

FERC Abuses – Public Safety and Community Right to Know

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The Federal Energy Regulatory Commission has abdicated its duty to work in concert with other Federal and State agencies. It routinely fails in its format and procedure to engage and inform the public. FERC-mandated scoping meetings are one-sided affairs, promoting jobs, community revenue, and local stimulus, without informing the public about issues, hazards, and dangers to communities. In its regulatory capacity, the FERC should do more than simply approve projects; it should inform the public of critical information about the way in which such projects could threaten their communities. For example:

1. The evacuation distance for a 42” pipeline at 1440psi is 2 MILES
 - a) Most gas line breaches begin with an explosion, followed by an incendiary fireball;
 - b) The blast radius on such a pipeline is 1800 feet maximum damage, radiating out to 3600 feet secondary (heat) damage
 - b) Most communities lack warning systems, evacuation plans, or an informed emergency response;
 - c) In the event of a breach, thousands along this route would be trapped on uphill slopes.
2. Construction along the 556-mile long ACP would require 1100 miles of new access roads.
 - a) These roads will be built off of existing state and county roads, many of which are one-lane. This will impede emergency services’ ability to respond to public need as well as the tremendous burden of emergency response due to construction, traffic, and civil complaints as a result of construction.
 - b) Construction of these roads will contribute to loss of habitat, erosion, water and soil degradation, and lowering of property values.
 - c) In spite of all this construction, no provisions are made to ensure that every residence and business has an escape route and plan.

- d) Communities along these routes lack the necessary emergency services and equipment to deal with pending disasters, especially in light of climate change.
3. The U.S. Department of Homeland Security mandates that ‘No critical infrastructure can be placed in an evacuation zone,’ yet the ACP is a mere 2200 feet from Upshur County High School and 1200 feet from the state police barracks. The blast radius for this pipeline is 3600 feet. FERC is obviously not concerned for the mandates of this agency or basic safety considerations.
 4. FERC fails to verify data submitted by the applicant. Requests from local governments to the applicants are ignored. Projects should be halted until questions are answered. The idea that everything proceeds pending approval is unacceptable.
 5. The Presidential Memorandum accompanying Executive Order 12898 emphasizes the importance of using the NEPA review processes to promote environmental justice. It directs federal agencies to analyze the environmental effects, including human health, economic, and social effects, of their proposed actions on minority and low-income communities (epa.gov), including those outlined or analyzed in EISs. The MVP has a disproportionate amount of poor and elderly along its route. By accepting the pipeline company’s claim that the project would produce “no significant harm” to these communities, the FERC fails in its duty to comply with this NEPA standard.