

**WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
WV OIL AND GAS CONSTRUCTION STORMWATER PERMIT**

<b>FACILITY NAME:</b>	Mountain Valley Pipeline Project		<b>REG. #</b>	<b>EXPIRE DATE:</b>
<b>PERMITTEE</b>	MOUNTAIN VALLEY PIPELINE, LLC		WVR310667	5/13/2018 Extended: 12/31/2018
<b>ADDRESS/PHONE:</b>	Attn: MATTHEW HOOVER 625 LIBERTY AVE, ST 1700 PITTSBURG, PA 15222 7248733645			
<b>LOCATION:</b>	Leivasy		<b>Entry Date/Time:</b>	6/6/2018 1000
<b>COUNTY:</b>	Nicholas/Greenbrier/Fayette		<b>Exit Date/Time:</b>	6/6/2018 1700
<b>Site Representative /Phone</b>	Cary "Muggs" Cheek/ 318-669-6999 (Lead EI) & Adam Ledbetter (EI)		<b>PHOTOS</b> <input checked="" type="checkbox"/>	
<b>CO-PERMITTEE:</b>		<b>ADDRESS:</b>		
<b>SITE OPERATOR:</b>	Price Gregory		<b>ADDRESS:</b>	920 Memorial City Way, Suite 600, Houston, TX 77024
<b>PERMITTED ACREAGE</b>	4311	<b>WEATHER:</b>	Clear	<b>LAST INSPECTION:</b> n/a
<b>RECEIVING STREAM(S)</b>	UTs/Gauley River/New River/Kanawha River			<b>NOV: 1</b>
<b>Regular Mail</b> <input type="checkbox"/> <b>Certified Mail</b> <input checked="" type="checkbox"/>	<b>Tracking #</b>			
<b>OVERALL FACILITY RATING:</b>	Unsatisfactory	<b>COMPLIANCE OUTCOME</b>	Not Immediately Corrected	

**PERMIT / SITE EVALUATION**

<b>S-Satisfactory</b>	<b>U-Unsatisfactory</b>	<b>N/A-Not Applicable</b>	<b>N/O-Not Observed</b>	<b>N/D Not Determined</b>	<b>M-Marginal</b>	<b>Y-Yes</b>	<b>N-No</b>
1. PERIMETER CONTROLS	M	9. HOUSEKEEPING/SOLID WASTE	S	17. CONCRETE WASHOUT			N/A
2. DIVERSIONS/DITCH CHECKS	S	10. RECORDS, REPORTS & PLANS ON SITE	S	18. PUBLIC NOTICE SIGN			S
3. SEDIMENT TRAPS/BASINS	N/A	11. STABLE CONSTRUCTION ENTRANCE	S	19. SEDIMENT LADEN WATER LEAVING SITE			Yes
4. OUTLET MARKERS	N/A	12. MUD ON ROADWAY/DUST	No	20. CONDITIONS NOT ALLOWABLE			No
5. WASTE/BORROW SITES	N/A	13. APPROPRIATE BMP'S IMPLEMENTED	S	21. SWPPP/ GPP/PERMIT COMPLIANCE			U
6. OPERATIONS & MAINTENANCE	S	14. FILL SLOPE PROTECTION	N/A	22. ORDER COMPLIANCE			N/A
7. WATER BARS	U	15. DEVICES INSTALLED IN TIMELY MANNER	N/D	23. OTHER:			
8. STABILIZATION PRACTICES	N/A	16 DROP INLET PROTECTION	N/A	24. OTHER:			

**COMMENTS DEFICIENCIES AND RECOMMENDATIONS**

- 1. & 21. Perimeter controls near station 6782+00 (sheet 6.37) had failed. Controls were repaired, but additional controls were not added (Photos 1 & 2). Discussed with Adam and Muggs about additional controls. Both agreed area needs additional controls and decided to add a row of Priority 1 silt fence.
- 7. Water bars near station # 6801+38 (sheet 6.37) with <24° to >30° slope were installed with outlets leading to large pile of soil, outlet over cleared slope, and were installed at a very steep angle. EI Adam Ledbetter did some training/instructing ECD installation crew and equipment operators on proper installation during inspection. Also, inadequate number of water bars/were installed on slopes. Per EI Adam Ledbetter, corrections to water bars would be completed by end of business day on 6/7/2018.
- 19. Evidence of sediment laden water was observed at 2 separate locations where water bar outlets failed at Stations 6812+58 (sheet 6.38) and 6854+00 (sheet 6.39).

*Christy Pitsenbarger*

INSPECTOR: Christy Pitsenbarger

Telephone: 304-816-2453

*Modified: 10-15-2017 JHH*

STATE OF WEST VIRGINIA  
Department of Environmental Protection  
Environmental Enforcement  
NOTICE OF VIOLATION

Violation No W18-52-002-CP

To the Operator or Agent of:

Facility Name: Mountain Valley Pipeline Project Permit No. WVR310667

Permittee or Individual: MOUNTAIN VALLEY PIPELINE, LLC

Located at or near: Leivasy in Nicholas County

Representative: MATTHEW HOOVER Date: 5/9/2018 Time: 1545

Address / phone number: 625 LIBERTY AVE, ST 1700, PITTSBURG, PA 15222 / 7248733645

Whereas, an inspection of the above named operation by the undersigned, duly authorized agent of the Secretary, at which the following described condition or practice exists, in violation of Chapter 22, Article 11, Section(s) 1 et. Seq. of the Code of West Virginia and/or Section(s)    of the Rules and Regulations and/or Section(s) G. of the Permit referenced above promulgated thereunder in that you:

Have violated the following terms and conditions of WV/NPDES General Water Pollution Control Permit No. WV0116815, Registration No. WVR310667:

- Section G.4.c. - Permittee has failed to modify your SWPPP when the SWPPP proves to be ineffective in achieving the general objectives of controlling pollutants in storm water discharges- additional controls were not added to areas where installed controls failed.
- Section G.4.e.2. - Permittee has failed to implement controls: water bars/slope breakers were improperly installed- did not have outlets, outlet was directed down denuded slope, slope of water bar was inappropriate, and inadequate number of bars were installed.
- Section G.4.e.2.A.ii.j - Permittee has failed to prevent sediment-laden water from leaving the site without going through an appropriate device from control failure at stations 6812+58 (sheet 6.38) and 6854+00 (sheet 6.39).

The following corrective measures were discussed with you at the time of this inspection:

Take measures to correct the aforementioned violations.

Within 20 days provide a written response to the inspector named below, at the address indicated, detailing the actions taken to abate this violation.

Received by:

Sent Certified Mail--70180040000047935194

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title



\_\_\_\_\_  
Duly Authorized Agent /  
Inspector

304-816-2453  
\_\_\_\_\_  
Telephone

Christy.e.pitsenbarger@wv.gov  
\_\_\_\_\_  
E-mail

**Send Response to the Inspector at the address indicated below:**

WV Department of Environmental Protection  
Environmental Enforcement / WW  
1159 Rahall Greenway, Fayetteville, WV 25840





Photo 1: Station 6782+00 control failure repair but additional controls not added.



Photo 2: Station 6782+00 control failure repair but additional controls not added.





Photo 3: Water bars installed without adequate outlets near station # 6801+38 with  $<24^{\circ}$  to  $>30^{\circ}$  slope.



Photo 4: Control failure at station 6812+58 allowing sediment laden water to leave site.





Photo 5: Scoured path from control failure at station 6812+58.



Photo 6: Continued scoured path from control failure at station 6812+58.





Photo 7: Water leaving the site from control failure at station 6812+58.



Photo 8: Control failure near station 6854+00 where sediment laden water left site.