# **Virginia People’s Tribunal on Environmental Justice and Fracked Gas**

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# I am Thomas Burket and will be speaking as a representative of the Virginia River Healers.

Thank you for the opportunity to speak amongst many Virginians who are standing up for the health of our rivers, streams, and water.

As a water protector I am here today because the Atlantic Coast and Mountain Valley Pipelines would pose serious threats to Virginia’s rivers and water security.

The VRH looked at the proposed paths of the Atlantic Coast Pipeline and the Mountain Valley Pipelines. The Virginia River Basin Impact Map shows that a vast majority of Virginia’s water security is in the red zone and potentially threatened by the construction and service of these high volume fracked gas pipeline projects. The construction of these pipelines would impact a total of 6 river basins in Virginia. The impacted river basins comprise a majority of Virginia’s source of freshwater. Compromised River basins include the James River, Potomac River,, Chowan River, Albemarle-Pamlico, New River, and the Roanoke River Basins. A total of 14.4 million people live within these 6 river basins and rely on them as a primary and daily source of water.

These two fracked gas infrastructure projects require state water permits issued by the Virginia Department of Environmental Quality’s State Water Control Board. During this process the state agency has failed to provide the public with Dominion Energy’s and EQT Corp’s plans on how they will construct these fracked gas pipelines without compromising the health of our waterways. Section 303(d) of the Clean Water Act , requires states to identify waters where current pollution control technologies alone cannot meet the water quality standards set for that waterbody . By failing to provide the public with needed information the agency is a allowing gas industries to operate at the cost of human security . This is unacceptable because of two reasons. The first being the severity of what is at risk- our water. And the second being that both primary partners, Dominion Energy and EQT Corp, have proven to be be bad actors in the past.

These fracked gas pipelines would cut across, through, and under over 2,600 water bodies. Although Aaron Ruby, the Media Relations Manager at Dominion Energy has repeatedly told the public that the construction of these pipelines will not interfere with our water quality a history of horizontal drilling under rivers for pipelines proves otherwise.

In April of this year, 2017, the Rover Pipeline was horizontally drilling for a fracked gas pipeline in Ohio. The process spilled over 2 million gallons of drilling fluid and bentonite into a wetland area along the Tuscarawas River. Locations where horizontal drilling would occur in Virginia would also be in areas and communities that are already experiencing environmental displacement and violence from Compressor stations and energy waste legacy sites. The planned location of drilling under the James River is in Buckingham County, the same county that Dominion plans to build a fracked gas compressor station. Another example of a targeted community is Gilmerton Chesapeake. An area that has faced Dominion Energy's coal ash waste sites for years on the West Branch of the Elizabeth River and is now being threatened by the Atlantic Coast Pipeline and horizontal drilling.

On top of this both of the primary developers, Dominion Energy, and EQT midstream partners have proven themselves to be bad actors.

Dominion Energy, a primary partner for the Atlantic Coast Pipeline has compromised Virginia's water security in the past. By dewatering a coal ash site without permits at their Possum Point location, coal ash impoundment leaks on the James River, and most recently a judge ruled that their waste site on the Elizabeth River was leaching arsenic into the waterway.

EQT Corp, an acting partner in the Mountain Valley Pipeline has demonstrated that it is a bad actor in Pennsylvania.

EQT pressed back on Pennsylvania’s Department of Environmental Protection after the DEP levied a $4.5 million fine against EQT over a leaking wastewater impoundment at a fracking site. In 2014 EQT received the biggest fine in Pennsylvania at the time and resulted in an arrest warrant against.

EQT Corp has also fought to appeal Pennsylvania Court decisions that were established to hold EQT accountable for spills into state streams, groundwater and soil.

In January of 2017 EQT CEO Steve Schlotterbeck was listed by the Water Terrorism Task Force as a top threat to Appalachian water security and still remains on the Virginia Water Terrorism List.

Both Dominion and EQT have a track record of spills and undermining state agencies that work to protect state water and their citizens. These actors have shown that they will exploit contracts at the cost of our water security.

The VRH believes holds that water is a human right and that these fracked gas projects and bad actors are a direct threat to our rights. Water is a commons- no one has the right to destroy. Our 2,600 waterbodies are greater than pipelines. 14 million people are greater than pipelines!

# <http://www.dailyindependent.com/cnhi_network/state-of-new-york-denies-northern-access-pipeline-permits/article_7e754e5f-f3cb-55cd-a6b4-519de8a5e42e.html>

“department announced that they cannot approve the water quality certificates needed for the 97-mile pipeline to carry natural gas from Pennsylvania through Western New York.”

<http://www.richmond.com/business/virginia-s-environmental-agency-says-contractor-s-work-for-dominion/article_da3d5a4f-adcc-5ee0-86d5-0676afc5a2f0.html>

“DEQ is assessing information related to EEE’s existing contracts with Dominion as well as other affiliates of Atlantic Coast Pipeline LLC, and Mountain Valley Pipeline LLC.”

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**James River Basin: 3.7 Million**

Human population within James River Basin 3,725,584 (2010 Census)

Source: Virginia Department of Environmental Quality

<http://deq.state.va.us/Portals/0/DEQ/Water/SWRP/App%20B%20James%20River%20Basin%20Summary.pdf>

**Potomac-Shenandoah River Basin: 6.1 Million**

The population within the Potomac River basin is approximately 6.11 million (2010 estimated census)

Source: Interstate Commission of the Potomac River Basin

<https://www.potomacriver.org/potomac-basin-facts/>

**Chowan River Basin: 60 Thousand**

Human population within in the Chowan Basin 61,548 (2010 census)

Source: North Carolina Department of Environmental Quality

<http://portal.ncdenr.org/web/apnep/chowannc>

**Albemarle-Pamlico Coastal: 3.9 Million**

Human population within in the Albemarle-Pamlico 3.9 million (2010 Census)

Source: North Carolina Department of Environmental Quality

<http://portal.ncdenr.org/web/apnep/fastfacts>

<http://portal.ncdenr.org/web/apnep/maps>

**New River Basin: 350 Thousand**

Human population within in the New River Basin 349,389 (2010 census)

Source: Virginia Department of Environmental Quality

<http://www.deq.virginia.gov/Portals/0/DEQ/Water/WaterSupplyPlanning/SWRP%20Final/New%20River%20Basin.pdf>

**Roanoke River Basin: 290 Thousand**

Human population within in the Roanoke River Basin 289,784 (2010 Census)

Source:North Carolina Department of Environmental Quality

<http://portal.ncdenr.org/web/apnep/roanoke>

**EQT fights penn. Court**

http://www.sungazette.com/news/marcellus-shale-information/2017/06/dep-and-supporters-urge-high-court-to-reverse-limits-on-pollution-fines/

**DEP fines EQT**

<http://marcellusdrilling.com/2015/10/pa-dep-says-2010-eqt-spill-polluted-water-spring-eqt-appeals/>