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July 25 2015

**Kimberly D. Bose, Secretary Federal**

**Energy Regulatory Commission**

**888 First Street NE, Room 1A**

**Washington, DC 20426**

**RE: Broad Run Expansion Project Environmental Issues Comments**

**Tennessee Gas Pipeline Company, LLC**

**Docket No. CP15-77-000**

**Dear Secretary Bose, and Commissioners of the Federal Regulatory Commission,**

**I am pka Lane Brody** (Lynn C. Bayers) the Chairman "in kind" CEO (serving for free) of **Walden's Puddle Wildlife Rehabilitation Education Center and memorial site,**

Thank you for this opportunity.

The reason that this letter was not sent before the deadline is because WE WERE NOT INFORMED and we have been stressed to catch up on information and absorb it all. **We found out about this ONLY 3 WEEKS AGO, through the grapevine! NO one from KINDER MORGAN has ever contacted us. This is unprofessional, disrespectful and against what they say they are supposed to stand for according to their "good neighbors" policy stated on their site!**

**We are located at 8131 Jackman Road, Davidson County, less than one mile from the proposed site. We are humbly asking you to read about who we are, THE SERVICES WE PROVIDE FOR MIDDLE TENNESSEE AND HOW NEGATIVELY**

**IMPACTED WE WOULD BE BY THE PROPOSED GAS PIPELINE COMPRESSOR STATION.**

**We are begging you to PLEASE take everything we are all submitting into serious consideration and not allow this Gas Pipeline Compressor Station to be built ONLY ONE MILE AWAY FROM US WHICH WOULD cause us to have to CLOSE OUR DOORS to thousands of people and animals we serve.**

Our mission is

**GIVING WILDLIFE A SECOND CHANCE.**

**JUST LIKE A ZOO, WE have 30 PERMANENT outdoor enclosures with hundreds of animals in them, including BALD EAGLES BOBCATS RACOONS AND GREAT HORNED OWLS who are sick and injured and already stressed that would not be able to heal and grow with this GPGS operating so near us with all of the issues it creates.**

**WE HAVE NO LESS THAN 500 ANIMALS IN OUR CARE AT ANY GIVEN TIME. WE ADMIT OVER 3500 INJURED AND ORPHANED ANIMALS PER YEAR OF OVER 120 DIFFERENT SPECIES!**

**COMMON SENSE TELLS US ALL THAT THIS GPCS BELONGS IN AN INDUSTRIAL AREA NOT OUR PEACEFUL QUIET RURAL AGRICULTURAL AREA!**

We are learning and studying and gathering information as fast as we can to catch up and try to do all we can to show the negatives this will have on our rural and agriculturally zoned area.

We are a 501c3 non-profit/ EIN 621471146, operating at this peaceful location for over 20 years.

**We are the only professionally staffed wildlife Rehabilitation and education center in middle Tennessee, employing 15 professionals who have come from around the country to work with us!**

**We receive no federal or state funding serving over 60 counties**

existing through the donations of the great people of middle Tennessee and great wealth of giving Foundations and trusts such as, Memorial, Frist, Phillips, T & T, Patton, Ingram, Mapp, United way, Cal Turner, Dugas and Danner to name a few. We boast 92% goes directly to the animals care!! We are greatly beloved and valued by our community who bring the animals to us in trust.

We are regulated through USDA, The United States Fish and Wildlife Services and TWRA who is grateful we are there to help them, as it is illegal for the public to keep wild animals in Tennessee.

**20 to 30 students per year in biology and pre vet intern with us from area universities for a rare opportunity only we are able to give them. We log over 1500 volunteer hours per year.**

**We give 100's of education programs to Schools and Libraries with our animal ambassadors whose injuries do not allow them to be returned to the wild.**

**We are hands on environmental and conservation center.**

We receive thousands of thank you letters for the Blessed work we do. I don't understand why we are not doing everything to secure the alternate location Congressman Cooper's office has secured to save us. We are many exterior enclosures and fawn coral, this location was chosen close enough to Nashville and far enough away to be perfect for our work. How expendable do you find us the lives we help and save and our services to be? How many losses are ok for the gain of this Station.

**I also speak for those who are gone but remembered at Walden's Puddle memorial site.**

We operate in the Tom and Hazel Buntin memorial building and property. They gave their legacy expecting our work to live on long after they were gone.

**THESE PERMANENT ENCLOSURES CANNOT BE MOVED;**

**The Hozophals built our large raptor flight barn for Bald Eagles our nations symbol of freedom to heal and live on, in memory of their murdered daughter, little 2 yr old Dugan Davis, OUR CURRENT MAYORS niece tragically killed, loved ducks and the gifts given in her memory for our new soon to be open "waterfowl room" addition.**

We are a living-working legacy of hundreds of Tennesseans, whose memorial gifts have allowed us to live another day in servitude. Would we THREATEN THE WELL BEING OR desecrate any memorial, is that ok? When we think of the least do we only think only of people less fortunate than us or does it include the fallen sparrow the Lord spoke of and those whose voices are silenced but final wishes were clear.

Imagine you are driving down the road with your children or grand children and see a dead doe on the side of the road, its baby fawn standing there in peril. **If not for us this to take it in. that baby would be shot, AS IT IS ILLEGAL TO KEEP WILD ANIMALS IN TENNESSEE, ALL WILD ANIMALS ARE THE PROPERTY OF THE STATE. CAGED ALREADY SICK INJURED ORPHANED STRESSED ANIMALS WOULD NOT BE ABLE TO RUN OR FLY AWAY WHEN THE SOUND LEVELS GO UP TO CASE THEM TO HAVE AN ESCAPE REACTION AND WOULD BATTER, INJURE AND KILL THEMSELVES TRYING TO FLEE!! WE ARE ON A**

**WELL, WATER CONTAMINATION, NOISE VIBRATION, AIR QUALITY ALL CONTRARY TO A HEALING ENVIRONMENT OF THESE ANIMALS WE CARE FOR.**

What would you tell your child who finds a baby bunny and wants to save it, but you would have to let die, if not for us making the experience a sweet life lesson. Please help us!

**WE ARE THE LITTLE GUYS BUT WE MATTER GREATLY TO DAVIDSON COUNTY/ NASHVILLE AND THE ENTIRE MIDDLE TENNESSEE AREA, WE DO SELFLESS SERVING DIFFICULT LIFE SAVING WORK,**

**WE VERY MUCH MATTER AND WE ARE BELOVED BY OUR COMMUNITY!!**

**PLEASE DON'T LET THIS HAPPEN TO US. THIS IS OUR HOME WHERE WE SERVE QUIETLY AND PEACEFULLY**

**LAST YEAR WE HAD A FIRE AND LOST 80 ANIMALS AND OUR BUILDING WAS TOTALLY SMOKE DAMAGED!**

**EVERY NEWS STATION COVERED OUR PLIGHT, AS THEY ARE NOW DOING WITH THIS THREAT TO OUR WELL BEING. THE PUBLIC LOVES US AND BROUGHT US BACK!!**

**We have been through so much and we are just now finalizing our new addition and just now starting to thrive again.**

**WE ARE A RARE AND WONDERFUL ADDITION TO THE VERY DIVERSE TAPESTRY OF AMERICA!!!**

**WE ARE HERE THIS IS OUR NEIGHBORHOOD AND THEY ARE BULLYING EVERYONE AND SAYING, WHAT WE SAY AND THE SUFFERING THIS WILL CAUSE US DOES NOT MATTER AND THAT YOU WILL OVER RIDE OUR WISHES AND THE CITY COUNCILS WISHES AND WE ARE BASICALLY WAISTING OUR TIME.**

IS THAT THE WAY IT IS REALLY? WHEN THERE ARE OTHER ALTERNATIVES AVAILABLE IN ORDER TO HONOR AMERICANS RIGHTS TO LIVE AND WORK IN AREAS THAT WE ALL CHOOSE FOR THE ZONING AND SAFETY, WE HAVE NO RIGHTS WHEN IT COMES TO THIS? WILL WE BE TOSSED AWAY?

WHEN SOMETHING IS PURE, VALUABLE AND MATTERS AS WHAT WE DO IS, IT IS RIGHT TO DEFEND IT, AND DEFEND OUR RIGHT TO EXIST AND SERVE AS WE DO.

THE PUBLIC OPINION IS WITH US,

PLEASE SEE OUR PETITION ON OUR FACEBOOK PAGE, IT WILL ALSO BE SENT TO YOU.

PLEASE ATTACHED DOCUMENT

**If it is true that this GPCS is being built to send gas to the gulf for export and is purely for the financial gain of Kinder Morgan, which will in fact send gas prices up, and do no good thing for our community it is even a greater slap in the face of God fearing Americans who live and serve our community in the various ways all of us do in this area, THEIR FINANCIAL GAIN IS MORE IMPORTANT THAN WE ARE AND WHAT WE DO TO SERVE OUR COMMUNITY WHICH WILL BE LOST?**

**We do not know the entire story we are concerned for the AIR we breath, WATER (wetlands and streams people drink from), SOUND decibels and blow downs, VIBRATIONS, our Karst soil contamination and so much more, the**

**information is NOT GOOD, we know of NO ONE WHO WANTS THIS IN THEIR BACK YARD, DO ANY OF YOU?**

**We may not know the whole story, we are trying to learn what we can through the secrecy, but we know enough to know this is volatile and the pre 1950's old pipes are dangerous, serious real threat of explosion, a bad safety record and cut backs in maintenance people at Kinder Morgan and more as the days ahead unfold**

**Thank you for your attention, we are deeply concerned and will be fully involved in the process through the stress of trying to do our work with limited resources as what we receive in resources, human and financial, must go to the care of the animals we admit EVERY 15 minutes!**

**PLEASE DO NOT ALLOW THIS IN OUR RURAL AGRICULTURALLY ZONED AREA, IT BELONGS IN A SAFER UNPOPULATED INDUSTRIAL AREA.**

**WE are begging and praying for mercy and help.  
God bless you and Walden's Puddle**

**Walden's Puddle Wildlife Rehabilitation and Education Center and memorial, Lane Brody/President, Executive committee, Board, Advisory Board, Staff, Volunteers, and all the Critters, hereby submit the following comments on the scope of the Environmental Assessment (EA) to be prepared by the Federal Energy Regulatory Commission (FERC) in regards to Tennessee Gas Pipeline's (TGP) proposed Broad Run Expansion Project. On May 1, 2015, FERC requested that comments be received on or before June 1, 2015 for consideration.**

**These comments were not timely submitted due to us never being informed by Kinder Morgan of this proposed Gas pipeline compressor station TO BE BUILT ONE MILE from us, greatly impacting us, until weeks after your deadline.**

**Please forgive this and hear us as you would if we were within the time limit as it was not our fault**

### **Project Background**

Tennessee Gas Pipeline, LLC proposes to build four new compressor stations and modify two existing compressor stations in order to transport up to 200,000 dekatherms of natural gas per day. This undertaking has been designated the Broad Run Expansion Project and would include construction and operation of the following facilities:

- Two new compressor stations in Kanawha, West Virginia, to be known as the Tyler Mountain Compressor Stations (CS 118A) and the Rocky Fork Compressor Station (CS 119A);
- A new compressor station in Madison County, Kentucky, to be known as the Richmond Compressor Station (CS 875)
- A new compressor station in Davidson County, Tennessee, to be known as the Pinnacle Compressor Station (CS 563); and

- Modifications at the existing Clay City Compressor Station in Powell County, Kentucky (CS 106) and the existing Catlettsburg Compressor Station in Boyd County, Kentucky (CS 114).

## **Comments**

For the purpose of this discussion, the comments therein do not contend with the Broad Run Expansion Project in its entirety but are focused on the proposed Pinnacle Compressor Station (PCS). The construction of the PCS includes clearing an 82 acre forested parcel in the heart of the Joelton farming community that is located north of Nashville, Tennessee.

The National Environmental Protection Act (NEPA)[\[1\]](#) requires that the Federal Energy Regulatory Commission consider a full range of environmental impacts when preparing an environmental assessment. In its Notice of Intent[\[2\]](#) to prepare an EA for the proposed Broad Run Expansion Project, FERC indicated that the agency had, "...already identified several issues that we think deserve attention." It further states that, "...These include noise disturbance, impacts on air quality, and impacts on nearby organic farming."

As concerned residents, we deem this language to be broad and therefore urge the FERC to comprehensively examine the environmental impacts of the proposed Pinnacle Compressor Station both separately and cumulatively within the context of past, present, and reasonably foreseeable future actions. This includes the following environmental impacts:

- Air quality including the total and cumulative effects of emissions related to natural gas activities relative to air pollution, public health, and greenhouse gases;
- Soil contamination including the total and cumulative effects on livestock and agriculture; and
- Water quality including the total and cumulative effects of the degradation of water sources due to potential accidental leaks.

The proposed Pinnacle Compressor Station would also transform a rural community, which presently consists primarily of farms, into an industrial zone plagued by noise pollution and the disappearance of aesthetic vistas.

### **1. Air Quality**

It is established in scientific literature that natural gas transmission operations cause considerable air pollution by producing significant quantities of nitrogen oxides, (NO<sub>x</sub>) volatile organic compounds (VOCs), and hazardous air pollutants (HAPs). These pollutants

affect air quality and therefore human health. NO<sub>x</sub> contributes to the formation of ozone and fine particulate matter. Ozone exposure can lead to coughing, chest pain, and throat irritation. Fine particulate matter is linked to increased heart attacks, aggravated asthma, and decreased lung function. The most common HAPs associated with natural gas are the BTEX compounds, i.e., benzene, toluene, ethylbenzene, and xylenes.

Across the country, people living near compressor stations have reported strong odors as well as symptoms such as burning eyes and throat, skin irritation, and headaches. In the past, the lack of health impact studies of residents living near natural gas compressor stations made it difficult to substantiate these claims. A recent study<sup>[3]</sup> conducted by the Colorado School of Public Health estimates the cancer risks from exposure to hydrocarbons for residents living greater than a half-mile from natural gas wells compared to those residing less than a half-mile from wells. It was found that residents living within a half-mile from wells are at greater risk for health effects from natural gas. The hazard index was driven primarily by exposure to trimethylbenzenes, xylenes, and aliphatic hydrocarbons.

Another important environmental impact relative to air quality and natural gas compressor stations is the emission of greenhouse gasses (GHG), specifically methane. A recent study<sup>[4]</sup> discovered that some natural gas compressor facilities are responsible for a disproportionately high percentage of methane emissions. Furthermore, on December 24, 2014 the Council on Environmental Quality (CEQ) issued a revised draft guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change on NEPA Reviews.

In summary, we request that FERC consider the emerging body of research and any upcoming changes to federal regulations governed by NEPA as it prepares the environmental assessment for the proposed Pinnacle Compressor Station (CS 563).

### **1. Soil Contamination**

According to the EPA<sup>[5]</sup>, some toxic air pollutants can deposit onto soil where they are taken up by plants. As previously discussed, natural gas compressor stations have been shown to produce significant amounts of nitrogen oxides (NO<sub>x</sub>). This is noteworthy because NO<sub>x</sub> is considered a precursor of ground-level ozone. Ground-level ozone has been shown to damage vegetation and reduce agricultural crop yields. The most visible effect of ground-level ozone on plants is the injury and death of leaves. This directly affects crops in which the leaves are eaten such as cabbage, alfalfa and spinach. The results of a Princeton University study<sup>[6]</sup> suggest that ground-level ozone pollution poses a growing threat to food crops even under an optimistic scenario of future ozone precursor emissions.

In preparing its environmental assessment, FERC should take into consideration the extent to which NO<sub>x</sub> emissions from the proposed Pinnacle Compressor Station will contribute to ground-level ozone contamination and potential crop depletion. Joelton, Tennessee is an agriculturally zoned area that supplies many of the local organic markets. FERC also needs to consider the new and proposed changes in air emission regulations [7] that are likely to impact the natural gas industry. These regulations include the ozone National Ambient Air Quality Standards (NAAQS) and the nitrogen dioxide one hour NAAQS. As a result, a significant number of stationary engines that drive natural gas compressors will likely require modification to meet new federal or state NO<sub>x</sub> rules or permitting requirements. This is particularly important within the context of the proposed Pinnacle Compressor Station since a portion of the project includes retrofitting old transmission lines that pre-date these new standards.

FERC should also determine the extent to which land disturbing actions will impact any endangered or threatened species or habitat that has been determined to be critical under the Endangered Species Act (ESA). [8] The Kentucky field office of the U.S. Fish and Wildlife Service has identified several federally listed plants and species that could be impacted by the segments of the Broad Run Expansion Project that are proposed for Kentucky (CS 875, CS 106, and CS 114). We also urge FERC to work closely with the Tennessee Ecological Service Field Office in Cookeville, TN to determine if the proposed Pinnacle Compressor Station (CS 563) is in compliance with ecological statutes for this region.

The Tennessee Field Office of the Fish and Wildlife Service also commented on the potential impacts of this project to federally threatened and endangered species. This is a biologically rich site and we (CCSE) ask that there be an independent biological assessment conducted. Refer to the attached document (TN Fish and Wildlife Comment).

In site plans attached to the General Aquatic Resource Alteration Permit for Utility Stream Crossing that Tennessee Gas applied for to the Tennessee Department of Environment and Conservation as part of this project, it is indicated that the footprint of the compressor site will quite likely impact three streams and two wetlands. We (CCSE) believe the Environmental Assessment must include these impacts.

## **1. Water Quality**

Various types of karst aquifers underlie approximately 40 percent of the United States east of the Mississippi River and more than two-thirds of the State of Tennessee. These aquifers include valuable freshwater resources and are extremely vulnerable to contamination due to their specific hydrogeologic properties. Due to the possibility of extensive water pollution,



construction projects in karst areas should be avoided. If avoidance is not possible, then the minimization of the impact of construction should be a critical objective.

In its Aquatic Resource Application Permit (ARAP), Tennessee Gas Pipeline, LLC has indicated that it will comply with best management practices during all construction phases of the proposed Pinnacle Compressor Station and that alternative analysis is not required due to the *de minus* nature of the water resource impacts. However, the company has a history of inadequate erosion control resulting in sediment running into streams. In December of 2014, the Pennsylvania Department of Environmental Protection announced an \$800,000 settlement<sup>[9]</sup> with Tennessee Gas Pipeline Company, LLC for multiple violations of the Clean Streams Law during the construction of a natural gas pipeline in 2011 and 2012 through four counties in northeast and north-central Pennsylvania. Portions of the penalty involve the cleanup of illegal dumpsites in four counties.

In light of these developments, it is reasonable for FERC to expect that the residents of Joelton, Tennessee are concerned about the environmental risks to ground and surface drinking water resources within the proposed area. FERC should require Tennessee Gas Pipeline Company, LLC to evaluate various resource-management scenarios and predict how their actions are likely to affect water conditions. In order for FERC to make a decision regarding the expected environmental impacts of the project, the applicant should be required to prepare and submit:

- Details regarding all applicable watershed and well-protection rules and regulations in the project area and plans for compliance;
- A comprehensive evaluation of each principal aquifer the applicant proposes to cross; and
- A complete list of all potentially impacted private wells.
- An analysis of all reasonable alternatives and describe the level of degradation caused by each of the feasible alternatives;
- A discussion of the social and economic consequences of each alternative;
- Demonstrate that the degradation associated with the preferred alternative will not violate water quality for uses designated in the receiving waters;
- A detailed discussion of the proposed compensatory mitigation;
- A description of how the compensatory mitigation would result in no net loss of resource value;
- Provide a detail monitoring plan for the compensatory mitigation site; and
- Describe the long-term protection measures for the compensatory mitigations site.

The proposed compressor station site is located in the Sycamore Creek Upper Watershed with the Hydrologic Unit Code 051302020201. Sycamore Creek is part of the Middle Cumberland Watershed. The Middle Cumberland Watershed contains approximately 880

miles of streams and rivers. Of the 880 miles, roughly 28% is considered impaired and 25% unassessed. The remaining streams are considered unimpaired although not necessarily pristine. Among the unimpaired streams, the lower reaches of the Sycamore Creek are listed on the Nationwide Rivers Inventory [\[10\]](#), which is a registry of exemplary scenic and recreational streams. In order to preserve this classification, FERC should require Tennessee Gas Pipeline Company, LLC to conduct a thorough assessment of the risk that the construction and operation of the compressor station might impose on this waterbody.

FERC should also require Tennessee Gas Pipeline Company, LLC to conduct a thorough assessment of the risk that flooding poses to the construction and operation of the pipeline across any local waterways where flooding and sedimentary scouring are known to occur.

### **1. Compressor Noise**

The citizens of Joelton are concerned about the impact of compressor station noise pollution. According to the World Health Organization, excessive noise can cause permanent medical conditions such as hypertension, heart disease, hearing impairment, and sleep disturbance. Also, the low frequency noise (LFN) created by compressor stations can also cause vibro-acoustic disease.

The FERC standard for compressor facilities is a day-night sound level of 55 decibels (dBA) at the nearest receptor. There is a growing body of evidence that suggest that this guideline is not nuanced enough to address noise disturbance. Many other factors such as topography and weather can make a difference in terms of how sound travels and is perceived. In addition, this standard does not take into consideration the noise protection of wildlife. In its assessment, FERC should consider the topography of the low density and rural area of Joelton, Tennessee. Ambient noise levels in some rural areas are as low as 35 dBA at night. A noise standard of 55 dBA would be perceived by residents as being twice as loud as the regular ambient noise in the area.

Lane Brody

Chairman and “in kind” CEO

Walden’s Puddle Wildlife Rehabilitation and Education and Memorial Center

### **Conclusion**

For the foregoing reasons, the scope of the Environmental Assessment for the Pinnacle Compressor Station (CS 563) project should be broadened to reflect the above concerns. We appreciate the opportunity to submit these comments and look forward to further participation in this proceeding.

[1] 42 U.S. Code § 4321 – National Environmental Policy Act

[2] United States of America Federal Energy Regulatory Commission Docket No. CP15-77-000

[3] “Human health risk assessment of air emissions from development of unconventional natural gas resources”, *Science of Total Environment* 424 (2012)

[4] “Methane Emissions from Natural Gas Compressor Stations in the Transmission and Storage Sector: Measurements and Comparisons with the EPA Greenhouse Gas Reporting Protocol”, *Environ. Sci. Technol.* 2015, 49, 3252–3261

[5] Available at <http://www.epa.gov/oar/toxicair/newtoxics.html>

[6] “Global crop yield reductions due to surface ozone exposure” *Atmospheric Environment* 45 (2011)

[7] “Availability and Limitations of NO<sub>x</sub> Emission Control Resources for Natural Gas-Fired Reciprocating Engine Prime Movers Used in the Interstate Natural Gas Transmission Industry” (INGAA Foundation)

[8] Endangered Species Act of 1973 [87 Stat. 884 as amended January 24, 2002; 16 U.S.C. 1531]

[9] Available at [www.portal.state.pa.us/portal/server.pt/community/newsroom/14287?id=20661&typeid=1](http://www.portal.state.pa.us/portal/server.pt/community/newsroom/14287?id=20661&typeid=1)

[10] National Park Service (<http://www.nps.gov/ncrc/programs/rtca/nri/index.html>)