

November 19, 2015

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Re: Review of Final Environmental Assessment  
Proposed Dominion Transmission, Inc. New Market Project  
OEP/DG2E/Gas Branch 4  
Docket No. CP14-497-000

File: 1836.002.001

Dear Secretary Bose:

On behalf of the Town of Minden, Barton & Loguidice, D.P.C. (B&L) staff have reviewed the Final Environmental Assessment (EA) that was prepared by Federal Energy Regulatory Commission (FERC) staff in support of the proposed Dominion Transmission, Inc. (DTI) New Market project. We understand that the Final EA was issued by FERC on October 20, 2015, and that the public comment period ends on November 19, 2015. In reviewing the Final EA, B&L has identified several potential adverse environmental impacts associated with the proposed project that warrant further investigation and evaluation. Furthermore, we find that the identified potential environmental impacts associated with this project have not been mitigated to the greatest extent practical in order to protect public health and the environment. Therefore, based on the information presented in the Final EA, we respectfully submit the following comments for review and consideration by FERC staff.

### **Proposed Facilities**

- 1) On page 3-10 of Resource Report 3 (Vegetation and Wildlife) it states that “Approximately 1 acre of agricultural land will be temporarily impacted during construction of the approximately 850 feet of proposed pipeline”. However, there is no mention of this pipeline on page 7 of the Final EA which provides a bulleted list of the facility improvements that are proposed for the Brookman Corners Compressor Station, nor is the proposed pipeline mentioned anywhere else in the Final EA. What is the diameter of the proposed 850 foot long pipeline, and what will the proposed pipeline connect to? This is critical information that must be described in detail in the Final EA.





Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
November 19, 2015  
Page 2

## Water Resources and Wetlands

- 1) On page 32 of the Final EA it states that “An equipment crossing and temporary bridge approximately 60 feet in length at the Brookman Corners Compressor Station would temporarily impact approximately 0.03 acres of mixed palustrine emergent/scrub-shrub wetland”. What is the total acreage of the aforementioned wetland area and why aren’t the limits of the wetland area depicted on Figure 2? The Final EA should indicate the total acreage of the delineated wetland area and also include a figure that illustrates the field delineated location and boundary of the wetland area. Also, what specific precautions and/or measures will be implemented to insure the wetland is not detrimentally impacted in the event that a petroleum or gasoline spill occurs while a piece of equipment is crossing the temporary bridge structure? Similarly, what steps will be taken in the event that a piece of equipment or machinery falls from the temporary bridge and lands in the wetland area?
- 2) Page 32 of the Final EA indicates that the Project areas “were field delineated in March 2014 in accordance with the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0)* (USACE, 2011) and the *Corps Wetland Delineation Manual* (Environmental Laboratory, 1987).” The *Regional Supplement* states that wetland determinations completed during snowy conditions or vegetative die back are challenging and that the delineation process may need to be adapted to collect enough information to determine the plant community and assemblages that are normally present in an area. There is concern regarding whether the full extent of Wetland W17 could be determined in the field given the conditions encountered at the time (i.e., snow cover and dead vegetation), particularly for a palustrine emergent wetland type and for a project area influenced by agricultural activities (which additionally mask the natural plant community and field conditions). Certain aerial photographs for the site show additional areas suspected of meeting federal wetland parameters (including within the proposed materials storage/contractor staging area). To further demonstrate the unsuitable field conditions present during the wetland delineation, the note in the soils section of the upland datasheet for W17 includes “no soil ground frozen.”
- 3) Specific details involving the construction and removal of the temporary bridge structure proposed to cross Wetland W17 are not included in the Final EA. The structure is proposed to be 60 feet in length, but no width measurements are provided, no details regarding the structure’s height above the wetland, no indication of where the crossing is proposed, no specifics related to construction materials and techniques, etc. It appears that the disturbed wetland will be left to restore itself since no additional seeding or grading activities are proposed to re-establish the wetland to its pre-impact condition.



Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
November 19, 2015  
Page 3

### **Air Quality, Human Health Risk Assessment, and Noise**

- 1) Was a complete Modeling Protocol for the Project reviewed and approved by NYSDEC? The EA references that the meteorological data used were from pre-processed data sets provided by NYSDEC for use with the Project, but there is no mention of a modeling protocol approval or NYSDEC modeling correspondence provided in the EA.
- 2) There is no discussion of applicability or compliance with NYSDEC 6 NYCRR Part 212 Process Operations in the assessment. Revisions to Part 212 were finalized in 2015 and contain allowable emission limits for high toxicity air contaminants which may or may not be applicable to the Project.
- 3) The following items noted in the FERC Environmental Data Request (6/2/2015) were not fully addressed in the final Environmental Assessment (EA):
  - a. The basis for determining that the air quality monitoring stations selected for background air quality, including but not limited to, location and proximity, topography, and land use are appropriate for the Brookman Corners site. This site is located immediately adjacent to the Otsquago Creek Valley which has the potential to have unique local weather conditions including temperature inversions, local weather and wind patterns, and may affect other modeling parameters not typical of other sites and standard data sources.
  - b. The basis for selection of surface data and upper air data are representative of the Brookman Corners site for air quality modeling (see comment a., above).
  - c. The vendor emissions data and correspondence are not included in the EA. In addition, there is no vendor or manufacturer emission guarantees provided in conjunction with the removal efficiencies provided for CO, formaldehyde, VOCs and organic HAPs. The emission inventory and modeling incorporate assumed removal efficiencies for these pollutants and these items should be provided for compliance assurance.
  - d. Calculations to support the stack parameters for both the existing and new sources.
- 6) The emission limits utilized in the emission inventory are less than EPA 40 CFR 60 Subpart JJJJ limits as they include the assumed removal efficiency of the proposed emission control devices (low NO<sub>x</sub> combustion system and oxidation catalyst). The New York State Department of Environmental Conservation (NYSDEC) State Facility Permit should require emission source testing to confirm that the emission limits stated in the emission inventory are met for the two proposed Caterpillar® C3608 reciprocating internal combustion engines (RICE). The permit emission limits include: 0.5 g NO<sub>x</sub>/



Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
November 19, 2015  
Page 4

hp-hr, 2.75 g CO/hp-hr and 0.315 g VOC/hp-hr. Verifying compliance with only the Subpart JJJJ limits could result in exceeding major source emission limits for the Project, which would require a Title V Permit.

- 7) The emission limits used in the emission inventory are less than EPA 40 CFR 60 Subpart KKKK limits as they include assumed removal efficiencies of the proposed control devices (Solar SoLoNOx lean-premixed combustion technology). The NYSDEC State Facility Permit should require emission source testing to confirm that the emission limits stated in the emission inventory are met for the proposed Solar Centaur 50L combustion turbine (CT). The permit emission limits include: 15 ppmvd NOx @ 15 percent oxygen.
- 8) NYSDEC's "Compressor Station Application Checklist" indicates that air dispersion modeling is required for formaldehyde for comparison to the NYSDEC short-term (1-hr) and Annual Guideline concentrations (SGC/AGC) in accordance with NYSDEC DAR-1. Model comparison results to SGC and AGC concentrations are not provided in the EA.
- 9) It is unclear based on review of the EA if a Best Available Control Technology (BACT) review was conducted for the permitting of the proposed Project. Please clarify if a BACT review was conducted and/or required for the Project.

## Noise

- 1) There is little detail provided in the EA regarding the ambient noise level measurements and proposed Project noise levels to support the conclusion that noise levels will operate in compliance with FERC's 55 dBA Ldn noise criterion. The following information should be provided or referenced in the EA (much of which were requested in the FERC Environmental Data Request (6/2/2015), but were not included and/or addressed in the final EA):
  - a. Time of day, and duration at each noise sensitive area (NSA), that the ambient noise level measurements were conducted.
  - b. The effect of sub-zero temperatures during the ambient noise level measurements on the noise meters and resulting ambient noise data.
  - c. The type of meters used in the ambient noise level assessment and calibration records for the meters.
  - d. Specify what attenuation factors were utilized for distance and atmospheric attenuation calculations.
  - e. The existing turbine noise was from operation at 94% of full load. There is no discussion of adjustments to the source sound levels to account for full load operation of the existing facility.



Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
November 19, 2015  
Page 5

- 2) It is noted that FERC is recommending that a noise survey be conducted within 60 days of startup of the modified station; however, we request that this timeline be reduced to within 30 days of startup to verify compliance with noise limits. Further, the suggested timeline of “within 1 year” to make modifications should survey levels exceed an Ldn of 55 dBA is excessive. This would potentially subject the nearby sensitive receptors to negative impacts from noise sources at the modified station for up to one full year before corrections are made which is unacceptable. The facility should be required to operate at reduced load levels until corrective measures are implemented such that the facility meets the 55 Ldn requirement at all times.
- 3) In an effort to prevent adverse noise impacts to adjacent properties, we recommend that the facility be required to meet the 55 Ldn at the project property line.

### **System Alternatives**

- 1) This section of the EA examines the use of electric motor-driven compressors in lieu of gas-powered units at the proposed Horseheads and Sheds Compressor Stations, but **does not** include the Brookman Corners Compressor Station in the assessment. The EA found that although electric motor-driven compression equipment is feasible and provides significant local emission reductions; the alternative was dismissed as non-viable for the Horseheads and Sheds sites due to the need for additional high-voltage power lines to bring electrical power to the respective sites. Unlike the Horseheads and Sheds sites, the Brookman Corners Compressor Station already has high voltage electrical transmission lines that traverse the Project site as a source of power for the Project’s equipment. Since the source of required high-voltage power is already at the site, and electric motors are feasible to replace the proposed gas-powered equipment as discussed in the EA for the Horseheads and Sheds sites, the EA must be modified to fully address the feasible and viable electric motor alternative and provide reasoning for why this alternative was not selected. The use of electrical motors at the Brookman Corners site will remove gas combustion emissions from the proposed project.

In addition, the EA states that “although the use of electric motors to power compressors at each compressor station would lessen the air emissions at the compressor station itself, it would result in increased emissions of air pollutants at the point of electric generation. This essentially results in a transfer of air pollutants from one geographical location to another, and would not necessarily result in any net benefit for regional air quality”. There is no information provided to support this claim. Further, the validity of this claim cannot be determined without assessment of the emissions from electric generation sources, which may emit less per unit of generation than the natural gas fired RICE and compressor turbines. Therefore, there could be a net benefit for regional air quality, and



Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
November 19, 2015  
Page 6

provide a reduced environmental impact to the area and receptors surrounding the Brookman Corners Compressor Station.

- 2) There are currently available emission controls and configurations available that would decrease emissions from the Brookman Corners Compressor Station that should be considered in the EA. The systems include:
  - a. Adding an oxidation catalyst onto the existing Solar Taurus 60 CT to reduce CO, VOC and HAP emissions from the site. This is standard equipment that Dominion is installing on the new engines and turbine at the Brookman Corner site as well as other proposed Project sites.
  - b. Adding vapor recovery technology, such as the REM SlipStream® system. This would essentially eliminate fugitive emissions, which are particularly problematic for reciprocating engine/compressors. It could also significantly reduce projected levels of VOCs. The system requires no re-compression, can accommodate rapid flow changes, and has a high VOC and methane destruction factor.
  - c. Replacing the existing Solar Taurus 60 CT with a Solar Taurus 70 CT, which is planned for the Horseheads and Sheds compressor Stations. In doing so, the proposed Solar 60 CT at Brookman Corners would not be necessary.

We appreciate your review and consideration of these comments. If you have any questions regarding the information presented herein, or would like to discuss in greater detail, please feel free to contact me or Steve Le Fevre at (518) 218-1801.

Very truly yours,

BARTON & LOGUIDICE, D.P.C.

A handwritten signature in blue ink, appearing to read 'Jeffrey J. Reed', is written over the printed name.

Jeffrey J. Reed, P.E.  
Senior Managing Engineer

JJR/akg

cc: Cheryl Reese, Town of Minden Supervisor