



Energy, Mineral  
and Land Resources  
ENVIRONMENTAL QUALITY

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*Interim Director*

January 4, 2018

## LETTER OF DISAPPROVAL

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**  
7017 0190 0000 9562 5172

Atlantic Coast Pipeline, LLC  
ATTN: Leslie N. Hartz, VP Pipeline Construction  
707 East Main St  
Richmond, VA 23219

RE: Project Name: Dominion Energy Transmission Inc. on behalf of Atlantic Coast Pipeline  
Project ID: NORTH-2018-004  
County: Northampton, City: Various, Address: Linear – Multiple Roads  
Submitted By: ERM  
Date Received by LQS: December 20, 2017  
Plan Type: Utilities

Dear Sir or Madam:

The erosion and sedimentation control plan submitted for the subject project has been reviewed and is disapproved for the reasons listed on the attached sheet.

You may submit a revised erosion and sedimentation control plan for approval addressing those items outlined on the enclosed form. Under the authority of NCGS 113A-54.1(a), this office has 15 days from the date of receipt to approve or disapprove your revised plan. However, if you wish to contest the disapproval of this plan, you must request an administrative hearing within 60 days of your receipt of this Letter of Disapproval. This request must be in the form of a written petition, conforming to Chapter 150B of the North Carolina General Statutes, and filed with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, North Carolina 27699-6714.

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A copy of the petition must be served on this Department as follows:

Office of General Counsel  
Department of Environmental Quality  
1601 Mail Service Center  
Raleigh, North Carolina 27699-1601

Pending approval of a revised plan or a decision on an appeal, commencement of any land-disturbing activity associated with this project shall constitute a violation of the Sedimentation Pollution Control Act of 1973 (NCGS 113A-51 through 66).

Please feel free to contact this office at your convenience if you have any questions or if we can provide any assistance in resolving this matter.

Sincerely,



William H. Denton, IV, PE  
Regional Engineer  
DEMLR

Enclosure: Reasons for Disapproval

Cc: Scott Robinson, PE, ERM NC, Inc. – Electronic Copy  
Danny Smith, DWR Field and Operations Supervisor  
DEMLR – Raleigh Regional Office File

## **REASONS FOR DISAPPROVAL**

Project Name: Dominion Energy Transmission Inc. on behalf of Atlantic Coast Pipeline LLC

Project ID: NORTH-2018-004

County: Northampton

1. Provide a copy of the USACE 404 permit and DWR 401 certifications for the office file. Provide a copy of the DWR Buffer Authorization. Submit documentation with maps showing location and extent of impacts to streams and wetlands with any special conditions pertaining to erosion and sediment control and restoration of affected areas. Identify the streams, wetlands, and buffers on the plan sheets to correspond with the above referenced permits and certifications. (GS 113A-54.1(a))
2. Provide a detailed/specific construction sequence that coordinates the timing of land-disturbing activities and the installation and removal of all proposed erosion and sedimentation control measures. Provide a construction sequence for the USFWS stream crossing. (GS113A-57(3), 15A NCAC 04B .0105, 15A NCAC 04B .0106(5))
3. Provide a legend with symbols/icons to identify all sediment and erosion control measures. Measures are to be to scale. Properly align measures on the plan sheets. Provide a symbol for the wood mats and the hatching used to identify areas requiring 7-day ground stabilization. Provide a symbol for the water impoundment structures and identify where these structures will be installed. (GS113A-57(3), 15A NCAC 04B .0105, 15A NCAC 04B .0106(5))
4. Clearly show the limits of disturbance throughout the project, and include all proposed erosion and sedimentation control measures and land disturbing within the defined limits. Adequate space must be provided in the access roads for truck turnaround and two-way traffic. Adequate space is to be determined for the water impoundment structures. A revised Financial Responsibility/Ownership Form and additional fee may be necessary, if the total disturbed acreage exceeds the original submittal. (GS113A-57(3), 15A NCAC 04B .0105, 15A NCAC 04B .0106(5))
5. Identify the type of road cross section that applies to each of the access roads (referencing Detail 4/2-10). Provide a method of stabilization based upon the existing or modified road cross section. Provide road side ditch calculations to determine which measures are needed to stabilize the ditch. Include appropriate permissible velocity and/or shear stress data. Provide liners/matting where indicated. The existing roads which are to be used as access roads are described as “farm roads/paths”. The description provided for the minor and major road upgrades Response to Letter of Disapproval dated November 6, 2017, states that minor and major road upgrades include “clearing of roadside growth (brush,

etc.), addition of stone to improve the travel surface, removal of overhead obstructions (tree limbs, etc.) and road widening.” The Access Road sequence provided refers the contractor to sheet 8/10, which provides construction specifications for vegetation stabilization. There is no directive regarding grading the slopes (no less than 3:1 as requested by Stormwater Project No. SWG040095), the installation of matting, the installation of check dams. Additionally, there is no space or design provided for areas of turn out and there is no space provided for two-way traffic on these existing farm roads and paths. (GS 113A-57(3), 15A NCAC 04B .0113)

6. Provide the acreage for the compressor station. The acreage of each of the project areas is needed to determine the adequacy of the sediment and erosion control measures. Identify the location of these structures on the plan sheets. (GS 113A-57(3))
7. Provide the drainage area and disturbed area, runoff coefficient and rainfall intensity for the basin design. Include the installation of the basins and temporary diversions in the construction sequence. GS 113A-57(3), 15A NCAC 04B .0113)
8. Provide anti-flotation calculations for the riser structures. Provide the inside and outside length and width of the riser and height of the riser used in the calculation. (GS 113A-57(3), 15A NCAC 04B .0113)
9. Provide stable conveyance of the runoff entering each of the proposed basins. (15A NCAC 04B.0106(4))
10. Provide design calculations for the existing and proposed outlet stabilization structures on the plan sheets. Provide design calculations for the associated culverts and pipes. (GS 113A-57(3), 15A NCAC 04B .0113)
11. Provide additional erosion and sedimentation control measures as required to protect all public and private property from damage. Concentrated flow must be diffused using some type of erosion control measures to prevent streambank erosion. Provide a silt fence outlet or other measures at low points along the silt fence, including at skimmer basin outlets. (113A-57(3), 15A NCAC 04B .0105)
12. Provide a specific plan detail, specific construction specifications, and specific maintenance requirements for USFWS stream crossing, vegetative stream bank stabilization, and armored stream bank stabilization. Provide a plan detail for the HDD and bore pits to include the associated erosion and sedimentation control measures. Provide a plan detail, construction specifications, and maintenance requirements for the water impoundment structure. (GS 113A-57(3), 15A NCAC 04B .0113)

13. Provide a plan detail and construction specifications for the standard silt fence and silt fence outlet that complies with the skirt trench requirements per the Erosion and Sediment Control Planning and Design Manual. The skirt is to be trenched in at least 8 inches vertically and 4 inches horizontally. Specify under which conditions the various silt fence and BSRF types are to be installed. (GS 113A-57(3), 15A NCAC 04B .0113)
14. Provide two copies of the plan set (one full-size and one half-size), showing the modifications required for approval. To facilitate DEMLR review, bubble, highlight, or otherwise identify the changes to your resubmittal. Provide one copy of additional items (such as design calculations). Provide a cover letter referencing the project name, project ID number, and purpose of submittal. (G.S. 113A-57(4))