

ROY COOPER

Governor

MICHAEL S. REGAN

Secretary

BRIAN WRENN

Director



NORTH CAROLINA
Environmental Quality

July 10, 2020

**NOTICE OF REGULATORY REQUIREMENT
SEDIMENTATION POLLUTION CONTROL ACT OF 1973 AND
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM NCG010000
CONSTRUCTION STORM WATER PERMIT**

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

7016 2140 0000 4367 6201
Atlantic Coast Pipeline, LLC
Attn: Anne E. Bomar, Manager
707 East Main Street
Richmond, VA 23219

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

7016 2140 0000 4367 6218
Atlantic Coast Pipeline, LLC
c/o Dominion Energy Transmission, Inc.
707 East Main Street
Richmond, VA 23219
Attn: Leslie Hertz, VP Pipeline Construction

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

7016 2140 0000 4367 6225
Atlantic Coast Pipeline, LLC
Attn: CT Corporation System,
Registered Agent
160 Mine Lake Ct., Suite 200
Raleigh, NC 27615

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

7016 2140 0000 4367 6232
Dominion Energy Transmission, Inc.
Attn: CT Corporation System,
Registered Agent
160 Mine Lake Ct., Suite 200
Raleigh, NC 27615

RE: Atlantic Coast Pipeline and Associated Projects
Raleigh and Fayetteville Regional Offices
DEMLR Project Numbers:
CUMBE-2018-036
ROBES-2018-018
HARNE-2019-088

Dear Sir or Madam:

The North Carolina Division of Energy, Mineral, and Land Resources (DEMLR) was recently informed that the above-noted active projects will not be completed as shown on the approved sediment and erosion control plans. In addition, National Pollutant Discharge



Elimination System (NPDES) NCG010000 (NCG01) Construction Storm Water permits associated with these land-disturbances are also active.

Since these permits are still active, the projects must remain in compliance with the Sedimentation Pollution Control Act of 1973 (SPCA) and the NCG01 Construction Storm Water permit. Compliance includes but is not limited to: (1) following the approved sediment and erosion control plan, (2) proper installation and maintenance of sediment control measures, and (3) weekly self-inspections by qualified staff. Should problems with measures be noted in the field, immediate steps must be taken to prevent off-site sedimentation.

In addition to the requirements noted above, ground cover must be provided on all exposed areas within the required time frames. Requirements for ground cover at the completion of a project are noted under GS 113A-57(3) and 15A NCAC 04B .0107 (b). Requirements for ground cover on exposed slopes is referenced in the SPCA under GS 113A-57 (2). Requirements for ground cover under the NCG01 Construction Storm Water permit are detailed in Part II, E.

Please also note that closing these permits before project completion may require revised sediment and erosion control plans. Required plans would be needed for such items as areas of incomplete pipe installations being left in place, unstable grading on the project that will not be returned to the original contour, and stabilization of disturbed areas associated with any hard structures to be left in place.

It is the goal of DEMLR to assist you in any way with technical compliance guidance for the final stabilization of any disturbed or unstable areas on the projects associated with the Atlantic Coast Pipeline project. Please do not hesitate to contact Matthew E. Gantt, PE, Bill Denton, PE, Raleigh Regional Office, Tim LaBounty, PE, Fayetteville Regional Office, Toby Vinson, PE, or me with any questions you may have regarding this correspondence.

Sincerely,

A handwritten signature in blue ink, appearing to read 'B. Wrenn', with a long horizontal flourish extending to the right.

Brian Wrenn
DEMLR Director

Cc: Mr. William H. Denton, IV, PE, DEMLR Raleigh Regional Office Supervisor
Mr. Tim L. Labounty, PE, DEMLR Fayetteville Regional Office Supervisor
Mr. Matthew E. Gantt, PE, DEMLR Section Chief – Regional Operations
Mr. William E. Vinson, PE, CPM, DEMLR Section Chief – Program Operations
Ms. Julie Coco, PE, DEMLR State Sedimentation Specialist