



Green Sergeant's Bridge

New Jersey's Only Remaining Covered Bridge

Delaware Township

Hunterdon County, New Jersey

www.DelawareTwpNJ.org

OFFICE OF TOWNSHIP COMMITTEE

PO BOX 500
TOWNSHIP HALL
SERGEANTSVILLE, NJ 08557
(609) 397-3240
Direct FAX Number (609) 397-4893

July 14, 2015

The Honorable Norman C. Bay, Chairman
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

Re: Docket No. PF15-1-000 Proposed PennEast Pipeline Project
PennEast Pipeline Company LLC
Delaware Township, Hunterdon County, NJ
Comments on Resource Report 6

Dear Chairman Bay:

The Delaware Township Committee has reviewed PennEast's Pre-Filing Draft Resource Report 6 dated April 2015 and has the following comments.

The Delaware Township Committee would like the Federal Energy Regulatory Commission (FERC) to ensure that PennEast fully addresses the township's comments in their next submission of this report so that an accurate and complete Environmental Impact Statement can be developed.

Section 6.2 Mineral Resources

The report states that Trap Rock Industries' Lambertville, NJ quarry located in Delaware Township is approximately 0.75 miles from MP 96.6. This statement is **extremely misleading** and does not reflect an accurate and true depiction of the full extent of quarrying operation in relation to the "closest" point on the proposed pipeline.

The distance referenced in this report is measured from the current location of the active quarry face and does not take into account the future expansion of the quarry. Trap Rock Industries' has an approved Reclamation Plan which allows the company to conduct quarrying activities to the approved setbacks of Block 59, Lots 3 and 4.

The Delaware Township Quarry Compliance Committee submitted scoping comments to FERC on February 23, 2015. In this letter, the Quarry Compliance Committee pointed out that the location of the quarry is approximately 1,300 feet from the closest point on the proposed route of the pipeline. The distance referenced in this letter takes into account the future expansion of the quarrying activities, and this distance is to the closest point on the proposed route of the pipeline. These are two things that PennEast appears to be ignoring.

Figure 2 in the February 23, 2015 letter clearly shows the boundaries of Trap Rock Industries' Lambertville NJ quarry in relation to the proposed route of the pipeline. There is a considerable difference between the actual 1,300 feet and 0.75 miles that PennEast cites in their report. In addition, Figure 4 in this letter also showed that the proposed pipeline will be installed into the same diabase bedrock that Trap Rock Industries' is quarrying.

Section 6.3 Geological Hazards

18 CFR 380.12(h)2 requires that resource report 6 discuss the "existing and potential geological hazards and areas of nonroutine geotechnical concern, such as...planned, active, and abandoned mines....Discuss the hazards posed to the facility from each one."

Furthermore, the FERC Environmental Checklist that is on page 6-i of the report indicates that the minimum filing requirements shall include "Describe hazards to the facilities from mining activities, including subsidence, blasting, slumping or landsliding, or other ground surface" in Section 6.3.

However, despite what is required by the regulations, there was nothing in Section 6.3 of this report that discussed any hazards or effects that the blasting at the Lambertville NJ quarry would have on the proposed pipeline today or in the future as the quarry expands.

The Delaware Township Quarry Compliance Committee in their February 23, 2015 letter had requested that PennEast be required to conduct an engineering/safety study on the effect that the blasting at the Lambertville quarry would have on the proposed pipeline. The Delaware Township Committee pointed out to FERC in its April 14, 2015 letter that PennEast failed to address this issue in their response to scoping comments

However, despite Delaware Township pointing this concern out to both FERC and PennEast, there is no mention in Resource Report 6 that any study is proposed to be conducted at the Lambertville NJ quarry or any other quarry for that matter.

And what is extremely alarming to the Delaware Township Committee is that FERC also did not indicate this as a deficiency in their May 29, 2015 "Staff's Comments on Draft Resource Reports 4, 5, 6, 7, 8, and 10". Commission staff only commented on the mines in PA and nothing was indicated about NJ.

It is noted that PennEast does indicate beginning with their May 6, 2015 Monthly Progress Report that “A quarry blasting study is underway to evaluate two active quarry sites in PA and NJ to determine if the quarry activities pose any significant risk to the proposed Project facilities.”

Again this is another **extremely misleading** statement by PennEast. PennEast implies that there will be a quarry blasting study conducted in New Jersey. Which quarries are they referring to? Resource Report 6 indicates that there are two active mines in PA and 3 quarries in NJ. So it is unclear whether a study is being conducted at the Lambertville NJ quarry.

Delaware Township would like clarification from FERC as to whether PennEast is or will be required to conduct a quarry blasting study at the Lambertville NJ quarry. In addition, how does FERC define “significant risk”?

Section 6.3.7 Avoidance and Minimization of Adverse Construction Effects

This section briefly discusses that arsenic occurs naturally in trace amount in the rocks of the Newark basin of southeast PA and NJ, specifically the Lockatong and Passaic formations. The report further states that arsenic occurs in some groundwater aquifers due to chemical oxidation of pyrite or to reduction of iron oxide minerals in the aquifer matrix in the presence of elevated pH in groundwater.

However, the report does not indicate or describe what effects blasting of this bedrock to install the proposed pipeline would have on the arsenic levels in ground water. How did PennEast not address this when there have been numerous stakeholder comments, specifically from Dr. Tullis Onstott of the Geosciences Department at Princeton University, on this subject?

It is further indicated in this section that Resource Report 2 identifies wells within 150 feet of construction, and that groundwater quality testing of potentially affected wells prior to construction can identify whether this is a concern. PennEast further states in this section that post-construction testing of potentially affected wells can identify arsenic concentrations above the drinking water levels.

However, the information in Resource Report 2 for New Jersey is blank and indicated as “TBD”. How can any risk to potable wells from the release of arsenic due to blasting be determined and an Environmental Impact Statement be prepared if the potable wells are not even identified? In addition, PennEast does not define what a “potentially affected

well” is. Is this based on location to the proposed pipeline; baseline concentrations of arsenic in the well; both or some other definition? FERC should require PennEast to provide a clear definition of what they mean and what their intention is. In addition, it is unclear from reading this section on whether PennEast will be conducting the sampling of these wells and what is the timing pre and post-construction. Again, FERC should require that PennEast clearly define what this is.

And again, what is extremely alarming to the Delaware Township Committee is that FERC did not indicate any of the items identified in the proceeding paragraphs as deficiencies in their May 29, 2015 “Staff’s Comments on Draft Resource Reports 4, 5, 6, 7, 8, and 10”.

In your May 5, 2015 letter to Delaware Township you stated that “Commission staff will independently review the information on the record and will examine PennEast’s draft resource reports to ensure that all comments are adequately addressed.” Despite this assurance, it does not seem that the Commission staff are ensuring this is done.

The Delaware Township Committee would like the commitment from you that all the concerns that are raised by the township as well as other stakeholders are acknowledged and fully addressed by PennEast. The Delaware Township Committee looks forward to a response to this letter. Thanks you in advance.

Very truly yours,



Joseph Vocke, Deputy Mayor

cc: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission
Howard Black, New Jersey Department of Labor and Workforce Development
Glenn Weitknecht, US Army Corps of Engineers
Anthony C. Cox, PennEast Pipeline LLC
Congressman Leonard Lance
Senator Cory Booker
Senator Robert Menendez
Assemblyman Jack M. Ciattarelli
Assemblywoman Donna Simon
Senator Christopher “Kip” Bateman