

BLUE RIDGE ENVIRONMENTAL DEFENSE LEAGUE

1828 Brandon Ave. SW
Roanoke, VA 24015

June 11, 2018

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

Re: Mountain Valley Pipeline, LLC
Docket No. CP16-10-000
Variance Request No. MVP-003

Dear Ms. Bose:

I am writing on behalf of the Blue Ridge Environmental Defense League (BREDL). BREDL is a regional, community-based, non-profit environmental organization. Our founding principles are earth stewardship, environmental democracy, social justice, and community empowerment. BREDL has chapters and members throughout the Southeast, including counties in Virginia traversed by the Mountain Valley Pipeline (MVP).

BREDL urges the Federal Energy Regulatory Commission to deny MVP variance request MVP-003 to extend its operating hours of construction.

As stated in the MVP Final Environmental Impact Statement, “the FERC encourages cooperation between applicants and state and local authorities¹...” This statement is in consonance with FERC policy under sections 3 and 7 of the Natural Gas Act². BREDL fully expects FERC to comply with this well established policy.

¹ 1.5.2 State and Local Laws, p 1-42 FEIS,

In some cases, Mountain Valley and Equitrans would obtain applicable state and local permits or authorizations, as required under specific state and county laws and regulations in order to allow the MVP and EEP to move forward. The FERC encourages cooperation between applicants and state and local authorities; however, state and local agencies, through the application of state and local laws, may not prohibit or unreasonably delay the construction or operation of facilities approved by the FERC. Any state or local permits issued with respect to jurisdictional facilities must be consistent with the conditions of any authorization issued by the FERC.

² The Natural Gas Act, State Environmental Policy, and the Jurisdiction of the Federal Circuit Courts, Channing Jones, COLUMBIA JOURNAL OF ENVIRONMENTAL LAW, p. 7

Virginia localities address noise control as a land-use issue through jurisdictional ordinances.³ These have gone through the proper due process with citizen involvement. The MVP variance request would allow operational hours outside these longstanding local ordinances.

Denying this variance request does not prohibit or unreasonably delay the MVP project.

Sincerely,

Mark E. Barker
Executive Assistant
BREDL
(540) 342-5580
mebarker@cox.net

³ Local Ordinances: Montgomery County, chapter 7, Article IV; Roanoke County, Section 13, Article II; Franklin County, Section 12, Article III; Pittsylvania County, Chapter 41