

Stephen M. Tomasik
DEC - Division of Environmental Permits
625 Broadway, 4th Floor
Albany, NY 12233-1750

February __, 2015

Application ID: 0-9999-00181/00009 - Water Quality Certification
Application ID: 0-9999-00181/00010 - Freshwater Wetlands
Application ID: 0-9999-00181/00011 - Water Withdrawal
Application ID: 0-9999-00181/00012 - Excavation and Fill in Navigable Waters
Application ID: 0-9999-00181/00013 - Stream Disturbance

Dear Mr. Tomasik,

In Pennsylvania, Williams builds gathering and transport pipelines via three subsidiaries: Williams Field Services, Laurel Mountain Midstream, and Laser Northeast Gathering. Through these subsidiaries, **The Pennsylvania Department of Environmental Protection (PADEP), fined Williams \$388,694 in 2013 -- the highest fines of any oil and gas company in the state.(1)**

Additionally, Williams Field Services earned the second highest fines in the state at \$169,648 for 2013. The PADEP issued a nineteen page Penalty Report documenting that the company **continuously ignored Erosion and Sediment Best Management Practices and inspectors' cited violations, which caused repeated "Pollution discharge into the waters of the commonwealth in violation of the clean streams law ".(2)**

Williams Field Services were also fined for "failure to comply with" and "failure to obtain . . . necessary permits" and for "stakes marking a wetland crossing . . . but none of the plan maps showed any wetlands".

Despite these violations and fines, Williams continues to get permit approval from the PADEP. As a result, Williams' violations not only continued but subsequent violations were even more egregious, demonstrating a deliberate disregard for the environment and for the agencies in charge of its protection. According to a PADEP Compliance Report, Williams Field Services **attempted to circumvent the PADEP's authority by failing to disclose the locations of dozens of streams, wetlands, and floodplains in an effort to bypass required permits and evade using Best Management Practices.**

The following are cited violations from a single inspection for William's Field Services' Springville Gathering Pipeline(3):

- 1) Failed to describe the location of all surface waters of the Commonwealth for 34 stream and wetland crossings.
- 2) failed to implement BMP's at 34 stream and wetland crossings of pipeline.
- 3) failed to implement ABACT BMP's at 5 locations requiring ABACT BMP's.

- 4) Dam Safety and Encroachment Act Section 6.a. Failed to obtain prior written permit for impacts.
- 5) Dam Safety and Encroachment Act Section 8.a. Failed to provide complete maps and testing data showing streams and wetlands.
- 6) 105.13.d.1.A. Failed to provide complete demarcation of the floodplain and regulated waters of the Commonwealth.
- 7) 105.15.a. Failed to provide an environmental assessment for 34 wetland and stream impacts.
- 8) 105.18.a.a. Failed to address the requirement under this section for Exceptional Value wetlands.

THIS IS OUTRAGEOUS!!!

The entire FEIS and the Permit Applications, required by The New York State DEC, rely on accurate survey and assessment information, provided by Williams. As the record clearly demonstrates, this company cannot and should not be trusted to provide such information.

Additionally, these federal and state permits hinge on the assumption that Williams will adhere to and abide by the Best Management Practices set forth in its applications. These assumptions are firmly refuted by the history of violations and fines from State inspections.

For Williams, violations and fines are just the "cost of doing business". It's faster and cheaper for the company to wait for their hand to be forced, through a discovered violation, than to play by the rules.

Mr. Tomasik, PLEASE do not allow this deceitful, negligent, and destructive company to come into our state, cut down our trees and contaminate our water -- all so they can make a profit overseas.(4) New York will get absolutely nothing from this project except a wake of damage that cannot be prevented, mitigated or reversed. Don't let Williams undermine the authority and purpose of the DEC the way they have been allowed to by the PADEP. Please deny the 401 water quality permit.

Sincerely,

Signature

Name

Address

- 1) <http://stateimpact.npr.org/pennsylvania/2014/02/27/dep-fined-oil-and-gas-companies-2-5-million-last-year/>
- 2) <https://www.documentcloud.org/documents/1017799-williams-field-services-penalty-assessment.html>
- 3) "Williams Field Services" 9/5/12
http://www.depreportingservices.state.pa.us/ReportServer/Pages/ReportViewer.aspx?/Oil_Gas/OG_Compliance
- 4) <http://www.iroquois.com/documents/SoNoOSBrochureFinal.pdf>