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Mike Rolband, Director
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Director Rolband:

The undersigned groups demand the Department of Environmental Quality (DEQ) take strong enforcement action to address the compliance failures of the Mountain Valley Pipeline (MVP) and ensure that the builders live up to the legal requirements of its Virginia water quality certifications.

The company claims construction was completed on June 10, 2024. Under Virginia regulations temporary stabilization should have been applied to all areas disturbed by the project within seven days, (9 VAC 25-840-40.1), and permanent stabilization must be achieved as soon as possible. This must include the pipeline right-of-way, roads, and all other areas covered by Virginia approvals.

Any areas not properly addressed as of the date of this letter should be deemed to be in violation and DEQ should take prompt enforcement action. There are very sensitive and steep areas along the pipeline route that we believe will be impossible to restore safely under the insufficient plans that DEQ initially approved and which have failed repeatedly. DEQ must insist that enhanced measures be implemented wherever necessary and require immediate action wherever failures occur.

Additionally, there are numerous areas where work on the MVP has caused long-lasting impacts and in many cases sediment deposits, releases, and transport within waterbodies will continue. The MVP caused a two-week pollution disaster in Sinking Creek (MVP Spread G) in Giles County causing thirty tons of sediment to enter the creek¹, and those sediments continue to affect habitats in the area and miles downstream.

¹ Czuba, J. A., Pitt, D., Nelson, A., & Malbon, E. S. (2024, April 12). Sediment Pollution in Sinking Creek from MVP Activities. [PowerPoint slides]. Presented at the New River Symposium, Virginia Tech Institutional Repository. <https://vtechworks.lib.vt.edu/server/api/core/bitstreams/48193619-596b-4b81-a4de-26123cc7daf4/content>

Likewise, the exploded pipe on Bent Mountain during hydrostatic testing discharged heavily sedimented water into nearby Mill Creek (MVP Spread H). These incidents not only violated regulations, but also caused significant ecological damage and stress to the communities living along the route.

To our knowledge, the ecological impacts of these discharges have not been assessed by the DEQ. The DEQ should require MVP to conduct biological monitoring in streams where significant sediment discharges and deposits have been made and make those findings public.

Landowners and community members continue to be harmed by the aftermath of MVP construction and DEQ must do its duty to reverse, or at minimum mitigate, those harms. That will require strict enforcement of regulations for ongoing restoration work and levying penalties and follow-up for damages already done.

Sincerely,

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