

**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**

S-Satisfactory	U-Unsatisfactory	N/A-Not Applicable	N/O-Not Observed	N/D Not Determined	M-Marginal	Y-Yes	N-No
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.