NH Municipal Pipeline Coalition

Amherst
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Mason
Merrimack
Milford
New Ipswich
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Richmond
Rindge
Temple
Troy
Winchester

October 15, 2015

Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, NE – Room 1A
Washington, DC 20426

Re: Kinder Morgan Proposed Northeast Energy Direct (NED) Project
Docket # PF14-22-000
Written Scoping Comments

Dear Ms. Bose:

This letter provides the written scoping submission from the 15 communities in the NH Municipal Pipeline Coalition for the project noted above. The first portion provides comments directed to FERC while the second portion includes specific requests for the project applicant to address.

GENERAL COMMENTS TO FERC

Need

FERC has a significant process in place for the assessment of NED's *environmental impact* through the development of an Environmental Impact Statement. This process allows for substantial public input and places significant requirements on Kinder Morgan to address concerns. Furthermore, the process is highly transparent.

We are troubled that there is not a similarly transparent process in place for FERC, and the public, to assess the *need* of the NED pipeline. We believe it is important to confirm the "need" for a pipeline before evaluating its "environmental impact". ***There should be no environmental impact if there is no need.***

Based on the limited long-term contracts currently subscribed for on NED, the existence of more environmentally friendly pipeline alternatives, and existing LNG infrastructure in place to address the region's peak winter heating and electricity demands, we fail to see a need for NED and urge FERC to specifically address the "need" for this particular pipeline, in a public fashion, should this project continue through the permitting process.

FERC's Project Review (PL99-3-000)

Issued Sept. 15, 1999, PL99-3-000 states that the Commission's goals are to appropriately consider:

- *Goal 1: The enhancement of competitive alternatives.* When considering the NED proposal, we request FERC take into account no build options such as Portland Natural Gas Transmission System that ends in Dracut, MA and achieves the increased supply by increasing compression upstream. When considering the NED proposal, we request that FERC consider the expansion of the Spectra Line to avoid NED's greenfield project.

- *Goal 2: The possibility of overbuilding of infrastructure.* We request FERC consider the dwindling resource of the Marcellus Play as outlined by Thomas Stepstone of Oilpro.com that " production at the Marcellus is in fact breaking down". We request FERC consider that the Constitution Pipeline to connect NED to the Marcellus Play has not yet been approved, making this a "segmented" project.

- *Goal 3: The avoidance of unnecessary disruption of the environment.* We request FERC question the assumption that NED is collocated when it is in fact a greenfield project. In fact, NED is not collocated and its assertions to the contrary are false and misleading. FERC should fully evaluate the project as a greenfield project and clarify that the project is not a collocated project. In addition, we request that FERC evaluate and require the applicant to evaluate NED impacts on the unique geological structure of New Hampshire, resting as it does on the African Tectonic plate, with significant wetlands, aquifer and granite implications. Please explain how FERC will oversee and mitigate the problems that the NED project presents? Further, the NH OEP (Office of Environmental Planning) has requested from the NH towns a Smart Growth Report of how the state is doing at implementing the principals outlined in NH RSA 9-B, which states, "Smart Growth also means the development and use of land in such a manner that its physical, visual or audible consequences are appropriate to the traditional and historic NH landscape....Smart Growth preserves the integrity of open space in agricultural, forested and undeveloped areas." How does the NED project adhere to this state law?

- *Goal 4: To prevent the unneeded exercise of eminent domain.* If NED were truly a collocated project, the need for taking of private and public lands would not be necessary. Can FERC justify the taking of so many parcels for a private, for profit use? NED should not be able to circumvent the important state procedures as set forth in NH RSA Chapter 674 (planning and regulatory powers) of municipalities through its use (and threatened use) of eminent domain.

SPECIFIC REQUESTS FOR THE PROJECT APPLICANT

Wetlands

The proposed route of the NED pipeline suggests that construction, maintenance and the pipeline itself will affect numerous wetlands. The specific intent of NH RSA 674:17 and RSA 482-A is to protect wetlands values such as:

- Ground water quality and quantity
- Surface water quality and quantity
- Storm-water runoff quality and quantity
- Flood control, erosion and sediment control
- Wild flora and fauna
- Recreational aesthetics

We request FERC require the project applicant to address the following:

- Will the project result in the conversion of wetlands from one type to another, and how can this be avoided /minimized?
- How much wetlands will be permanently lost? Can this be mitigated?
- Even if temporary disturbance is "mitigated " or "minimized" how will soil compaction from construction affect the wetlands function?
- How will the ph change in soil due to the rotation of removed and replaced earth? How will this change affect wetland and water quality?
- How will the destruction of vernal pools be avoided since many of these, though important for the health of the watershed and wetlands, are not mapped?
- Wildlife are dependent on wetlands and can be negatively impacted through loss of habitats. What will be done to mitigate this impact?
- Permanent loss of wetlands will result when those lands are replaced with fill. What will be done to alleviate this impact?
- What are the detrimental effects on wildlife during and post construction due to the loss of native vegetation and plant diversity? We understand wetland and waterbody construction and mitigation procedures only require 80% native vegetation and 50% plant diversity differential from pre-construction levels. (1994 FERC procedures).
- A study done by Robert G. Bailey of U.S. Forest Service for FERC studied 960 sites and found that wetlands greater than 20% surface rock or open waters, shallow bedrock soils or those dominated by annual plant species had a low mitigation success rate from pre-construction levels. The Adirondack-New England mixed forest eco-region along with the proliferation of granite that defines N.H. makes these wetlands common. The success of mitigation is not high. How would this be more successfully mitigated?
- What will be the effect of the additional non-permeable surfaces in construction sites, additional work areas, and access roads (temporary and permanent)? How will this be mitigated?

Roadways

The proposed pipeline would cross a variety of types of roadways, including **unmaintained** "Class VI" roads. While "Class VI" roads in New Hampshire are not maintained, it is critical that they not be viewed as "not used". Any roadways in NH, including those classified as "Class VI" can be - and in some cases are regularly - used by fully-loaded logging trucks which are of substantial weight.

We request FERC require the project applicant to address the following:

- Use construction techniques across all roadways in New Hampshire, including all unmaintained "Class VI" roads, which will account for the heavy loads presented by logging trucks. We ask that, at a minimum, this includes using pipe under all roadways consistent with that required of a state road.

Right of Refusal for All Landowners: Use of Cut Trees

Trees that are cut within either temporary or permanent easement areas may be of value to the individual landowner. Many NH residents use wood as an alternative source to heat their homes, for example.

We request FERC require the project applicant to address the following:

- Provide all landowners with the right of first refusal for any cut trees on their property, in excess of three inches in diameter.
- Execute a waiver of this right before Kinder Morgan or its subcontractors may remove any such trees from private or public property even in the case of eminent domain.
- If a landowner wants the trees, we request that Kinder Morgan be required to coordinate the location for piling of de-limbed trees with the landowner prior to the cutting of the trees.

Safety - Installment of the Pipeline Itself

The information provided from Kinder Morgan indicated that the pipe may not be buried fully below the frostline. In short, the pipeline could be affected by frost heaves and other ground related distortions during and after the winter months that could cause a failure of the pipeline. This is the "Granite State", so ground movement and ground distortions during the winter months is common.

We request FERC require the project applicant to address the following:

- How does Kinder Morgan plan to protect the pipe from this concern and what research and field studies are being done to determine if the practice is safe and appropriate?

Safety - Third Party Interference

70% of all pipeline malfunctions are a result of third party interference. The powerline utility right-of-way is used as the maintenance access roads for the power companies and the use of heavy machinery and construction vehicles is prevalent. If the pipeline begins crossing back and forth and back again underneath the right of way, the chances for third party interference by the power company subcontractors is significantly enhanced.

We request FERC require the project applicant to address the following:

- Is the defacto maintenance road for a different company really the best environment for the placement of a large gas pipeline?

Safety - Large Scale Construction Projects Competing For Space

In the Towns of Londonderry, Hudson, Windham and Pelham, the Merrimack Valley Reliability Project is a transmission line upgrade taking the towers of the centerline and moving them out to the far edge of the existing right of way, along the same route Kinder Morgan maps have their pipeline depicted. In its place National Grid is erecting a new set of towers to hold a 345 kilovolt transmission line. Kinder Morgan has hired a survey company to perform induction of current

studies field tests. We are unclear as to how those studies are valid without the new overhead power line in place.

We request FERC require the project applicant to address the following:

- Provide an in-depth explanation about what the induction of current study entails, whether they are supposed to be performed exactly where the pipe is intended to be placed or in the center of the right of way, and why they should not be postponed until after the new transmission line is installed.
- Provide the results of said study to the public and communities along the pipeline route to ensure this new line will not cause a failure of the pipeline in the future prior to any FERC/PUC approval.
- Evaluate the safety of the pipeline given the planned (alleged) close proximity to the electric power line.

Co-location

When Kinder Morgan moved the proposed pipeline route into New Hampshire, it noted the opportunity for "co-location" with an existing utility right of way as a key selling point for the change.

The towns of the NH Municipal Pipeline Coalition do not believe "co-location" is an accurate representation of this project in NH. We are aware of other pipeline projects that have been termed "co-location", but have actually resulted in the pipeline being constructed parallel to the utility right-of-way. In one particular case an area up to 150 feet wide had to be cleared to make way for the pipeline.

The Coalition towns believe the reality of this project is that it is largely a "greenfield" project, especially given Kinder Morgan continually refers to talks with Eversource to share its right-of-way as "ongoing" and in many cases Eversource does not own the land over which its power lines travel and therefore could not grant an easement.

We request FERC require the project applicant to address the following:

- Calculate the total acreage, by NH town, that will be impacted (both temporary and permanent) within the existing, cleared utility right-of-way and the total impacted acreage, by NH town, that will be outside of the existing, cleared right of way (both temporary and permanent).
- Show the route as it relates specifically to existing utility rights of way.

Regional Need

On July 16, 2015 Kinder Morgan announced that the Northeast Energy Direct (NED) project's market path segment would be reduced from a 36" diameter and 2.2Bcf/d pipeline to a 30" diameter and 1.3Bcf/d pipeline. In the announcement, they stated that NED "will serve the commitments we have received from New England local gas distribution companies (LDCs) and commitments we expect to receive from other LDCs and electric distribution companies (EDCs) to provide domestic, low cost and environmentally cleaner natural gas for New England's residential and industrial

consumers, and to meet New England's existing and anticipated gas-fired electricity generation demand." While the diameter reduction is welcome news, the troubling part of the announcement is that at this late stage KM is announcing commitments they expect to receive.

We understand that:

- The electric grid is shared regionally in New England.
- New Hampshire has 63 operating power plants, including Seabrook nuclear plant.
- New Hampshire is a net exporter of electricity to the region.
- NED provides very little benefit to New Hampshire for the enormous impact.
  - 71 mile "greenfield" project entering New Hampshire from Massachusetts only to return to Massachusetts.
  - Liberty Utilities, the only LDC signed onto NED from NH, reduced their commitment from 115,000 Dth/d to 100,000 Dth/d and only 50% of that commitment represents incremental capacity or growth. The incremental/growth volume represents less than 4% of the reduced 30" diameter pipeline capacity.
  - No EDCs from NH have made a commitment to NED.

We request FERC require the project applicant to address the following:

1. Detail the commitments from all LDCs and EDCs.
2. Ensure a full analysis of "need" by identifying replacement gas currently delivered to customers on existing pipelines and real incremental/growth gas for each LDC and EDC.
3. Quantify expected commitments from LDCs and EDCs and explain to FERC why these should be included in the project evaluation.
4. Quantify the amount of gas delivered by KM/TGP to EDCs in New England for the past five years.
5. Require Liberty Utilities detail plans for their NED commitment to show communities that will be served and when.
6. Compare competing pipeline plans to determine least and best cost solutions.
7. Quantify the amount of gas lost in current transmission and distribution pipelines in New England.

Blasting

Knowledge of the land over which the pipeline is proposed suggests extensive blasting will be required in many towns in order to bury the pipeline. FERC must be mindful that New Hampshire is known as the "Granite State" for a well-founded reason; burying a pipeline will not be an easy task in our communities.

It is also worth noting that New Hampshire is also known for high levels of arsenic and radon in well water.

A 2010 New Hampshire Department of Environmental Services report (entitled "Rock Blasting and Water Quality Measures That Can be Taken to Protect Water Quality and Mitigate Impacts") identified the risks of rock blasting on groundwater in New Hampshire. It identified materials such as detonators and explosives, which are not entirely combusted during blasting, leaching into the groundwater. This has resulted in the detection of nitrates and nitrites in groundwater. Additionally, the report found that blasting can cause silt, sand, rock particles, and

chemical precipitates that line fracture surfaces to loosen and increase the turbidity, or cloudiness, of well water. High turbidity can damage household equipment and fixtures, be aesthetically unpleasing to drink, and increase concentrations of metals and other contaminants.

NHDES has encouraged municipalities to enact blasting ordinances that not only focus on pre- and post-blast inspection of nearby structures, but also pre- and post-blast testing of private wells for both water quality and yield. These tests are critical to identifying any adverse impacts resulting from blasting activities.

The following towns currently have Blasting Ordinances in place: Brookline, Fitzwilliam, Merrimack, Milford, Pelham, and Windham.

We request FERC require the project applicant to address the following:

1. Fully adhere to the existing Blasting Ordinances in all towns that have them at the time of construction (and any other applicable state or federal rules);
2. Pay for pre- and post-blast water testing for any private or public wells located within at least 500 feet of any blasting. The water testing shall include a standard well water test, plus tests for arsenic, minerals, metals, pH, perchlorate, nitrate, bacteria, volatile organic compounds including MtBE and benzene, and radiological analysis for uranium and radon gas and water yield (gallons per minute) both before blasting, within two weeks of the completion of blasting and quarterly until a year after blasting has concluded.
3. Provide a detailed plan for providing bottled water to any and all impacted property owners, at no cost to them, until the property's water quality and yield is returned to pre-blast levels. All cost to be borne by the applicant.
4. Avoid any blasting within 1,000 feet of any contaminated soil sites.
5. Submit an Alteration of Terrain Permit to NHDES and follow the permitting requirements in order to enhance the protection of groundwater both during and after construction.
6. Analyze tunneling in New Hampshire as an alternative to blasting.

Water

We are also concerned about the issues of water resources, plant and animal life, watersheds, and the basic need for clean water that we need to survive. Water is an equally important resource as fuel, and is integral to communities. Once contaminated, it can have devastating consequences for all - individuals, communities, businesses, and tourism.

The NED pipeline will cross the following water resources multiple times in its route across NH and potentially compromise:

- Souhegan River, which it will cross six times
- Brooks and streams (22 in 15 towns)
- Aquifers (13, one very large)
- Ponds/lakes (11, largest, Scott Pond, is 134 acres)
- Wetlands (over 27, numerous vernal pools)
- Municipal water systems (serving over 500 people, including the Temple Elementary School)

- Private wells (serving in excess of 600 people)
- Numerous watersheds, including the headwaters of Tully Brook, East Asheulot, Miller River, and Middle Connecticut

We request FERC require the project applicant to address the following:

- How will contaminated well water be remediated?
- How will contaminated groundwater be addressed?
- Will the delicate ecosystems of headwaters be impacted? How many? How severely?
- How will rivers, ponds, aquifers, brooks and streams be affected by horizontal drilling? Have these impacts been studied and quantified?
- Rivers/Brook/Stream banks/riparian zones often contain wetlands that can be severely impacted via disturbance.
- How will this disturbance be minimized and mitigated?
- How banks will be restored to pre-construction conditions
- Use of specialists for work, not general contractors, using the most current and site-specific methods.
- How the release of natural gas or product will affect water ecosystems, including wetlands and groundwater?
- How big of an area could be affected and how many people would be affected?
- How would you compensate or mitigate for an accidental release?
- How will the aquifers along the route be impacted by construction? Have the impacts been studied and quantified? How will these impacts be minimized or mitigated?

Compressor Stations - General

This proposed project would have dramatic impacts on the quality of life in towns around the compressor station, including the air we breathe, the water we drink, our rural tranquility and even our ability to educate our children.

Even in such an important area as air pollution, the most recent Resources Report filed by Kinder Morgan still shows it as a "TBD" item. We feel that it is inappropriate to schedule scoping sessions when the report we are supposed to be commenting on is still incomplete.

We request FERC require the project applicant to address the following:

- Provide information on the impact of the compressor station on air, water, light and noise pollution for areas within a half-mile, mile and a half and five mile radius of the site
- Provide information on the impact of the compressor station on the largest and most important flyway in the northeast for the twice-a-year migration of more than 10,000 raptors, including bald and golden eagles
- Provide information on the impact of the compressor station on the Lukas Community, which provides the required tranquil environment for twenty developmentally disabled adults many of whom have lived there for decades.
- Provide information on the impact of the compressor station on business and residential property values based on actual property sales near compressor stations

- Provide information on the impact of the compressor station on the safety of our residents including the abilities of our local safety personnel to deal with a pipeline related disaster.
- Provide information on the impact of the compressor station on Temple, NH's ability to safely operate its elementary school, including the Town's ability to use it as an emergency shelter in the event of a catastrophic event at the compressor station.
- Provide information on the impact of the compressor station on the EPA brownfield site that the proposed compressor station would be built on including the release of lead and other toxins into our water supply during blasting and construction.

Compressor Station - Toxic Emissions

We request FERC require the project applicant to address the following:

- How will fugitive emissions be mitigated and how will they be reported when they occur?
- How often will there be blowdowns? When and how will the public be informed of the date and time of blowdowns?
- What percentage of the particulate matter emitted by the blowdowns will be radioactive?
- According to the Southwest PA Environmental Project, studies show that the current protocols for assessing compliance with ambient air standards do not adequately determine the intensity, frequency or duration of actual human exposure to toxins. How will Kinder-Morgan address this?
- Reference standards are based on discrete emissions, not on the cumulative impact- of many toxins together. Kinder Morgan needs to provide unbiased studies proving that there are no adverse health effects from this type of exposure.
- Require Kinder-Morgan accept liability for adverse health effects on pregnant women and their fetuses/children due to the exposure to toxins?
- Require Kinder-Morgan accept liability for the increased cost to the community in terms of special education and health needs caused by exposure to the toxic chemicals released by the compressor station?
- Require Kinder-Morgan provide the Coalition towns with a longitudinal study on the health effects to children ages 5-12 exposed to compressor station of at least 40,000 horse power located within a two mile radius of a school.

In 2012 regulators believed that emissions from the production, transmission and distribution of natural gas accounted for approximately 398.3 billion cubic feet (Bcf). To put that into perspective it would be like leaving one end of the proposed NED pipeline completely open for 361 days to spill out into the atmosphere.

We request FERC require the project applicant to address the following:

- Provide a detailed study on the amount of air and atmospheric pollution that occurs along a 30-inch pipeline with leaks that occur at pigging station locations, valve release stations and compressor stations as well as the ramifications of these emissions.

Aside from production leaks and catastrophic accidents, the largest single and intentional emission occurs at the compressor station with the compressor blowdowns. These events can be scheduled or accidental and release gases through the blowdown valve and create a plume that extends to a

height of 100 - 200 feet and that can last up to three hours. One venting can vent, on average, 15 million cubic feet of whatever gases are in the pipeline. This would include various organic and inorganic compounds, as well as radioactive materials, particulate matter and unknown compounds, that are forcefully pushed up 200 feet and carried in any direction by the wind for miles and landing on anyone or anything. We are concerned that it is a variable shower of toxic and cancer producing contaminants that will have various short and long term health implications on anyone in its path.

There are also emissions from the all of the varied operational activities of the compressor stations that are occurring 24 hours a day. They include but are not limited to: filter separators / scrubbers, compressor turbines, gas cooling system, lube oil system, exhaust silencers, fuel gas systems pneumatic systems and backup generators.

The emissions can contain the following chemicals in varying amounts:

- Methane (CH4) is the principal component and is a potent greenhouse with a warming potential 25 times that of carbon dioxide (CO2) over the long term (100-year time horizon) and 72 times over the short term (20-year time horizon). CH4 contributes to higher global background levels of ozone pollution.
- Carbon dioxide, Butane, ethyl benzene, ethane, pentane, etc.
- Volatile Organic Compounds (VOCs) and oxides of nitrogen are also emitted and are precursors to ground level ozone. In areas of concentrated activity, as are compressor stations, the emissions can be substantial.
- Hazardous air pollutants (HAPs) include hydrogen sulfide and certain hydrocarbons such as benzene, a known human carcinogen. Formaldehyde is a HAP found in the exhaust of compressor engines.

There is a growing complaint of short-term health concerns associated with compressor stations including respiratory and skin irritation, nosebleeds, neurological problems, dizziness, fatigue, loss of coordination, nausea and headaches.

The long term effects have yet to be learned but with known VOCs and known carcinogens being emitted, we can expect to see loss of coordination and damage to nervous system as well as an elevated incidence of cancer.

Compressor Station - Construction Impacts

The proposed site of the New Ipswich compressor station is on the SKAT land property; at the corner of New Ipswich, Temple and Greenville. The SKAT land is between Route 45 and old Temple Road; uphill from either road. The land is a big, steep hill of granite. If they need the compressor station on level ground, it would require significant blasting on the SKAT land. Nearby residents with bedrock wells are at higher risk due to additional blasting for compressor station area.

More sensitive are those that are dependent on surface water. The Kinder Morgan maps show one small wetland on the map for the compressor station but that map doesn't show the large hydric soil area it will be sitting on. A few hundred feet from the compressor station site is a pond that is wet 12 months of the year. That pond is part of a series of larger ponds, which is one of three main tributaries to the town of Greenville reservoir. There are nearby farms that irrigate from surface ponds. The area is part of the Souhegan River watershed.

Residents surrounding the SKAT land have dug wells. Our dug wells have extremely clean water because the land around us is extremely clean. The SKAT land is uphill from us. Every time there is a heavy rain or snow melt water runs from the direction of SKAT land through our land, towards the tributaries to the Greenville reservoir behind our houses. Any contaminating substances from the compressor station will percolate down-hill like a funnel and the local residents will be consuming them.

It was noted at the Scoping Session in Nashua that heavy molecule substances such as radon, polonium and other radioactive isotopes could get into soil and groundwater. Those substances are heavy and will drop quickly in the adjacent lands and waters during blowdowns.

We request FERC require the project applicant to address the following:

- Identify how many 41,000 HP fracked gas compressor stations are sited on hydric soil that are **up hill** from stratified drift aquifers and ponds less than 1,000 feet away
- Identify studies near compressor stations that have researched contamination of surface water and dug wells. If they do not exist, require the applicant to fund a study on the impacts over a 12-month period prior to permitting this project.
- Determine if there are seasonal impacts on ground water and wells. Is contamination greater in spring thaw due to contamination being trapped in the snow? Is the contamination greater in the drier fall season when the stratified drift aquifers have naturally lower water levels and contamination could be concentrated?
- If existing studies are available, require the applicant to conduct updated surface water and well tests at the locations to see if results have changed since the prior studies results were made available.

Compressor Station – Noise Impacts

Federal guidelines establish a maximum day-night **average** noise level for compressor stations of 55 dB at the closest noise-sensitive area. However, averages can be misleading. Peak noise levels are a more relevant and important metric because the loudest noises at compressor stations occur sporadically such as during blow downs, not continually.

Peak noise levels of 100 dB have been measured in the vicinity of compressor stations. For comparison, the nominal requirement of 55 dB is roughly equivalent to the sound produced by a modern dishwasher. In contrast, 100 dB is about as loud as a jackhammer.

Noise alone is sufficient to cause health problems including hearing impairment, cardiovascular and other physiological effects, mental health effects, and sleep disturbance. Compressor stations operate 24 hours a day. Nighttime sleep disruption during blow downs is likely. Inadequate sleep is proven to cause many health problems. Chronic sleep loss has serious consequences for health, performance, and safety.

Kinder Morgan's own measurements found that the selected noise sensitive areas near the compressor station site have estimated nighttime sound levels from 41 to 44 dB. A nighttime noise caused by a blowdown of 100 dB would be jarring indeed (being perceived as roughly 90 times louder than the background noise) and is easily loud enough to disturb sleep in most people.

Also of concern is the low-frequency noise produced by compressor stations. Low-frequency noise (below 100 Hz) has been linked to numerous psychological, emotional, and physiological complaints. Low-frequency noise can be worse than noise at higher frequencies. It doesn't need to be considered "loud" to cause annoyance and irritation. Low-frequency noise is found to be more difficult to ignore than higher frequency noise.

Wildlife will also be adversely affected by loud noise. Laboratory experiments show reactions in some animals similar to those of humans after prolonged exposure to loud noise. Other studies show that anthropogenic noise can interfere with vocalization and communication in some species, leading one author to conclude that "The inability of creatures to successfully communicate or otherwise employ their auditory senses is detrimental to the long-term survival of these displaced creatures and the overall biological integrity of the environment."

We request FERC require the project applicant to address the following:

- Provide a study showing no human health effects from the noise associated with ongoing operations of a large 41,000 HP compressor stations, including occasional blowdowns. If none is available, require such a study be completed prior to issuing a permit for this project.
- Provide a study showing no human health effects from continual low frequency noise similar to that of the compressor station.
- Provide a study on the noise effects on echo locating bats.
- Provide a study on the effects of compressor station noise on local wildlife.

Compressor Station – Impacts on Greenville's Water Supply

The Town of Greenville (population 2,105) has a town-owned water plant that is physically located on Route 45 in Temple and draws its water from the Tobey Reservoir, also in Temple.

The Greenville Water Department has approximately 356 water connections, one of which services a 190 unit mobile home park. The water service includes all the downtown businesses, one of which is a manufacturing facility that produces vinegar and mustard, as well as restaurants, convenient stores, a bakery, etc. In addition, the Greenville Water Plant provides the water for the Temple Elementary School in Temple, as well as, the water for pressurized fire hydrants in that area of Route 45 in Temple.

The proposed Compressor Station for the NED project will be approximately 7/10th of a mile from the Greenville Water Plant. Since the Greenville Water Plant provides water to approximately 65% of our population, we have grave concerns regarding any type of pollution of the Tobey Reservoir, as well as any underground disruption of source waters of the Tobey Reservoir.

We request FERC require the project applicant to address the following:

- Provide environmental studies showing that the blowdowns and general operations of the proposed compressor station will have no impact whatsoever on the volume or purity of the Tobey Reservoir and that it will not adversely affect water department operations.

Compressor Station - Impact on Temple Elementary School/Emergency Shelter

We fail to understand why any corporation would make the decision to construct a 41,000 horse power compressor station a mere ½ mile from an elementary school. Similarly, we do not understand why they would place such a facility where its emissions can pollute the nearby reservoir which supplies the school's drinking water.

This is Kinder Morgan's plan for its Hillsborough County Compressor Station in New Ipswich, NH. We are very concerned about the welfare of the children and staff of Temple's Elementary School, and for any other school placed in such a situation in our country.

Schools are not just where kids go to class, it's where they play outside at recess, have lunch, have indoor and outdoor afterschool activities, and where they wait in line to get on their buses to go home.

We request FERC require the project applicant to address the following:

- Provide in-depth training for the decision makers at Kinder Morgan focused on the particular vulnerability of children to the harmful effects of toxic pollutants, and we request that the training include:
    - Wilma Subra's research on the health hazards within a **2 mile radius** of compressor stations;
    - The Madison County, NY Health Department's report on health impacts from compressor station emissions;
    - The Southwest Pennsylvania Environmental Health Project's Summary on Compressor Stations and Health Impacts; and
    - Mina Hamilton's document, "More than a Pipeline: A Toxic Industrial Infrastructure".
- An investigation and report to the town of Temple on the effects of compressor station noise and low frequency vibrations on the ability of children and adults to concentrate, plus the short term and long term health impacts of blowdowns, fugitive emissions and other gas releases associated with compressor stations, including the latest data, using continuous monitoring for toxic gas levels rather than yearly averages, with a special concern for kids with asthma.
- A pre-construction baseline health survey of the students and staff at our school conducted by professional public health practitioners and paid for by Kinder Morgan, with a commitment to have the children's health profiles professionally monitored for 10 years.

Clearly, it is NOT a priority of Kinder Morgan's to responsibly site their compressor stations and contain or eliminate their emissions of toxic pollutants. When asked about emissions at the New Ipswich Informational Open House, they would not even acknowledge toxic pollutants being emitted from their stacks during blowdowns.

It is further alarming to learn about Kinder Morgan's safety record as well as that of compressor stations throughout the US, which have had 11 spills, fires, and explosions in the past 11 years. As Kinder Morgan reported in their SEC 10K filing: "From time to time, despite our best efforts, our

pipelines experience leaks and ruptures which may cause explosions, fire, and damage to the environment, damage to property and/or personal injury or death"

Furthermore, their actual accident record, as reported by the Pipeline and Hazardous Material Safety Administration (PHMSA) states that just since 2003 they have had "180 incidents of spills, fires, explosions, injuries and fatalities"

Compressor Station - Most Recent Resource Report

Kinder Morgan's most recent Resource Report is incomplete, insufficient in scope, and is not sufficiently protective of the health, safety, and welfare of the public and the environment. The Report states clearly that the public safety is ensured based upon "empirical information." The overly simplistic use of empirical data does not include the unique features of our environment. The Report also states "the greatest hazard of a natural gas transmission line is a pipeline rupture that results in a fire or explosion." Yet the report does not consider that New Hampshire is the second most densely forested state in the continental U.S. and that many of its potentially impacted towns are heavily forested communities. The report does not mention that many towns have all-volunteer fire departments and it does not address the towns' ability to contain and limit the growth of a fire-related incident during periods of dry weather.

The report does not refer to the existing Emergency Plan of the NH towns along the pipeline. The report does not note that many communities may have only one or two policemen on duty at a time (and in limited cases none). The Report does not acknowledge the location of the Temple police station being situated two towns south of Temple, in the Town of Greenville. This detail is unique to Temple. The Report does not address the possibility that the police travelling from Greenville to Temple in response to a reported pipeline or compressor station hazard need to access the one or two roads that may be impassable in the event of a fire or rupture. Both roads are adjacent to the compressor station. Thus, a hazard may at times prevent the Temple police from beginning the evacuation of the citizens to minimize the loss of life.

These concerns are not unprecedented and are well documented. Although not one NTSB Pipeline Accident Briefing is referred to in the Report, we note the May 2009 briefing entitled "Rupture of Florida Gas Transmission Pipeline and release of Natural Gas". This report describes the closure of a highway due to a pipeline rupture. It further describes the evacuation of a local school to prevent injury. In this case there were three injuries including a first responder. The Tennessee Gas Pipeline Report does not indicate that the Town's only school is located about two thousand feet from the proposed pipeline and compressor station. It does not address the means by which the school can transport the children to a safe zone. In Temple, the school busses do not remain at the school during school hours and are often in use during school hours. The current school evacuation plan has the children crossing Route 45 and being secured within a wooden barn. An alternate plan will be needed.

The Report does not consider the fact that the school is also the only emergency shelter in the Town of Temple. This emergency shelter has provided housing for residents during past and recent declared emergencies. This emergency shelter's ventilation system requires the use of outdoor ambient air which is subject to any emissions received from the proposed site of the compressor station.

The report fails to address compressor station hazards that occur during declared emergencies. It does not mention the twelve-day emergency that began on December 11th, 2008. The Governor signed the Emergency Declaration on December 13th as the residents of Temple were beginning to occupy the emergency shelter. These residents had nowhere else to go; entry and egress to and from the Town was prevented by the massive amount of fallen trees and power lines on the ground and crossing almost every road and street. Although this disaster lasted over a week, the adjacent Towns were not able to provide mutual aid because they too were in distress.

The Report also failed to consider all other types of natural disasters that have been declared in Temple. Some claim the worst natural disaster was the 1993 snow storm. It has been called the storm of the century by some. This storm was huge and affected 26 states as well as most of eastern Canada. The storm came with cold Arctic air, heavy snow and hurricane force winds. The storm left 10 million people without power, 310 people lost their lives and the storm cost $6.6 billion in damages.

Other notable disasters include the 1940 New Hampshire earthquake. On December 20, 1940, New Hampshire had a 5.5 magnitude earthquake with the epicenter in Ossipee. The effects of the earthquake were felt in Montréal and Québec, Canada as well as Maine, New Jersey, New York, Pennsylvania, Delaware, Massachusetts, Vermont and Rhode Island. Damages from the storm included broken pipes, furniture and walls as well as several damaged chimneys and water wells.

Clearly the Tennessee Report admits the use of "empirical information." However, the type of information referenced does not well address our environment and the many potential hazards associated the proposed pipeline and compressor station locations. The Tennessee Report claims compliance with the Pipeline and Hazardous Materials Safety Administration ("PHMSA") 49, CFR Part 192. We submit that they are grossly misrepresenting the situation, and as proposed, significantly violate many requirements including "the availability of personnel, equipment, tools, and materials, as needed at the scene of an emergency, and the "making safe any actual or potential hazard to life." Without a hazard analysis the Report's claim remain unsubstantiated.

We are greatly concerned the Tennessee draft Report seems to ignore the lessons learned within documented NTSB reports. It also does not consider a local and occupied religious facility, called Our Lady of Hope. This facility is located just across the street from the proposed compressor station and the pipeline is located under or next to their land. Why is this facility not considered in the federally-mandated risk assessment?

In addition to inadequately assessing public safety, the Draft Environmental Report does not even mention the precious raptors and eagles. Ignored entirely is the extremely important migration route for raptors. Temple is part of and contiguous to one of the few pathways for the twice-yearly migration of raptors which is federally recognized. Thousands are recorded each year on Pack Monadnock as they begin their flight south (toward the compressor station) in the fall, and often times over ten thousand are reported and counted. The site is one of approximately 169 consistently reporting North American watch sites, all of which enter their daily observations into a database administered by the Hawk Migration Association of North America (HMANA). Audubon employs a naturalist to record raptor migrations in Temple during the period from August to November each year, supported by volunteers who, in 2012 "logged 600 observation hours over 85 days". The proposed location for the compressor station in New Ipswich is on the lead line of this very special

migration. What assessments have been made for the compressor station's heat plumes, drafts, blow-downs, noise and light? There are none mentioned in the Environmental Draft Report.

We request FERC require the project applicant to address the following:

- A comprehensive hazard analysis report written by an independent Professional Engineer with significant expertise to identify all potential impacts and hazards to the local environment resulting from the proposed compressor station. The analysis is to include the probability of occurrence and the severity of hazards assuming multiple scenarios.
- A comprehensive analysis written by a Professional Engineer or PhD with significant expertise to address all potential hazards to the local bird species, including all recorded migratory birds, resulting from the proposed location of the compressor station. The analysis is to include the probability of occurrence and the severity of hazard assuming multiple compressor station hazard scenarios.

Compressor Station - Light Pollution

The towns of the NH Municipal Pipeline Coalition request that the preservation of dark skies be included as an environmental factor in evaluating the proposed KM pipeline and its location of the metering and compressor stations. Dark skies are a gift of nature, along with clean water, clean air, and freedom from excessive noise. It affects the very quality of our lives. Night light also has a serious effect on our wildlife and trees.

All over the world scientists are discovering damage to the ecosystem from artificial lighting. Migrating birds tend to travel at night when there is less risk of predators and winds subside. Artificial light sources are disorienting to birds, bats, turtles and even to trees that in turn host a variety of insects and wildlife. Many of our towns have passed Dark Sky Ordinances to halt the growth of indiscriminate lighting.

Without regulation of its lighting, the proposed compressor station may become a small city needlessly polluting our skies and destroying the very special gift of being able to see the night sky. In addition, station blowdowns will release both light and heat, to say nothing of the toxins, threatening our migrating birds, bats, and especially raptors.

The nearby Wapack Trail will be affected and is an important nesting ground for a number of threatened species of birds. Night light also affects adversely the breeding habits of turtles and frogs.

We acknowledge that light is necessary for safety, but at the same time we request that FERC require Kinder Morgan to specify details of the lighting at the compressor and other stations along the pipeline path that will:

- Embody the latest scientific research on wave-length characteristics to avoid harming wildlife.
- Minimize the angles of illumination and intensity of light to protect our dark skies and wildlife.
- Limit blowdowns to daylight hours to minimize the released heat and light that harms our wildlife.

- Include study of bird, especially raptor migration, to show that the pipeline and its stations will not adversely affect these flyways.
- Follow any existing dark sky/lighting ordinances that have been adopted by any impacted NH towns

For reference, we provide below the ordinance from Temple, NH:

TOWN OF TEMPLE, NH - ZONING ORDINANCE
(As amended through March 31, 2013)

SECTION 30: (2013) LIGHTING/DARK SKY PROTECTION
Outdoor lighting installed in the Town of Temple shall comply with the requirements specified below.

I. AUTHORITY
This ordinance is adopted pursuant to the enabling provisions of RSA 674:16 and 674:21 relative to innovative land use controls.

II. PURPOSE
The intent of this ordinance is to maintain the rural character of Temple, in part by preserving the visibility of night-time skies. This ordinance recognizes the importance of lighting for safety and security while encouraging energy efficiency, and promotes good neighborly relations by preventing glare from outdoor lights from intruding on nearby properties or posing a hazard to pedestrians or drivers.

III. DEFINITIONS
Direct Light: Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.
Fixture: The assembly that houses the lamp or lamps and can include all or some of the following parts: housing, mounting bracket or pole socket, lamp holder, ballast, reflector or mirror, and/or refractor or lens.
Lamp: The component of a luminaire that produces the actual light.
Luminaire: A complete lighting assembly that includes the fixture and its lamp or lamps.
Flood or Spotlight: Any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.
Glare: Light emitting from a luminaire with intensity great enough to reduce a viewer's ability to see and, in extreme cases, causing momentary blindness.
Height of Luminaire: The height of a luminaire shall be the vertical distance from the ground directly below the centerline of the luminaire to the lowest direct-light-emitting part of the luminaire.
Indirect Light: Direct light that has been reflected or has scattered off of other surfaces.
Light Trespass: The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.
Lumen: A unit of luminous flux. One foot candle is one lumen per square foot. For the purposes of this ordinance, the lumen-output values shall be the initial lumen output rating of a lamp.
Outdoor Lighting: The night-time illumination of an outside area or object by any manmade device located outdoors that produces light by any means.

Temporary Outdoor Lighting: The specific illumination of an outside area or object by any manmade device located outdoors that produces light by any means for a period of less than seven days with at least 180 days passing before being used again.

III. OUTDOOR LIGHTING DESIGN

A. Any luminaire emitting more than 1800 lumens (with 1,700 lumens being the typical output of a 100-watt incandescent bulb) shall be fully shielded so as to produce no light above a horizontal plane through the lowest direct light-emitting part of the luminaire. (Such fixtures usually are labeled Dark Sky Certified or Compliant.)

B. Any luminaire with a lamp or lamps rated at a total of more than 1800 lumens, and all flood or spot lights with a lamp or lamps rated at a total of more than 900 lumens, shall be mounted at a height equal to or less than the value 3 + (D/3) where D is the distance in feet to the nearest property boundary. The maximum height of the luminaire shall not exceed 40 feet.

C. Any luminaire with a lamp or lamps rated at 1800 lumens or less, and all flood or spot lights with a lamp or lamps rated at 900 lumens or less, may be used without restriction to light distribution or mounting height, except that, to prevent light trespass, if any flood or spot light is aimed or toward residential buildings on adjacent or nearby land, or to create glare perceptible to pedestrians or persons operating motor vehicles on public ways, the luminaire shall be redirected, or its light output reduced or shielded, as necessary to eliminate such conditions.

D. Moving, fluttering, blinking, or flashing, neon or tubular lights or signs shall not be permitted, except as temporary seasonal holiday decorations. Signs may be illuminated only by continuous direct white light with illumination confined to the area of the sign and directed downward.

E. Luminaires mounted on a canopy shall be recessed in the ceiling of the canopy so that the lens cover is recessed or mounted flush with the ceiling of the canopy and fully shielded. Luminaires shall not be mounted on the sides or top of the canopy, and the sides of the canopy shall not be illuminated.

F. When aviation lighting is required, the latest technologies shall be employed in order to minimize the visual impact of such lighting.

G. The Planning Board requests that lighting controlled by the Town of Temple or other controlling agencies take advantage of the latest technologies in order to satisfy the intent of this ordinance.

IV. EXEMPTIONS

A. Public-roadway illumination, emergency lighting, and vehicular luminaires shall be exempt.

B. Seasonal holiday lighting and illumination of the American and state flags shall be exempt from the requirements of this ordinance, providing that such lighting does not produce glare on roadways and neighboring residential properties.

C. Installations existing prior to the enactment of this ordinance are exempt from its requirements. However, any changes to an existing lighting system, fixture replacements, or any grandfathered lighting system that is moved, must meet these standards.

V. TEMPORARY LIGHTING

Any temporary outdoor lighting for construction or other purposes that does not conform to the requirements of this article may be permitted by the planning board after considering:

A. The public and/or private benefits that will result from the temporary lighting.

B. Any annoyance or safety problems that may result from the use of the temporary lighting.

C. The duration of the temporary non-conforming lighting.

Fault

A fault named the Triassic border fault (also called the Warwick fault) does exist in the SW corner of New Hampshire located on the NH/MA state line, where it dips down into Massachusetts for some distance.

New Hampshire lies entirely within the Appalachian Highlands, which extend northeasterly from Alabama to Newfoundland. Geologically, New Hampshire is in the midst of the Appalachian Province, halfway between the pre-Cambrian metamorphic and igneous rocks of the foreland, exposed in the Adirondack Mountains of New York and the Canadian Shield, and the Cretaceous and Cenozoic sediments of the Coastal Plain.

Cutting diagonally across the trend of the Appalachians, New Hampshire offers an opportunity to study the deeply eroded core of a mountain system that first formed hundreds of millions of years ago. Here we find folded and faulted Paleozoic sedimentary and volcanic rocks that have been thoroughly metamorphosed and penetrated by large and small bodies of plutonic rocks. It is in regions such as this that geologists hope to find some of the more significant clues to the causes of mountain building.

Most of the known normal faults are confined to a belt 12 miles wide in the extreme western part of the state, between Enfield and the Massachusetts border, a distance of 65 miles.

The Triassic border fault exists in the extreme southwest corner of the state; a fault that bounds the Kinsman quartz Mennonite on the southeast. This fault is called the Triassic border fault in section FF' because further south in Massachusetts it borders the Triassic rocks on the east (Emerson, 1917).

The truncation of the structures along this fault is readily apparent on the geological map. The dip cannot be determined in New Hampshire, but in Massachusetts, 10 miles south of the state line, the fault dips 60 degrees W. in one exposure and 35 degrees NW in the other.

In southwestern New Hampshire (Winchester & Richmond), the block on the northwest side has been down dropped 15,000 to 20,000 feet.

We request FERC require the project applicant to address the following:

- Describe the impact of a significant nearby earthquake on a 30-inch, high pressure gas pipeline. Describe the worst case scenario resulting from a significant earthquake in the area of Richmond, NH on the pipeline, its valves, and the compressor station.
- Identify what damages could potentially occur if blasting is incorporated along the edges of what we historically have thought of as "the Warwick Fault", located along the state line between Winchester & Richmond, NH and Warwick, MA.

Impact on Property Values

Kinder Morgan has repeatedly stated that the proposed pipeline and compressor station will not impact property values of nearby residences and, therefore, no additional compensation is due to those property owners.

We are already seeing that properties for sale along the pipeline, particularly those in close proximity to the proposed compressor station, are being shunned by those seeking to buy properties locally.

We request FERC require the project applicant to address the following:

- Commission a study by independent experts to determine what the impact on property values actually is within proximity to a high pressure transmission pipeline as well as near a similarly sized compressor station.

We refer you to a 2014 Fremont Center NY study by a certified real estate appraiser that determined homes close to a compressor station should be reduced by 25% to 50%. Further, that study's compressor station is approximately one-third the size of the proposed New Ipswich station. The appraisers' rationale included safety hazards substantiated by a middle of the night evacuation, air pollution and noxious odors, persistent vibration and noise, damage from construction and increased truck traffic.

Further, we request FERC require the project applicant to address the following:

- The study include the impact of pipelines/compressor stations on the tax rates in those affected communities.

An analysis within the Town of Temple shows that the pipeline/compressor station will reduce the value of those houses in close proximity. This will then cause notable increases in taxes to other property owners in Temple to cover the loss of value and taxes from houses near the pipeline/compressor station. Similarly, property owners in the other eight ConVal towns will experience an increase in their taxes as the costs of the consolidated school is shifted to those communities.

Respect for New Hampshire Processes

State and Local Regulatory Requirements

- In its recent Resource Report 1, Table 1.6-1, Kinder Morgan identifies at least eleven (11) state or federal permits, licenses, approvals, or certificates required for construction, operation or maintenance of the NED project in New Hampshire.
- New Hampshire Site Evaluation Committee, RSA 162-H, relative to siting energy facilities.
- Clean Water Act 401 Water Quality Certificate
- NH Dredge and Fill Permit (NH RSA 482-A, Dredge & Fill in Wetlands)

- Shoreland Permit (NH RSA 483-B, Shoreland Protection Act (applies to oceans, rivers, lakes & large ponds).
- National Pollution Elimination System "Construction General Permit". (US Clean Water Act)
- NH Department of Environmental Services "Air Emissions Permit"
- State Species Consultations with NH Fish & Game and NH Department of Resources and Economic Development.
- Historic Preservation Act review with NH Division of Historical Resources.
- Large Groundwater Withdrawal Permit (NH-DES Watershed Management Bureau)
- Surface Water Use Registration (NH-DES Watershed Management Bureau)
- Alteration of Terrain (NH-DES)
- NH-DOT Driveway Permit (not included on Kinder Morgan's list)

All these permits are important and are mandated by existing statutes.

We request FERC require the project applicant to address the following:

- Complete all state regulatory requirements that Kinder Morgan itself has identified in Resource Report 1, by making approval (if any) contingent on its adhering to the regulatory requirements that it has identified.
- Follow all zoning ordinances and a site plan review requirements in any impacted NH town. It is through zoning ordinances, subdivision regulations, and site plan review, that the people of New Hampshire govern land use at the local level. Each of these towns have a master plan setting out the vision of land use in their town, and over the years each town has crafted ordinances consistent with their master plan.
- By way of additional specifics, require the applicant follow all town aquifer protection ordinances, wetlands protection ordinances, and/or stormwater management ordinances, either built into their zoning ordinances or as stand-alone ordinances. Some town ordinances include regulation of nuisance, noise and outdoor lighting, which we request also be followed.
- Compliance with any town excavation ordinances.
- We ask FERC to discourage the use of Federal preemption to avoid the state regulatory scheme, and to demand that Tennessee disclose which, if any, of the permits and processes it listed in Resource Report 1, Table 1.6-1 that it believes may be preempted by Federal law.

Local ordinances typically represent many years of hard work by dedicated volunteers who care deeply about where they live. Zoning ordinances must be enacted by majority vote at a Town Meeting or by ballot on an election day. The zoning ordinance is a direct reflection of the will of the people as to what their town should look like, what quality of life means to the voters, how the people believe the land should be used.

Blasting and excavation ordinances are enacted for the safety of the community and to ensure that construction or industrial activities do not obliterate the quiet enjoyment of neighboring properties or the towns in general.

Now one knows better than the residents of a community what kind of law and regulation is needed to preserve and enhance the values of that community. Respect for local ordinances equals respect for the people of the community.

A spreadsheet is attached, which summarizes the New Hampshire regulatory process, the administering agency, and the statutory authorization for each.

Easement Language

We are concerned that, if approved, the proposed pipeline could, in the future, not be needed to transport dry natural gas and would then be available for the transportation of other liquids. Some such liquids could be hazardous. In order to protect the impacted NH communities,

We request FERC require the project applicant to:

- Include language in any and all easements within NH that strictly limits the easement for the use of "dry natural gas" in the pipeline.

Emergency Response – During Construction and Operations

Many of the NH communities that the pipeline would cross have fire and ambulance departments that are served solely by volunteer, "on call" individuals. Comments for the sections on "Emergency Response" were collected from meetings with area fire chiefs and emergency coordinators.

We request FERC require the project applicant to fully address the following questions:

- What is your emergency response plan? When will we receive a copy of it?
- Will Kinder Morgan be installing an Active (CO2) or a passive fire suppression system?
- Will Kinder Morgan Install gas leak detectors at the Compression station if one is installed in the town?
- Will KM provide and pay for initial and ongoing Training for all first responders (police, fire, ambulance, emergency management and highway)? How often will training take place? Is there a point at which training would end? If so, what is that point?
- Will Kinder Morgan supply emergency responding personnel with Pipeline Safety Education to the level of Technician? Training in accordance to meet or exceed OSHA 1910.120.

- Will KM provide Trench Rescue and Confined Space rescue training for all personnel along the pipeline corridor? Is there a maximum number of personnel that KM will train or will all currently employed and/or volunteer workers be trained?
- What kind of special protective gear is needed for first responders at an incident? Please list any and all specific equipment. Will Kinder Morgan provide and maintain it or replace if damaged, as long as it is needed?
- How many personnel will respond from Kinder Morgan in case of an incident?
- What security monitoring will be implemented during the construction along the length of the pipeline (alarms, fences, manpower, cameras, and patrols)? How many systems? Who will monitor them? Where will tapes and images be kept? How long will they be kept? Who will assess them? Will information be available to all departments?
- What access will the Emergency Responder's have to the pipeline and compression stations? Will they have access 24 hours a day seven days a week? If not, how will access be conducted and by whom? Who will be the immediate contact?
- Will Kinder Morgan provide an ATV or like vehicle for access to the pipeline by emergency responders? Will we have keys to unlock newly installed gates or other restrictions at the Eversource r-o-w and Kinder Morgan r-o-w to have emergency access?
- Will evacuation routes be maintained during construction?
- How often will meetings with compressor pipeline operator or designee be held?
- How often will KM supply a detailed site plan?
- Will Kinder Morgan provide Medical equipment for a mass casualty incident?
- What is the plan to protect the pipeline from a Soft Terrorism threat?
- Will Kinder Morgan provide a messaging system for notification of an incident or training (including message boards)?
- How is the lack of 24 hour police coverage going to be addressed in those communities that do not have it?
- Many fire department and EMS services are "on call" departments with minimal manpower during the daytime. How will this be addressed to ensure sufficient personnel are available in the event of a significant weekday emergency?
- Will Kinder Morgan maintain road access to the compression stations and pipeline? This would include snow removal and roadway maintenance and upkeep so that emergency vehicles can respond.
- What will the state involvement be in an incident? Who will be contacting the state departments in case of an incident?
- Where is the closest service field representative located? What is their response time to any individual town?
- What are the plans for a wide spread emergency affecting more than one town at the same time?
- Where does funding come from to reimburse for emergency response (including alarm activations and full blown incidents) and how soon is it available?
- Will Kinder Morgan be paying for security details for surveyors and workers during the initial phases of the project?
- How are warning systems activated? What is the time lapse for activation?
- With both the primary and secondary Emergency Shelters being within the hot zone in case of an incident, what will Kinder Morgan due to mitigate the situation and relocate the shelter out of the hot zone.

Emergency Plans – Contingencies

We are concerned about streets that would be cut-off from emergency services in the event of a pipeline incident. They may be dead-end streets that are bisected by the pipeline or streets that are located on the other side of the pipeline from fire, ambulance or police stations.

While the probabilities of an event may be small, it is critical that we plan for the worst.

We request FERC require the project applicant to:

- Develop plans with the emergency services departments of any NH town with roads that could be cut-off from responding emergency vehicles in the event of a pipeline-related incident. The Plan in each town will detail how residents will be reached and evacuated in the event of such an incident where the existing road to them is impassable.

Decommissioning

We request FERC require the project applicant to answer the following:

- What is the time frame for the use of the pipeline and what is the process of decommissioning the pipeline.
- What are the phases of decommissioning the pipeline and the time frame for each phase?
- What are the long-term environmental emergencies for the decommissioning of the pipeline?
- What happens to the pipeline and all equipment following the decommissioning?
- What type of security will be required (bond or deposit) for decommissioning?

We have serious concerns about the proposed project and expect FERC to ensure all of the above concerns and requests are fully addressed by the applicant.

Sincerely,

James O'Mara
Town Administrator
Amherst

Tad Putney
Town Administrator
Brookline

Susan Silverman
Board of Selectmen
Fitzwilliam

Kelley Collins
Town Administrator
Greenville

Wendy Juchnevics-Freeman
Pipeline Task Force
New Ipswich

Mark Bender
Town Administrator
Milford

John Boccalini
Pipeline Task Force
Richmond

Roberta Oeser
Board of Selectmen
Rindge

Gail Cromwell
Board of Selectmen
Temple

Troy Brown
Town Administrator
Litchfield

Tom Matson
Board of Selectmen
Troy

Charlie Moser
Board of Selectmen
Mason

Brian McCarthy
Town Administrator
Pelham

Christopher Steadman
NHMPC Representative
Winchester

cc: Governor Maggie Hassan
Senator Jeanne Shaheen
Senator Kelly Ayotte
Representative Ann McLane Kuster
Representative Frank Guinta

NH Municipal Pipeline Coalition
Written Scoping Submission - State Permit Summary

Permit/Approval	Statutory Authorization	Administering Agency	Jurisdiction
Certificate of Site & Facility	RSA 162-H	Site Evaluation Committee	RSA 162-H: 5, I No person shall commence to construct any energy facility within the state unless it has obtained a certificate pursuant to this chapter. "Energy facility" means "[a]ny industrial structure that may be used substantially to extract, produce, manufacture, transport or refine sources of energy, including ancillary facilities as may be used or useful in transporting, storing or otherwise providing for the raw materials or products of any such industrial structure. This shall include but not be limited to .... energy transmission pipelines that are not considered part of a local distribution network." RSA 162-H:2, VII, a. Useful Link: Site Evaluation Committee website
Clean Water Act 401 Water Quality Certificate	33 USC Chapter 26, Subchapter IV	NH-DES- Wetlands Bureau	(1)Any applicant for a Federal license or permitto conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters,shall provide the licensing or permitting agency a certification from the Statein which the discharge originates or will originate, or, if appropriate, from the interstate water pollution control agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate, that any such discharge will comply with the applicable provisions of sections 1311, 1312, 1313, 1316, and 1317 of this title. 33 U.S. Code § 1341 (emphasis added Useful Link: http://des.nh.gov/organization/divisions/water/wmb/section401/index.htm
Dredge & Fill Permit	RSA 482-A	NH-DES Wetlands Bureau	RSA 482-A:3, I, a. No person shall excavate, remove, fill, dredge, or construct any structures in or on any bank, flat, marsh, or swamp in and adjacent to any waters of the state without a permit from the department. Useful Link: http://des.nh.gov/organization/divisions/water/wetlands/permit-standard-dredge-fill.htm
Shoreland Permit	RSA 483-B	NH-DES Wetlands Bureau	RSA 483-B:5-b, I, a. No person shall commence construction, excavation, or filling activities within the protected shoreland without obtaining a permit from the department to ensure compliance with this chapter. Useful Link: http://des.nh.gov/organization/divisions/water/wetlands/cspa/index.htm

NH Municipal Pipeline Coalition
Written Scoping Submission - State Permit Summary

Permit/Approval	Statutory Authorization	Administering Agency	Jurisdiction
NPDES (National Pollution Discharge Elimination System) Construction General Permit	US Clean Water Act Section 402	US EPA---because NH does not have a specific state program to administer the NPDES. It is one o	Has to do with stormwater runoff. Partial exemption for gas transmission lines: (2) Stormwater runoff from oil, gas, and mining operations The Administrator shall not require a permit under this section, nor shall the Administrator directly or indirectly require any State to require a permit, for discharges of stormwater runoff from mining operations or oil and gas exploration, production, processing, or treatment operations or transmission facilities, composed entirely of flows which are from conveyances or systems of conveyances (including but not limited to pipes, conduits, ditches, and channels) used for collecting and conveying precipitation runoff and which are not contaminated by contact with, or do not come into contact with, any overburden, raw material, intermediate products, finished product, byproduct, or waste products located on the site of such operations.Clean Water Act, Section 402(l)(2). Useful Link: http://water.epa.gov/polwaste/npdes/stormwater/EPA-Construction-General-Permit.cfm;NH-DES construction general permit site
Air Emissions Permit	RSA 125-C and RSA 125-I	NH-DES Air Resources Division	See RSA 125-C:11 for when a permit is required for devices and non Title V sources; See RSA 125-I:11 for when a permit is required for toxic emissions from a device or stationary source. Useful Link: Air permit fact sheet
State Species Consultation	RSA 217-A Native Plant Protection Act of 1987;RSA 212:B Nongame species management act	NH-DES Natural Heritage Bureau; NH Fish & Game Department	NH-DES Natural Heritage Bureau covers plants. NH Fish & Game covers animals. Useful Link: NH-DES Natural Heritage Bureau;Native Plant Protection Act;https://www2.des.state.nh.us/nhb_datacheck/

NH Municipal Pipeline Coalition
Written Scoping Submission - State Permit Summary

Permit/Approval	Statutory Authorization	Administering Agency	Jurisdiction
Historic Preservation Act review	National Historic Preservation Act, Section 106 [16 U.S.C. 470F]; RSA 227-C	NH Division of Historical Resources	NH Div Hist Resources Section 106 FAQs Useful Link: NH Div of Historical Resources;Section 106 compliance
Large Groundwater Withdrawal Permit	RSA 485-C Groundwater Protection Act;	NH-DES Watershed Management	Large Groundwater Withdrawl Permitting Program
Surface Water Use Registration	RSA 488	NH-DES Watershed Management	NH-DES water use registration
Alteration of Terrain	RSA 485-A:17	NH-DES Alteration of Terrain Bureau	Alteration of Terrain Bureau; I. Any person proposing to dredge, excavate, place fill, mine, transport forest products or undertake construction in or on the border of the surface waters of the state, and any person proposing to significantly alter the characteristics of the terrain, in such a manner as to impede the natural runoff or create an unnatural runoff, shall be directly responsible to submit to the department detailed plans concerning such proposal and any additional relevant information requested by the department, at least 30 days prior to undertaking any such activity. The operations shall not be undertaken unless and until the applicant receives a permit from the department. The department shall have full authority to establish the terms and conditions under which any permit issued may be exercised, giving due consideration to the circumstances involved and the purposes of this chapter, and to adopt such rules as are reasonably related to the efficient administration of this section, and the purposes of this chapter.

NH Municipal Pipeline Coalition
Written Scoping Submission - State Permit Summary

Permit/Approval	Statutory Authorization	Administering Agency	Jurisdiction
Driveway Permit	RSA 236:13	NH Department of Transportation	RSA 236:13, I. It shall be unlawful to construct, or alter in any way that substantially affects the size or grade of, any driveway, entrance, exit, or approach within the limits of the right-of-way of any class I or class III highway or the state-maintained portion of a class II highway that does not conform to the terms and specifications of a written permit issued by the commissioner of transportation. Useful Link: Driveway Permit slideshow;Driveway Permiting app links