from Zone North A can flow into Zone South, Adelphia has gone from saying that Zone North A is “designed to have a capacity of approximately 175,000 Dth/d” and that “Zone North A and Zone North B consist entirely of the Existing System and are fully subscribed by the Existing Shippers for service to the two existing power plants”,<sup>32</sup> to now proposing to increase “design capacity on Zone North A from 175,000 Dth/d to 250,000 Dth/d” without “any changes to the proposed facilities or additional facilities.”<sup>33</sup>

While Adelphia attempted to leave the door open the final capacity of Zone South in their original application materials, there was no mention of even the physical potential of Zone North A to carry additional gas.

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<sup>30</sup> <https://pgjonline.com/magazine/2015/november-2015-vol-242-no-11/features/combating-noise-in-gas-pipeline-transmission>

<sup>31</sup> <https://pgjonline.com/magazine/2015/november-2015-vol-242-no-11/features/combating-noise-in-gas-pipeline-transmission>

<sup>32</sup> Adelphia Abbreviated Application, p. 6, January 11, 2018.

<sup>33</sup> Adelphia Amended Application



While it is difficult to make an informed safety assessment without flow diagrams and information on the physical characteristics of the system, it seems fair to assume that increasing the amount of gas on the system without making any physical changes to the facilities will increase the amount of pressure on the 40+ year old pipe.

This increase in pressure magnifies the concerns already expressed by the Delaware Riverkeeper Network and many other regarding the safety of old pipes, especially with apparently very little or no construction being done to ensure their safety after conversion or lying dormant for years. For more information on these concerns see the Delaware Riverkeeper Scoping comment attached and PHSMA Converting Pipeline Safety Guidance Attached.

Additionally, recent events have heightened further heightened these concerns. Aging infrastructure is a critical threat that FERC continues to overlook and fails to properly evaluate the dangerous ramifications of. In 2011, an explosion on a distribution line in Allentown, PA killed five people including an infant and an elderly couple. In 1992, the National Transportation Safety Board had warned in a letter that old cast-iron pipes were a concern and cited four explosions that had occurred in the city since 1925. Since that letter, six explosions have occurred. According to reporting by the Associated Press at the time of the 2011 blast, the utility's safety record was "downright alarming." Almost exactly a year later, the utility's parent company, UGI, announced plans to build the Commonwealth pipeline. Two years later, after community groups and environmental advocates defeated the project, UGI announced plans to build the PennEast pipeline. FERC approved the PennEast project in January, 2018 with no attention given to the fact that Allentown is hardly unique, that the problem of aging infrastructure is one that threatens communities everywhere. Never once has FERC questioned massive investment in new pipeline projects when the companies in question have neglected their responsibility to maintain existing pipelines.

Columbia Gas is responsible for three explosions since 2012, including the 2012 blast on a federally-regulated transmission line in Sissonville, WV that damaged and destroyed many homes and melted a portion of I-70. The NTSB concluded that corrosion had caused the blast and blamed a lack of inspections. The portion of the pipeline that ruptured was built in 1967 and had not been inspected since 1988.

FERC, as lead regulatory agency, must take these safety concerns seriously and take accountability for the serious and potentially life threatening threats of the proposed project. The information provided by Adelphia regarding safety, even after repeated questions in scoping comments and FERC information requests, is entirely inadequate. FERC cannot rely on the deficient information provided by Adelphia when the stakes are so high.

It is concerning that a recent response from Adelpia to a concerned resident regarding compressor station safety completely and callously ignores the well documented health risks of living within proximity of a compressor station:

“The September 10 Comment states that the Cuce property is “a few feet from” the Quakertown CS. Although the Quakertown CS property is adjacent to the Cuce property, Adelpia clarifies that the Cuce residence is located approximately 510 feet to the southeast of the nearest Quakertown CS adjacent property line. ... Further, the September 10 Comment asserts that the Quakertown CS is designed to be constructed on “a little over one half acre of space.” As Adelpia explained in Resource Report 1 of the Application, the Quakertown CS will be located on land within the existing Quakertown meter and regulator station (“Quakertown M&R Station”). The Quakertown M&R Station is an approximately 1.5-acre site. There are no federal regulations governing the property size for a compressor station. The property size and location for compressor stations are driven by consideration of the potential environmental impacts.<sup>34</sup>

Additionally, in a September 12 data request, FERC noted that:

Numerous public commenters have expressed concern over the safety of the existing pipeline and the conversion of service from oil to natural gas. The IEC plans submitted in a privileged filing on August 10, 2018 address some of these concerns. In order to incorporate these plans into the Environmental Assessment (EA), refile these plans as public. Include the Pipeline High Consequence Area and Population Classification Analysis, Pipeline Integrity Management Program, Annual Survey Plan, and Conversion to Service Plan. If certain elements of the plans cannot be made public, extract the specific pages and sections, so as to make as much of the documents public as possible.<sup>35</sup>

However, this information has not yet been provided to FERC and the public, despite apparently already being available and in Adelpia’s possession, in time for the public to see and comment on during this comment period on this vital information.

In order to ensure that noise and safety issues are properly addressed and the public is fully aware of these vital considerations, FERC must ensure that the public is given all relevant safety information regarding the project, including safety inspections and assumptions, and that all prudent and required precautions are being followed to ensure that this pipeline is not detrimental to public health and the benefits outweigh the harm.

**The Environmental And Community Impacts Currently Available on the Record, Even Before the Proposed Capacity Increase, Are Deficient, Misrepresented, and Misleading.**

In addition to the relevant information on the record that must be further updated in light of the proposed increase in capacity, the Delaware Riverkeeper Network reiterates that the scoping

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<sup>34</sup> (September 17, 20180917-5068(33128082), Adelpia response to commenter clarify info re compressor station)

<sup>35</sup> (September 12, 20180912-3012(33113570), FERC data request)

information and application materials supplied by Adelphia are extremely deficient, false, and piecemealed.

Since Adelphia's original application was filed on January 12, 2018, FERC has filed at least nine requests for additional information, totally over 80 pages; and Adelphia has filed at least 29 data and information responses, clarifications, and supplemental filings, totaling to thousands of pages. At least three of FERC's requests were specific to environmental issues and contained over 200 separate inquiries from FERC. Adelphia has yet to address all of the information requests FERC has requested. Adelphia's claim in their amended application that their "Application, and additional information filed on the docket in response to Commission Staff data requests, fully describe the potential environmental impact of the Project" is not only false, but asserts an unrealistic expectation that the public can, or should, find and digest the piecemealed and contradictory information on a docket with over 500 hundred filings, spanning 9 months, in order to understand the impacts that the proposed project would inflict on their environment, community, livelihood, and health and safety. Rather than present FERC and the public with the proper information to fully evaluate the impact of this project Adelphia has piecemealed the information together.

**1. Adelphia Has Misrepresented Itself To Landowners and Needs to Be Held Accountable for the Repercussions of This Project and Their Inability To Be Forthcoming With Information By FERC Mandating That They Submit Information That Will Ensure An Informed and Proper Review of the Project.**

Many of the over 500 comments on the record further indicates that Adelphia is misrepresenting the project to the community and to FERC.

One community in particular where Adelphia's misrepresentations have increased concerns of residents and Township government is West Rockhill. In West Rockhill, Adelphia is proposing to expand an existing compressor station. In comments on the docket, both residents of West Rockhill impacted by the project and the solicitor for the township have expressed concerns due to Adelphia's inaccurate portrayal of the project and misleading statements as to its impacts.<sup>36</sup>

These comments have highlighted that up until recently, Adelphia has represented itself to residents as a project that will only require 'limited construction' and therefore have only minimal 'impacts to landowners and communities.' Yet, residents and the Township have discovered that this information was vastly misleading. At the most recent meeting with the Township, Adelphia revealed the compressor station they are planning to construct will be an "8,000 to 10,000 square foot building between 45 and 55 feet height." In addition to concerns of not knowing the full scope of the Project, Adelphia is ignoring concerns voiced by residents and the Township as to the projects potential for impacts to surrounding land, as the compressor is proposed on a lot that is less than 1.5 acres in size" surrounded by "farms with livestock and grazing animals."

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<sup>36</sup> Comment of West Rockhill Residents and Township on CP18-46

Additionally, Adelpia has taken no steps to rectify the fact that the project as proposed violates the Townships stormwater management regulations and zoning regulations. Overall, Adelpia has done little to accommodate or quell the concerns of the local community and continues to provide limited plans. Rather, Adelpia has relied instead on the knowledge that once FERC grants the project certification they do not have to do anything to accommodate the township's laws and concerns of local residents. Emphasizing in their response to West Rockhills intervention and letter of concern that "... West Rockhill acknowledged that as an interstate pipeline approved by FERC, Adelpia will not be subject to the requirements of West Rockhill's local ordinances."<sup>37</sup>

Pipeline infrastructure projects receive the federal constitutional right to eminent domain based on their established need to secure current and future reliable energy infrastructure. This power has led companies to flaunt their right to ignore state and local laws put in place to keep the people of a community and its environment healthy and safe. While it may be true that these projects will receive the power of federal eminent domain, there is no reason that in receiving this power they need to ignore and disregard local laws. Such an attitude toward the public is disrespectful and shows a blatant disregard for the health and wellbeing of people and the environment.

**FERC Needs to Ensure that Adelpia is Not Acting to Segment and Avoid Review of the Full Project By Demanding That They Submit Environmental Impact Information on The Full Pipeline And Identify Other Areas Where An Increase in Transport Can Occur.**

In fact, there is still reason to believe that the project capacity will be even further increased, in Zone South as indicated in Adelpia's Application and comments from landowners along the route necessitating further updates to the impacts identified above. It is inappropriate for Adelpia to piecemeal its application to FERC in such a way that it is nearly impossible for the public to have a meaningful understanding of the scope of the project and its actual impacts. It is misleading and deceitful to attempt to check the boxes under NEPA under the premise of a much smaller project with fewer GHG emissions, few toxic air emissions, less fracking induced, and less dangerous pressure on an aging pipeline system, and then incrementally increase the scope of the project over time while claiming the increase in capacity has no bearing on the environmental and community impacts.

As it currently stands, the information on the record regarding the proposed Project is completely inadequate and makes it impossible for the public and or for FERC to meaningfully understand and assess the true scope of environmental and community impacts that the project would inflict.

For a more complete list of all of the environmental and community impacts that need further review and assessment please see the June 1, 2018 scoping comments of the Delaware Riverkeeper Network, attached.

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<sup>37</sup> Adelpia Response to West Rockhill Motion to Intervene

We hope that FERC reconsiders its approach to this pipeline and ensures that Adelphia accounts for and takes responsibility for the full effects of this proposed pipeline.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Maya K. van Rossum" followed by a horizontal line.

Maya K. van Rossum  
the Delaware Riverkeeper