

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,

According to a 2013 Compliance Report issued by the Pennsylvania Department of Environmental Protection (DEP), Williams, through three pipeline subsidiaries, was charged the most fines of any oil and gas company in the state. The report documented that "Williams Field Services" was levied the second highest fine in the state at \$169, 648. **The DEP issued a nineteen page Penalty Report, documenting that in just four months, Williams Field Services consistently and repeatedly violated the following Permit conditions at every one of their sites:**

- 1) Failure to implement and maintain the Erosion and Sediment Best Management Practices (BMP)...required to minimize and prevent accelerated erosion and sedimentation.
- 2) Failure to provide an Erosion and Sediment Plan (E&S) for review at the time of inspection
- 3) Failure to follow 25 Pa. Code 102.22(b)(1), which states "upon temporary cessation of an earth disturbance activity or any stage or phase of an activity where a cessation of earth disturbance activities will exceed 4 days, the site shall be immediately seeded, mulched, or otherwise protected from accelerated erosion and sedimentation pending future earth disturbance activities
- 4) Creating a danger of pollution to waters of the commonwealth in violation of the clean stream laws.
- 5) Allowing sediment to enter a water of the commonwealth.
- 6) Pollution discharge into the waters of the commonwealth in violation of the clean streams law.

**The following are noteworthy violations:**

A) Failure to comply with approved ESCGP-1 (Erosion and Sediment control General Permit) for the project...in violation of the clean streams law.

B) Failure to obtain an ESCGP-1 (Erosion and Sediment control General Permit) for an additional access road.

C) "The department staff noted stakes marking a wetland crossing in this area, but none of the plan maps showed any wetlands"

**The following DEP inspector comment sums up the entire 19 page report in a nutshell:**

**"...this violation had been continuously noted in previous inspections and had not been resolved as of the date of this inspection."**

The 2013 DEP Compliance Report proves chronic noncompliance at multiple worksites for two separate pipelines by Williams Midstream Services. Erosion and Sediment Best Management Practices were disregarded, Permit Applications were disregarded, and inspectors' cited violations were almost always disregarded. As a result, PA state laws were continuously broken resulting in repeated water contamination and adverse impacts to the environment.

Make no mistake, the same violations will be committed in New York if this Pipeline is built. Given that it is DEC's job to abate and prevent pollution of the waters of NY, I implore you to protect our water and deny this 401 water quality certificate.

Sincerely,

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Signature

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Name

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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>