

Pipeline CSI

Compliance Surveillance Initiative

THE SEVEN STEPS OF INCIDENT INVESTIGATION

Rick Webb, Chair, Pipeline CSI, Allegheny-Blue Ridge Alliance

Construction of the proposed Atlantic Coast Pipeline (ACP) presents an extreme risk to water and other environmental resources. We cannot solely rely on government agencies to reliably monitor, prevent, or even document the damage. The Allegheny-Blue Ridge Alliance and member organizations have therefore developed the Pipeline Compliance Surveillance Initiative (CSI) to support citizen efforts to ensure strict application of environmental laws and regulations in the event the pipeline goes forward.

The need for citizen oversight of pipeline construction has been made clear by observations of recent pipeline projects and inadequate regulatory agency response to repeated violations and water resource harm. Adding to our concerns, the regulatory agencies have failed to require submission of complete environmental plans prior to project approval. This deferral of critical review and analysis, along with political pressure to expedite the project, sets the stage for significant and long-term degradation of high-quality streams and groundwater supplies.

The ACP still faces substantial regulatory and legal challenges. The proposed pipeline project is not a done deal, nor will it be if the system works as it should. In any case, construction will not proceed on the “business as usual” basis described to industry officials and investors by Dominion Energy executives. The Pipeline CSI will ensure a dramatically new level of public scrutiny and oversight.

The Pipeline CSI will focus first on the approximately 200-mile section of the proposed ACP route extending from Harrison County in West Virginia to Buckingham County in Virginia. The extreme earth disturbance required for construction of the ACP in this area of steep mountain sides, high-quality streams, and karst valleys presents an unacceptable risk to water resources.

If the ACP project is allowed to proceed, the Pipeline CSI will work to limit the inevitable environmental damage through a program designed to investigate and follow-up on reported incidents of both downstream surface water impact and noncompliance with construction requirements in areas of direct disturbance, including the pipeline corridor, access roads, and stream crossings. Incident follow-up by the Pipeline CSI will include confirmation, thorough documentation, and complaint submission to regulatory agencies when warranted.

Incident investigation and follow-up will involve a sequence of seven steps.

1. Initial Incident Observation

Citizen observers, working independently, with local watershed groups, or with regional volunteer stream monitoring programs, will identify water resource problems associated with pipeline construction and submit incident reports directly to CSI Central or to local watershed groups or regional volunteer

monitoring programs. Incident information will also be obtained through routine surveillance flights conducted by the Pipeline Air Force.

For more information on citizen reporting, see Guidance for Citizen Observers and Citizen Reporting Options.

2. CSI Central Reviews Incident Reports

CSI Central will monitor incident reports and contact report sources for additional information when needed.

3. Case File Opened; First Responders Dispatched

For significant incidents, a case file will be opened to track incident investigation and review, as well as regulatory agency performance. CSI First Responders will be dispatched, including (1) expert teams to collect evidence-grade water data and observe construction activities and (2) the Pipeline Air Force to conduct aerial surveillance and obtain high-resolution imagery.

4. Case Investigation Announced; Case Information Added to CSI Mapping System

For significant incidents, CSI Central will provide an early alert to the general public and to the responsible regulatory agencies, using pre-established agency points-of-contact and reporting formats. At the same time, information related to the investigation will be added to the online CSI Mapping System, an interactive multi-layered GIS map that provides access to information concerning pipeline infrastructure, construction plans and requirements, and environmental sensitivities. Case information added to the map will include high-resolution imagery of the construction activity and related water data.

5. Evaluation of Case Information by CSI Environmental and Forensic Review Teams

CSI experts will review case information provided through the CSI Mapping System and determine if formal complaint submission to regulatory agencies is warranted. Public access to the CSI Mapping System will allow other knowledgeable individuals and professionals with erosion and sediment control and stormwater management backgrounds to contribute to case review.

6. Complaints Submitted to Regulatory Agencies

In cases where noncompliance with construction requirements is established or implementation of required measures fails to prevent environmental harm, incident reports will be completed and submitted to the responsible regulatory agencies, including the West Virginia Department of Environmental Protection, the Virginia Department of Environmental Quality, the U.S. Forest Service, the U.S. Army Corps of Engineers, and the Federal Energy Regulatory Commission. Submitted reports will include documentation and an assessment of regulatory and statutory compliance.

7. Agency Responses Tracked; Case Reports Published

Agency response to complaints and the success of enforcement and remedial efforts will be closely monitored. In cases of ineffective enforcement or serial noncompliance, stop work orders and citizen suits or other legal challenges will be pursued. Case reports will be published to document regulatory performance and evaluate environmental harm resulting from construction of the ACP in high-risk mountain landscape.

See pipelineupdate.org/csi for referenced documents and the CSI Mapping System

