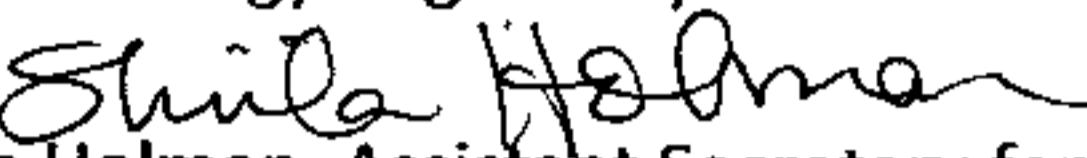




ROY COOPER
Governor
MICHAEL S. REGAN
Secretary

MEMORANDUM

To: Nathaniel J. Davis, Sr., Deputy Secretary
Federal Energy Regulatory Commission

FROM: 
Sheila Holman, Assistant Secretary for the Environment
NC Department of Environmental Quality

RE: Draft Environmental Impact Statement - Atlantic Coast Pipeline
Proposed project is the construction and installation of approximately 194 miles of underground 36-inch outside diameter natural gas transmission pipeline and one Compressor Station to serves natural gas to customers in North Carolina.
Northampton, Halifax, Nash, Wilson, Johnston, Sampson, Cumberland, and Robeson Counties

Date: April 5, 2017

The Department of Environmental Quality has reviewed the proposal for the referenced project. Based on the information provided, several of our divisions have comments and offer recommendations which will help in preparing the final Environmental Impact Statement.

One of the main issues is that the Draft Environmental Impact Statement (DEIS) does not adequately address secondary and cumulative impacts. In addition, DEQ recommends that the environmental justice report be re-evaluated to include other criteria among certain communities. Finally, DEQ recommends that the following State Recognized Tribes be consulted with to determine the religious or cultural significance to historic properties that could be impacted by the project: Haliwa-Saponi, Coharie, and Lumbee. DEQ requests that our recommendations be considered and that necessary adjustments be made to the DEIS to address the comments. Our detailed comments are attached for your review.

The Department appreciates the opportunity to assist the applicant and provide guidance for their project.

Attachments



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

S. JAY ZIMMERMAN
Director

April 3, 2017

TO: Lyn Hardison, Environmental Assistance Coordinator, NC DEQ

FROM: David Wainwright, DWR SEPA Coordinator *DW*

SUBJECT: Atlantic Coast Pipeline Project
Draft Environmental Impact Statement
Northampton, Halifax, Nash, Wilson, Johnston, Sampson, Cumberland, and Robeson Counties
NCDEQ #1678

Various Division of Water Resources staff have reviewed the Draft Environmental Impact Statement (DEIS) submitted by the Federal Energy Regulatory Commission (FERC) on behalf of Atlantic Coast Pipeline, LLC and Dominion Transmission, Inc. for the proposed Atlantic Coast Pipeline (ACL) and Supply Header Project (SHP). The project would construct an underground pipeline of nearly 600 miles in length spanning West Virginia, Virginia, and North Carolina. In North Carolina, the project would span approximately 194 miles in Northampton, Halifax, Nash, Wilson, Johnston, Cumberland, and Robeson Counties. Below are comments submitted by DWR staff regarding the proposed project.

Raleigh Regional Office:

- A project that disturbs 1 acre or greater is required to secure an erosion and sedimentation control plan and must comply with construction stormwater permit conditions (NCG010000)
- Footprint of this project bisects several river basins, including River Basins that have Riparian Buffer rules. (Neuse River and Tar-Pamlico River Basin have riparian buffer the apply to intermittent, perennial streams, ponds and lakes).
- Proper management and disposal of drilling fluid will be necessary such that illegal discharges of waste do not occur.
- Discharges of drilling fluids are not deemed permitted (authorized) and can easily cause surface water standard violations. Proper disposal, spill prevention plans, spill prevention response plans and proper notification of spill events (frack-out) to the DWRs Regional Offices should occur if spills are encountered.
- Report spills within 24 hours to the Raleigh Regional Office at (919) 791-4200 (Northampton, Halifax, Nash, Wilson, and Johnston Counties) or the Fayetteville Regional Office (910) 433-3300 (Sampson, Cumberland, and Robeson Counties)

Fayetteville Regional Office:

- If existing water lines will be relocated during construction, plans for the water line relocation must be submitted to the Division of Water Resources, Public water Supply Section, 1634 Mail Service



Center, Raleigh, NC 27699-1634. For more information, contact the Public Water Supply Section at (919)707-9100.

- Abandonment of any wells, if required must be in accordance with Title 15A. Subchapter 2C.0100.

Water Supply Planning Section:

- Per General Statute 143-215.22H, any withdrawals of 100,000 gallons per day or more of water from the surface or groundwaters of the State or who transfers 100,000 gallons per day or more of water from one river basin to another shall register the withdrawal or transfer with the Commission. A person registering a water withdrawal or transfer must provide the maximum daily amount of the water withdrawal or transfer expressed in thousands of gallons per day; the monthly average withdrawal or transfer expressed in thousands of gallons per day; the location of the points of withdrawal and discharge and the capacity of each facility used to make the withdrawal or transfer; and the monthly average discharge expressed in thousands of gallons per day.

Based on the information provided in the DEIS, it is believed that the 100,000 gallons per day withdrawal may be exceeded during hydrostatic testing and other activities associated with the construction of the pipeline. If this is to be the case, please notify the Division of Water Resources at the appropriate time.

NPDES Complex Permitting Section:

- Per 15A NCAC 02H .0106, flushing and hydrostatic testing water associated with utility distribution systems are deemed permitted unless the discharge results in water quality violations. It is indicated in the DEIS that water quality samples will be taken in conjunction with hydrostatic testing. If water quality violations occur as a result of discharges, please notify the Division so further actions can be discussed.

Basin Planning Branch:

- Section 4.3.2.7, page 4-107, of the Draft Environmental Impact Statement (DEIS) discusses water withdrawals and water storage for hydrostatic testing, dust control and horizontal directional drilling (HDD) construction. The locations for construction of temporary water storage facilities are included on the topographic maps in Appendix B and in Table 4.3.2-8. The DEIS states that withdrawals during low flow conditions would be avoided; however, given the time of year restrictions (TOYR) proposed to avoid fish spawning seasons, construction of river crossings would coincide with typical low flow months, i.e., August to October.

Pages 4-193 and -194 of the DEIS state the following:

“Atlantic and DTI would also apply for the appropriate water appropriation and discharge permits prior to construction. The permits would detail discharge timing, volume, and locations. Atlantic and DTI would ensure water withdrawal would not affect federally listed species by using methods to minimize impingement/entrainment and monitoring water levels; water withdrawals would not exceed 25 percent of the waterbody’s discharge (as measured at the nearest upstream USGS gauging station).”

Page 4-111 of the DEIS states the following:

“Prior to construction, Atlantic and DTI should file with the Secretary, for the review and written approval of the Director of OEP, proposed or potential sources of water used for dust control, anticipated quantities of water to be appropriated from each source, and the measures that would be implemented to ensure water sources and aquatic biota are not adversely affected by the appropriation activity.”



DWR recommends that, irrespective of timing and location, water withdrawals from all surface waters occur in such a manner that 85 percent of flow is maintained downstream of the point of withdrawal at all times, with the exception that withdrawals cease when a downstream flow equivalent to the 20 percentile (i.e., 80 percent of flows exceed) cannot be maintained. For ungauged locations, the applicant should establish temporary, rated staff gauges to determine in-flow.

- The FERC's May 2013 *Wetland and Waterbody Construction and Mitigation Procedures* ("Procedures") defines "major waterbody" as all waterbodies greater than 100 feet wide at the water's edge at the time of crossing, "minor waterbody" as those less than or equal to 10 feet wide, and "intermediate" as all those in between. Section 4.3.2 of the DEIS provides the same dimensions, however, without a temporal component.

It is unclear how the determination of the class of each waterbody is established in the DEIS because, by definition in the Procedures, it is the distance between the edges at the time of crossing. It is unclear if in the DEIS the width is based on the ordinary high water mark (OHWM). OHWM would be a more protective and inclusive designation. The designation of waterbodies by either the distance between wetted edges or OHWM, and the associated level of protection afforded, is somewhat arbitrary.

DWR recommends a more protective classification approach would be the cross-sectional area of the channel at OHWM, which takes into account the channel profile and the conveyance of water, sediment and contaminants during construction. For example, a "U-shaped" channel's width would remain constant with increasing flow even though the wetted area increases.

Page 4-102 of the DEIS recommends quantitative modeling for turbidity and sedimentation associated with the wet open-cut crossing of the Neuse River. It also recommends the same for all other major waterbodies crossed via wet open-cut.

DWR recommends that the recommended quantitative modeling be extended to other waterbodies subjected to wet open-cut not designated as "major", such as those with a cross-sectional area of a yet to be determined conveyance and also to those tributaries that discharge into state-designated exceptional value waters; waterbodies that provide habitat for federally listed threatened or endangered species, state-listed or species of special concern; or waterbodies designated as public water supplies.

- Page 20 of FERC's Procedures states the following:

"Do not discharge into state-designated exceptional value waters, waterbodies which *{sic}* provide habitat for federally listed threatened or endangered species, or waterbodies designated as public water supplies, unless appropriate federal, state, and local permitting agencies grant written permission."

However, page 4-108 of the DEIS states that "[t]est water may also be discharged back to the same source from which it was obtained, which would eliminate the translocation of invasive aquatic species that may be present."

DWR requests that the procedure for the discharge of test water to the surface waters, whether or not it is the source, be clarified. Also, the discharge should be filtered to an extent such that any invasive aquatic species are eliminated from reintroduction.



401 and Buffer Permitting Branch:

- Permanent impacts to perennial streams in excess of 150 linear feet and wetlands in excess of 1 acre must be mitigated. Mitigation for impacts to Class WL wetlands and Class C perennial streams must be conducted within the same river basin and physiographic province when practical. Mitigation for impacts to Class ORW, HQW, WS-I and WS-II perennial streams and wetlands contiguous to waters with the aforementioned classifications must be completed within the same river sub-basin when practical and, for wetlands, using the same wetland type.
 - Mitigation through payment to a private mitigation bank or the Division of Mitigation Services, when mitigation is unavailable from a private mitigation bank, is preferred over individual project mitigation (including permittee responsible mitigation) unless it can be demonstrated that these types of mitigation are not practical. Mitigation sites approved by the US Army Corps of Engineers shall be deemed to be consistent with the Division's mitigation requirements.
- Mitigation is required for impacts other than perpendicular crossings in Zone 1 of riparian buffers and perpendicular crossings that disturb greater than 40 linear feet but equal to or less than 150 linear feet of riparian buffer with a maintenance corridor greater than 10 feet in width. Mitigation must be provided in accordance with the consolidated buffer mitigation rule (15A NCAC 02B .0295), which outlines the areas of mitigation required on zonal and locational mitigation ratios. Mitigation may be satisfied through a payment to a private mitigation bank or the Division of Mitigation Services, when mitigation is unavailable from a private mitigation bank, or through permittee responsible mitigation. Item (l) of the consolidated buffer mitigation rule generally requires 3 steps for applicants who want to pursue permittee responsible mitigation by restoration/enhancement(n) and/or alternative mitigation(o). These steps are outlined below and are required as part of the application to ensure the mitigation proposal meets the requirements of the rule:
 - (1) Obtain a mitigation determination issued by DWR (i.e. site viability letter and stream determinations)
 - (2) Submit a mitigation proposal to DWR that includes a commitment to provide...
 - a. Perpetual conservation easement or similar preservation mechanism
 - b. Non wasting endowment/surety
 - c. Financial assurance (must be sufficient for project implementation and monitoring/maintenance). This is in addition to an endowment.
 - d. Diffuse flow plan
 - e. Credit and debit ledger to DWR at regular intervals once credits are established
 - (3) Submit a mitigation plan to DWR for written approval that contains the following
 - a. Map of proposed mitigation site
 - b. Vegetation Plan that meets the criteria in the rule
 - c. Grading Plan (where applicable)
 - d. Schedule for implementation
 - e. Monitoring Plan



- The analysis and information provided only includes direct effects from the proposed project. The analysis, however, does not include any potential indirect or secondary effects of the proposed project. According to CEQ guidance¹, by definition, cumulative effects must be evaluated along with the direct and indirect effects.

It is clearly stated in the DEIS the purpose of the project is to “connect growing demand areas in Virginia and North Carolina,” and that there are “long-term precedent agreements for 96 percent of the project capacity to six specific customers.” Additionally, it is also stated that “the majority of the natural gas consumption will continue increasing due to population growth, industrial consumption, and electric power generation.” The *Powering the Future* literature published as part of project awareness states that “The Atlantic Coast Pipeline project...will yield thousands of jobs and billions in economic impact and tax revenue across West Virginia, Virginia and North Carolina” and “The Atlantic Coast Pipeline, with nearly a third of its infrastructure in the state [North Carolina], will spur economic activity and consumer savings.” Other information provided to the Department indicate that 75 percent of the available product allocated for electric generation (76 percent of the 1.5 bcf/d) would be provided to Piedmont Natural Gas, Public Service North Carolina, and Duke Energy – all of which operate primarily in North Carolina. All of these statements strongly indicate that considerable growth will be occurring in North Carolina as a direct result of this project. It is believed that the “population growth, industrial consumption, and electric generation” would likely not occur to the expected extent, or not occur nearly as fast, if at all, should this project not be implemented. These effects – the increased industry, housing, and associated infrastructure - would not occur without this project. Therefore, these affects are indirect or secondary affects resulting from the proposed project and, again, by CEQ definition, must be addressed in the environmental analysis on the project.

¹Considering Cumulative Effects Under the National Environmental Policy Act, Council on Environmental Quality, January 1997, page 1.

We appreciate you allowing the Division the opportunity you review and comment on the proposed project. Should you have any questions or need any additional information, please do not hesitate to contact me at David.Wainwright@ncdenr.gov or 919-707-9045.

cc: Danny Smith, DWR, Raleigh Regional Office
John Barr, DWR, Water Supply Planning Branch
Julie Grzyb, DWR, NPDES Complex Permitting Section
Fred Tarver, DWR, Basin Planning Branch
Jennifer Burdette, 401 and Buffer Permitting Branch
Karen Higgins, 401 and Buffer Permitting Branch
Linda Culpepper, DWR, Deputy Director
Jay Zimmerman, DWR, Director





Memo

From: Sarah Rice, Title VI and Environmental Justice Coordinator

Date: April 3, 2017

Re: Response to Comments Atlantic Coast Pipeline and Supply Header Project – Draft Environmental Impact Statement – Environmental Justice

NCDEQ recognizes the portion, 4.9.9 Environmental Justice, of the DEIS that contains the Environmental Justice Report pertaining to North Carolina.

Minority Communities

It was noted in the DEIS, that in NC, minorities comprise 30.5 percent of the total population and ranged from 12.5 to 95.5 percent within 1 mile of the proposed ACP. Seventeen percent of all persons live below the poverty level in NC along the anticipated ACP track. Twenty-seven of the 42 census tracts within a 1 mile radius of the ACP facilities have a higher percentage of persons living below poverty when compared to the State. NEPA requires the consideration of area composition, consideration of data relevant to public health and industry for cumulative exposure, interrelated cultural, social, occupational historical, or economic factors, public participation, meaningful community representation, and tribal representation. The NEPA process also requires translation of crucial public documents, notices, and hearings for limited English speaking populations. During discussions with Dominion on Friday April 3 2017, it was clear, their consultant used EPA's EJ SCREEN to screen demographics within a one-mile radius of the proposed pipeline. NCDEQ would recommend Dominion to re-evaluate their report and take into consideration age and the potential for older illiterate citizens among certain communities.

Tribal Communities

In the section 4.10.4 Tribal Consultation, federally recognized tribes were consulted regarding their religious or cultural significance to historic properties that could be impacted by ACP and SHP. The ACP is proposed to go through State Recognized Tribal lands. Lumbee territory in Robeson County will be the most affected of the State recognized tribes. The Lumbee community has been identified as a NC Environmental Justice community by the Environmental Protection Agency. Dominion created a report plan for unanticipated discoveries. The Atlantic Coast Pipeline, LLC should include tribal contacts for the Haliwa-Saponi, Coharie, Lumbee, and Greg Richardson (Executive Director) of the Commission of Indian Affairs.



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

TRACY DAVIS
Director

March 30, 2017

MEMORANDUM:

TO: Lyn Hardison, Environmental Assistance and SEPA Coordinator

FROM: Toby Vinson, Chief of Program Operations, DEMLR

RE: ACP DEIS Review – DEQ#1678

Division of Energy, Mineral, and Land Resources - As this project will disturb greater than 1 acre of land, the owner/responsible party will be required to meet all aspects of compliance with the NC Sedimentation Pollution Control Act and the associated NPDES NCG 010000 Construction Stormwater Permit and associated Stormwater laws which includes but are not limited to submitting an Erosion and Sedimentation Control Plan and receive approval which will also automatically grant coverage under the NCG 010000 permit. This project will be inspected for compliance with these State Laws, Approvals and Permits until the project is completed and found to be adequately, permanently stabilized by inspection staff of DEMLR. Average processing time for plan review and Approval is 30 days. Plan Review fees include \$65 per acre or part of an acre of disturbed area. DEMLR contacts for plan review and inspection are: Fayetteville Regional Office – Tim LaBounty – 910-433-3300 and Raleigh Regional Office – Thad Valentine – 919-791-4200.

Current Status in DEMLR is as follows: Our Fayetteville Regional Office received an Erosion and Sedimentation Control Plan (ESCP) submittal on March 10, 2017. ACP representatives are working on resubmitting their Financial Ownership and Responsibility Form (FORF) which we are expecting to receive near term, so the 30-day review clock has not technically started yet. We have performed a preliminary/cursory review with RRO and have identified some ESCP plan/detail/spec. related items that will need to be clarified. RRO and FRO plan to continue this regional team approach throughout the project with the goal of providing uniform response(s) and coordination efforts. Regional Staff will plan is to continue with the standard review once we receive the revised/satisfactory FORF.



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

MICHAEL SCOTT
Director

April 4, 2017

Memorandum to: Lyn Hardison
Environmental Assistance and SEPA Coordinator, DEACS

From: Ellen Lorscheider, Solid Waste Section Chief

Subject: Review Comments on the Draft EIS for Atlantic Coast Pipeline

Staff have completed a review of the draft EIS documents, initially via word search and then more thorough reading of those specific areas. Based on what we've reviewed, and how we normally handle NEPA/SEPA reviews, the Section does not see any waste related adverse effects to the surrounding communities in NC. The document address the proper management of wastes generated from the various aspects of the project, including drilling muds within the documents. One thing we've not reviewed and do not believe they inquired about in producing the EIS draft is our recorded sites database to determine if recorded illegal dump sites are located within any of the project boundaries. However, they should be able to see those if they did any actual deed research of the properties they intend to cross.

For further inquiries, please contact me at ellen.lorscheider@ncdenr.gov or (919) 707 8245 or alternately contact jason.watkins@ncdenr.gov or (336) 776-9674.

Ec: Michael Scott, NCDEQ Division of Waste Management Director
Jason Watkins, Solid Waste Section Field Operations Branch Supervisor
Ed Mussler, Solid Waste Section Permitting Branch Supervisor



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

MICHAEL SCOTT
Director

March 30, 2017

To: Michael Scott, Director
Division of Waste Management

From: Bill Hunneke, Eastern Region Compliance Supervisor,
Compliance Branch, Hazardous Waste Section

Subject: Hazardous Waste Section Comments on Draft Environmental Impact Statement for the Atlantic Coast Pipeline, LLC Dominion Transmission, Inc. and Atlantic and Piedmont Gas Co., Inc. Counties impacted include: Northampton, Halifax, Nash, Wilson, Johnston, Sampson, Cumberland, and Robeson). Project Number: 1678.

The Hazardous Waste Section (HWS) has reviewed the Draft Environmental Impact Statement for the Atlantic Coast Pipeline, LLC Dominion Transmission, Inc. and Atlantic and Piedmont Gas Co., Inc. - purpose of the ACP is to deliver up to 1.5 billion cubic feet per day of natural gas to customers in Virginia and North Carolina.

Any hazardous waste generated from the demolition, construction, operation, maintenance, and/or remediation (e.g. excavated soil) from any proposed project must be managed in accordance with the North Carolina Hazardous Waste Rules. The demolition, construction, operation, maintenance, and remediation activities conducted will most likely generate a solid waste, and a determination must be made whether it is a hazardous waste. If a project site generates more than 220 pounds of hazardous waste in a calendar month, the HWS must be notified, and the site must comply with the small quantity generator requirements. If a project site generates more than 2200 pounds of hazardous waste in a calendar month, the HWS must be notified, and the facility must comply with the large quantity generator requirements.

Should any questions arise, please contact me at 252-364-8977.

Kind regards,

William Hunneke
Eastern Region Compliance Supervisor

COMMENTS FROM FAYETTEVILLE REGIONAL OFFICE:

PROJECT DEQ 1678

ATLANTIC COAST PIPELINE DRAFT EIS DUE

03-30-2017

DIVISION	INITIALS	NO COMMENT	COMMENTS	DATE REVIEW
AIR QUALITY	GWR		ANY OPEN BURNING ASSOCIATED WITH SUBJECT PROPOSAL MUST BE IN COMPLIANCE WITH 15A NCAC 02D .1900.	03/13/17
DWR WQROS	JTA		401WATER QUALITY CERTIFICATION COMPLIANCE WITH THE T15A 02H .0500. ABANDONMENT OF ANY WELLS IN ACCORDANCE WITH TITLE 15A SUBCHAPTER 2C.0100 PERMIT TO DISCHARGE INTO SURFACE WATERS.	03/24/17
DWR PWS	HLC		IF EXISTING WATER LINES WILL BE RELOCATED DURING CONSTRUCTION, PLANS FOR THE WATER LINE RELOCATION MUST BE SUBMITTED TO THE DIVISION OF WATER RESOURCES/PUBLIC WATER SUPPLY SECTION AT 1634 MAIL SERVICE CENTER, RALEIGH, NC 27699-1634. FOR MORE INFORMATION, CONTACT THE PUBLIC WATER SUPPLY SECTION (919)707-9100.	3/24/2017
DEMLR	LHB		PLANS MUST BE SUBMITTED AND APPROVED 30 DAYS PRIOR TO ANY LAND DISTURBING ACTIVITIES. PLAN REVIEWER FOR ROBESON, CUMBERLAND, SAMPSON – JODI PACE, EI. INSPECTORS AS FOLLOWS: ROBESON AND SAMPSON-NICK MILLS, CUMBERLAND – MELISSA JOYNER AND REBECCA HERSEY	3/15/2017
DWM UST	KEC		I HAVE REVIEWED THE ABOVE-MENTIONED PROJECT AND FROM THE FIGURES PROVIDED, MULTIPLE UST RELEASE INCIDENTS ARE POSSIBLE IN THE PROJECT AREA. DUE TO THE SCALE OF THE FIGURES PROVIDED I CANNOT LOCATE EXACTLY WHERE THE INCIDENTS ARE IN RELATIONSHIP TO THE PROPOSED WORK TO BE CONDUCTED. PLEASE HAVE PETITIONER REFER TO OUR WEBSITE AT HTTP://DEQ.NC.GOV/ABOUT/DIVISIONS/WASTE-MANAGEMENT/WASTE-MANAGEMENT-RULES-DATA/WASTE-MANAGEMENT-GIS-MAPS/RUST-MAP TO VIEW REGIONAL UST INCIDENTS PLOTTED ON GOOGLE EARTH TO REFINE THEIR SEARCH. SPECIFICS CAN BE REQUESTED OF THE APPROPRIATE REGIONAL OFFICE AT THAT TIME.	3/16/17

State of North Carolina Department of Environmental Quality
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: Raleigh
 Project Number: 1678-[#####] Due Date: 3/30/2017
 County: NASH,

After review of this project it has been determined that the DEQ permit(s) and/or approvals indicated may need to be obtained in order for this project to comply with North Carolina Law. Questions regarding these permits should be addressed to the Regional Office indicated on the reverse of the form. All applications, information and guidelines relative to these plans and permits are available from the same Regional Office.

	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
<input type="checkbox"/>	Permit to construct & operate wastewater treatment facilities, non-standard sewer system extensions & sewer systems that do not discharge into state surface waters.	Application 90 days before begins construction or award of construction contracts. On-site inspection may be required. Post-application technical conference usual.	30 days (90 days)
<input type="checkbox"/>	Permit to construct & operate, sewer extensions involving gravity sewers, pump stations and force mains discharging into a sewer collection system	Fast-Track Permitting program consists of the submittal of an application and an engineer's certification that the project meets all applicable State rules and Division Minimum Design Criteria.	30 days (N/A)
<input type="checkbox"/>	NPDES - permit to discharge into surface water and/or permit to operate and construct wastewater facilities discharging into state surface waters.	Application 180 days before begins activity. On-site inspection. Pre-application conference usual. Additionally, obtain permit to construct wastewater treatment facility-granted after NPDES. Reply time, 30 days after receipt of plans or issue of NPDES permit-whichever is later.	90-120 days (N/A)
<input type="checkbox"/>	Water Use Permit	Pre-application technical conference usually necessary.	30 days (N/A)
<input type="checkbox"/>	Well Construction Permit	Complete application must be received and permit issued prior to the installation of a groundwater monitoring well located on property not owned by the applicant, and for a large capacity (>100,000 gallons per day) water supply well.	7 days (15 days)
<input type="checkbox"/>	Dredge and Fill Permit	Application copy must be served on each adjacent riparian property owner. On-site inspection. Pre-application conference usual. Filling may require Easement to Fill from N.C. Department of Administration and Federal Dredge and Fill Permit.	55 days (90 days)
<input checked="" type="checkbox"/>	Permit to construct & operate Air Pollution Abatement facilities and/or Emission Sources as per 15 A NCAC (2Q.O100 thru 2Q.0300)	Application must be submitted and permit received prior to construction and operation of the source. If a permit is required in an area without local zoning, then there are additional requirements and timelines (2Q.0113).	90 days
<input checked="" type="checkbox"/>	Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900	N/A	60 days (90 days)
<input checked="" type="checkbox"/>	Demolition or renovations of structures containing asbestos material must be in compliance with 15 A NCAC 20.1110 (a) (1) which requires notification and removal prior to demolition. Contact Asbestos Control Group 919-707-5950	Please Note - The Health Hazards Control Unit (HHCU) of the N.C. Department of Health and Human Services, must be notified of plans to demolish a building, including residences for commercial or industrial expansion, even if no asbestos is present in the building.	60 days (90 days)
<input checked="" type="checkbox"/>	The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion & sedimentation control plan will be required if one or more acres are to be disturbed. Plan must be filed with and approved by applicable Regional Office (Land Quality Section) at least 30 days before beginning activity. A NPDES Construction Stormwater permit (NCG010000) is also usually issued should design features meet minimum requirements. A fee of \$65 for the first acre or any part of an acre. An express review option is available with additional fees.		20 days (30 days)
<input type="checkbox"/>	Sedimentation and erosion control must be addressed in accordance with NCDOT's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable Stormwater conveyances and outlets.		(30 days)
<input type="checkbox"/>	Sedimentation and erosion control must be addressed in accordance with _____ Local Government's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable Stormwater conveyances and outlets.		Based on Local Program
<input type="checkbox"/>	Compliance with 15A NCAC 2H .0126 - NPDES Stormwater Program which regulates three types of activities: Industrial, Municipal Separate Storm Sewer System & Construction activities that disturb ≥1 acre.		30-60 days (90 days)
<input type="checkbox"/>	Compliance with 15A NCAC 2H 1000 -State Stormwater Permitting Programs regulate site development and post-construction stormwater runoff control. Areas subject to these permit programs include all 20 coastal counties, and various other counties and watersheds throughout the state.		45 days (90 days)

State of North Carolina Department of Environmental Quality
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: Raleigh
 Project Number: 1678-[#####] Due Date: 3/30/2017
 County: NASH,

	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
<input type="checkbox"/>	Mining Permit	On-site inspection usual. Surety bond filed with DEQ Bond amount varies with type mine and number of acres of affected land. Affected area greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.	30 days (60 days)
<input type="checkbox"/>	Dam Safety Permit	If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to: prepare plans, inspect construction, and certify construction is according to DEQ approved plans. May also require a permit under mosquito control program. And a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of \$200.00 must accompany the application. An additional processing fee based on a percentage or the total project cost will be required upon completion.	30 days (60 days)
<input type="checkbox"/>	Oil Refining Facilities	N/A	90-120 days (N/A)
<input type="checkbox"/>	Permit to drill exploratory oil or gas well	File surety bond of \$5,000 with DEQ running to State of NC conditional that any well opened by drill operator shall, upon abandonment, be plugged according to DEQ rules and regulations.	10 days N/A
<input type="checkbox"/>	Geophysical Exploration Permit	Application filed with DEQ at least 10 days prior to issue of permit. Application by letter. No standard application form.	10 days N/A
<input type="checkbox"/>	State Lakes Construction Permit	Application fee based on structure size is charged. Must include descriptions & drawings of structure & proof of ownership of riparian property	15-20 days N/A
<input type="checkbox"/>	401 Water Quality Certification	Compliance with the T15A 02H .0500 Certifications are required whenever construction or operation of facilities will result in a discharge into navigable water as described in 33 CFR part 323.	60 days (130 days)
<input checked="" type="checkbox"/>	Compliance with Catawba, Goose Creek, Jordan Lake, Randleman, Tar Pamlico or Neuse Riparian Buffer Rules is required. Buffer requirements: http://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/401-wetlands-buffer-permits/401-riparian-buffer-protection-program		
<input type="checkbox"/>	Nutrient Offset: Loading requirements for nitrogen and phosphorus in the Neuse and Tar-Pamlico River basins, and in the Jordan and Falls Lake watersheds, as part of the nutrient-management strategies in these areas. DWR nutrient offset information: http://deq.nc.gov/about/divisions/water-resources/planning/nonpoint-source-management/nutrient-offset-information		
<input type="checkbox"/>	CAMA Permit for MAJOR development	\$250.00 - \$475.00 fee must accompany application	75 days (150 days)
<input type="checkbox"/>	CAMA Permit for MINOR development	\$100.00 fee must accompany application	22 days (25 days)
<input checked="" type="checkbox"/>	Abandonment of any wells, if required must be in accordance with Title 15A. Subchapter 2C.0100.		
<input checked="" type="checkbox"/>	Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation.		
<input type="checkbox"/>	Plans and specifications for the construction, expansion, or alteration of a public water system must be approved by the Division of Water Resources/Public Water Supply Section prior to the award of a contract or the initiation of construction as per 15A NCAC 18C .0300 et. seq., Plans and specifications should be submitted to 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. All public water supply systems must comply with state and federal drinking water monitoring requirements. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days
<input checked="" type="checkbox"/>	If existing water lines will be relocated during the construction, plans for the water line relocation must be submitted to the Division of Water Resources/Public Water Supply Section at 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days
<input type="checkbox"/>	Plans and specifications for the construction, expansion, or alteration of the _____ water system must be approved through the _____ delegated plan approval authority. Please contact them at _____ for further information.		

State of North Carolina Department of Environmental Quality
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: Raleigh
 Project Number: 1678-[#####] Due Date: 3/30/2017
 County: NASH,

Other Comments (attach additional pages as necessary, being certain to comment authority)

Division	Initials	No comment	Comments	Date Review
DAQ	DDM	<input type="checkbox"/>	The RRO has receive a permit application for the compressor station in North Hampton Co. The application is currently on hold.	3/24/17
DWR-WQROS (Aquifer & Surface)	DS & RB	<input type="checkbox"/>	Atlantic Coast Pipeline – Northampton, Halifax, Nash, Wilson, Johnston, Sampson, Cumberland, and Robeson Counties. - A project that disturbs 1 acre or greater is required to secure an erosion and sedimentation control plan and must comply with construction stormwater permit conditions (NCG010000) -Footprint of this project bisects several river basins, including River Basin that have Riparian Buffer rules. (Neuse River and Tar-Pamlico River Basin have riparian buffer the apply to intermittent, perennial streams, ponds and lakes). -If wetland, riparian buffers or stream impacts are proposed, this project will need to comply with/secure a 404 permit from the USACE, obtain a 401 Water Quality Certification authorization and a riparian buffer authorization, as appropriate. -Proper management and disposal of drilling fluid will be necessary, such that illegal discharges waste do not occur. -Discharges of drilling fluids are not deemed permitted (authorized) and can easily cause surface water standard violations. Proper disposal, spill prevention plans, spill prevention response plans and proper notification of spill events (frac out) to the DWRs Regional Offices should occur if spills are encountered. -Report spills within 24 hours to the Raleigh Regional Office at (919) 791-4200 (Northampton, Halifax, Nash, Wilson, and Johnston Counties or the Fayetteville Regional Office (910) 433-3300 [Sampson, Cumberland, and Robeson Counties) • Telephone Regional Office within 24 hours of ‘first knowledge’ (If after hours, Emergency Management) (800)-858-0368) &	3/16/17 3/29/17
DWR-PWS	WAH	<input type="checkbox"/>	See last checked box above.	3/29/17
DEMLR (LQ & SW)	CDA	<input type="checkbox"/>		3/27/17
DWM – UST	MRP	<input type="checkbox"/>	Notification of proper regional office also requested if petroleum-contaminated soil or groundwater is discovered during excavation/drilling activities.	3/29/17
Other Comments		<input type="checkbox"/>		/ /

REGIONAL OFFICES

Questions regarding these permits should be addressed to the Regional Office marked below.

- | | | |
|--|---|--|
| <input type="checkbox"/> Asheville Regional Office
2090 U.S. 70 Highway
Swannanoa, NC 28778-8211
Phone: 828-296-4500
Fax: 828-299-7043 | <input type="checkbox"/> Fayetteville Regional Office
225 Green Street, Suite 714,
Fayetteville, NC 28301-5043
Phone: 910-433-3300
Fax: 910-486-0707 | <input type="checkbox"/> Mooresville Regional Office
610 East Center Avenue, Suite 301,
Mooresville, NC 28115
Phone: 704-663-1699
Fax: 704-663-6040 |
| <input checked="" type="checkbox"/> Raleigh Regional Office
3800 Barrett Drive,
Raleigh, NC 27609
Phone: 919-791-4200
Fax: 919-571-4718 | <input type="checkbox"/> Washington Regional Office
943 Washington Square Mall,
Washington, NC 27889
Phone: 252-946-6481
Fax: 252-975-3716 | <input type="checkbox"/> Wilmington Regional Office
127 Cardinal Drive Ext.,
Wilmington, NC 28405
Phone: 910-796-7215
Fax: 910-350-2004 |

State of North Carolina Department of Environmental Quality
INTERGOVERNMENTAL REVIEW PROJECT COMMENTS



Winston-Salem Regional Office
450 Hanes Mill Road, Suite 300,
Winston-Salem, NC 27105
Phone: 336-776-9800
Fax: 336-776-9797