CENTER FOR COALFIELD JUSTICE
P.O. Box 4023 · 31 E. Chestnut Street · Washington, PA 15301
· 724.229.3550 · www.centerforcoalfieldjustice.org ·
· info@centerforcoalfieldjustice.org ·

January 10, 2025

Ms. Debbie-Anne Reese, Secretary
Federal Energy Regulatory Commission
888 First St., N.E.
Washington, DC 20426

RE: **Docket No. CP25-12-000; Equitrans, L.P.; Notice of Scoping Period Requesting Comment on Environmental Issues for the proposed Rover-Bulger CS and Harmon Creek MS Expansion Project; Washington County, Pennsylvania**

Dear Secretary Reese:

The Center for Coalfield Justice ("CCJ") is a Pennsylvania-incorporated not-for-profit organization with federal Internal Revenue Service §501(c)(3)-status recognition located in Washington, PA. Our mission is to "improve policy and regulations for the oversight of fossil fuel extraction and use; to educate, empower and organize coalfield citizens; and to protect public and environmental health." CCJ has over three thousand members and supporters and is governed by a volunteer Board of Directors.

Thank you for the opportunity to provide input on the preparation of a National Environmental Policy Act (NEPA) document by the Federal Energy Regulatory Commission (FERC) to analyze the potential impacts of Rover Pipeline LLC's ("Rover") application to FERC concerning the Rover-Bulger CS and Harmon Creek MS Expansion Project (Project), which involves Rover constructing and operating certain facilities at its existing Bulger Compressor Station and expanding the Bulger Compressor Station located in Washington County, Pennsylvania. CCJ respectfully submits the following comments.

As described, the proposed expansion at the Bulger Compressor Station would consist of adding the following:

- one new 2,750-horsepower compressor unit package and cooling;
- one discharge filter separator;
- one unit blowdown silencer;
- extension of the existing compressor building and station fencing; and
- associated interconnect piping systems.

The expansion would also allow for Rover's existing Harmon Creek Meter Station to add

- one ultrasonic meter skid
- one flow control skid
- one filter separator and
- associated interconnect piping

The finished project would allow Rover to transport 100,000 dekatherms daily for Range Resources LLC, increasing to 250,000 dekatherms daily.

**The Proposed Project has a Footprint that Lays Directly in one of Washington County's Most Recreational Populated Areas.**

CCJ has operated in Washington and Greene Counties for over thirty years. During this time, CCJ has built strong relationships with those who live, recreate, worship, and work in Southwest Pennsylvania. In our experience, CCJ has understood that certain areas stand out to these rural communities. Several of these areas are located in the very path of this proposed Project: Racoon Creek Watershed, State Game lands 117, and Hillman State Park.

Community members highly value these areas as they provide several recreational opportunities. From hiking, fishing, horseback riding, biking, boating, and hunting, community members do not want to see this area spoiled by development or pollution. Rover's application does not mention any of these areas, which shows an apparent disconnect from the community in which it operates. At a minimum, CCJ requests that Rover hold meetings with local community members to share its plans to protect and preserve these areas before development occurs.

**FERC Must Consider Rover's Past Violation History and Harmful Impacts to the Environment.**

Rover, like most operators, does not have a blemish-free history. However, Rover has a particularly colorful history operating in this area. In the neighboring state of Ohio, FERC investigated Rover as its operations released two million gallons of drilling mud that flowed into a nearby protected wetland. This release was alleged to contain "toxic diesel fuel, hydraulic oil, contaminated containment fluids, and non-toxic but unapproved lubricants to combat drilling difficulties and keep up with drilling progress demands."[1] Ohio Environmental Protection Agency alleged that Rover's action here was the result of a "corporate culture favoring speed and construction progress over regulatory compliance…"[2]

Energy Transfer Partners, L.P. ("ETP") and its subsidiary Rover's noncompliance history is of grave concern. A timeline of ETP's and Rover's violations for 2017-2018 compiled by Sierra Club and Greenpeace lists over five pages of violations for those two years alone. These violations range from demolishing a house that was under consideration for a national registry of historic homes without first notifying FERC to ETP spilling tens of thousands of gallons of pollution into wetlands, roads, streams, and forested areas (not including the two million gallons listed above).[3]

---

[1] FERC Staff Proposes $40 Million Civil Penalty for Rover Pipeline, December 16, 2021, Docket No. IN17-4-000 Item G-1, found at: https://www.ferc.gov/news-events/news/ferc-staff-proposes-40-million-civil-penalty-rover-pipeline.

[2] *Id*.

[3] *See generally*, Appendix C: Energy Transfer Partners' Rover Pipeline Violations and Spills in Michigan, Ohio, and West Virginia, February 2017-Marh 2018, found at: https://www.greenpeace.org/static/planet4-usa-stateless/2024/12/d97b5852-appendix-c-rover-timeline-violations.pdf .

FERC's mission is to: "Assist consumers in obtaining reliable, safe, secure, and economically efficient energy services at a reasonable cost through appropriate regulatory and market means and collaborative efforts."[4] FERC has a duty to fulfill its mission and must consider all the objectives that make this body function. Rover has been shown to be a reliably non-compliant operator; history shows that it has been given many chances to prove itself, and Rover has failed. CCJ asks FERC to consider whether Rover has checked all the boxes that make FERC what it is: has Rover shown to deliver consumers "reliable, safe, secure, and economically efficient energy services?"[5] CCJ believes that the impacts of Rover's past operations on the environment cannot be easily labeled as safe or secure. Therefore, CCJ asks FERC to deny this Project until Rover can explicitly show the investments, protections, and mitigation methods it will and plans to deploy to ensure its operations do not lead to any further noncompliance issues.

**There Must be a Full Investigation and Accounting of the Cumulative Impacts on This Already Overburdened Community Before Any Future Permits are Issued.**

FERC must consider, and Rover must disclose all the cumulative impacts that will or could follow from the development of the proposed Project. Cumulative impacts refer to the combined environmental effects on a particular area resulting from a proposed project when added to the impacts of all other past, present, and reasonably foreseeable future actions, regardless of who undertakes them. These impacts could potentially lead to a greater overall environmental degradation than if considered individually; essentially, they're the total impact on a resource or community from multiple sources over time.[6]

Breaking this out into three prongs: FERC must consider all actions taken, look beyond the direct impacts, and focus on environmental degradation. The first prong considers all actions taken. Here, FERC must consider and ask Rover to analyze the combined effects of past projects, current activity, and future foreseeable development. Even though this project's footprint is small compared to other gas infrastructure, it will require gas operators to expand and develop more infrastructure in the Commonwealth and surrounding states. In addition to this, FERC must consider all the actions that Rover has omitted taking in the past, such as those laid out in the above section discussing Rover's non-compliant history.

The second prong, FERC, must look beyond the direct impacts of this Project. Rover explicitly states that the benefits of this Project "…far outweigh any potential minor or temporary adverse impacts."[7] This response leaves the reader wondering what those "minor or temporary adverse impacts" may be. Rover does not disclose or even give an estimate as to what these impacts may be or how it would mitigate them. Instead, Rover brushes the question aside. Additionally, Rover, in its response, evades the issue of the downstream effects that this Project will create. FERC must not

---

[4] FERC, What is FERC, Overview, Mission Statement, found at: https://www.ferc.gov/what-ferc#:~:text=FERC's%20Mission%3A%20Assist%20consumers%20in,market%20means%2C%20and%20collaborative%20efforts.

[5] *Id*.

[6] *See generally*, U.S. EPA. Cumulative Impacts Research: Recommendations for EPA's Office of Research and Development. U.S. Environmental Protection Agency, Washington, D.C., EPA/600/R-22/014a, 2022.

[7] Rover Pipeline LLC Volume I Public Information, Document Accession #20241031-5360, Filed 10/31/2024, Pages 1-15, 9, Section D.

ignore that this Project will pressure other gas operators to increase their production to meet the newly created demand, harming the environment in areas that are not even considered in this application.

For example, gas operators do not have an accurate account of existing gas infrastructure, which threatens the community's and environment's health and safety. Pennsylvania has the fourth largest capacity in the United States for underground natural gas storage.[8] Currently, the state has approximately 48 active underground gas storage fields with a combined 774,309 million cubic feet of storage capacity.[9] These storage fields are primarily made from depleted hydrocarbon reservoirs. These formations require specific characteristics, such as a layer of porous and permeable rock to hold the gas and an impermeable rock to trap the gas from escaping.[10]

This is problematic in Pennsylvania, especially in the western part of the state, where most of these gas storage facilities are located. Pennsylvania has historically invested in fossil fuel extraction, the physical practice of removing and altering underground characteristics to produce oil, gas, and coal. The method of removing these resources varies and changes the make-up and subsurface structure. These practices can result in natural gas migrating from its intended storage facility into groundwater and existing gas and water wells. This was the case in California with the Aliso Canyon UGS facility near Porter Ranch, California. An estimated 99,638 metric tons of methane was released over 118 days.[11] This resulted in the evacuation of nearly 6,000 households.

Pennsylvania is not a stagnant state. The PA Department of Environmental Protection ("Department") has reported that approximately 350,000 conventional oil and gas wells and 13,000 unconventional natural gas wells exist in the state, with only more development applications coming in. Again, an unconventional well's sole purpose is to change the characteristics of the geology to produce more gas. These operations do not happen without issue, either. Fracking operations will continue communicating with existing orphaned, abandoned, and active gas wells.

The most recent case of this very scenario happened in June 2022 in Greene County, PA. Here, EQT, a natural gas operator in Southwest Pennsylvania, was notified by a landowner that their EQT Lumber 13H well communicated with an offset well (now known as Fox Hill 1).[12] It is reported in the inspection report that "EQT investigated and determined hydraulic fracturing operations at the Lumber well site communicated to an offset well."[13] This communication event is still under investigation to fully understand how the event came to be. Additionally, as of the date of this comment (30 months after the event), EQT has not been able to successfully cap the Fox Hill 1 well due to the integrity of the casing. This is evidence that current operators, though they may be

---

[8] David Hess, *PA Environment Digest*, Dec. 2015, found at: http://www.paenvironmentdigest.com/newsletter/default.asp?NewsletterArticleID=34375#:~:text=Pennsylvania%20has%20774%2C309%20million%20cubic,the%20U.S.%20Energy%20Information%20Agency.

[9] *Id*., and PADEP, *Underground Gas Storage Fields in Pennsylvania*, Fact Sheet 8000-FS-DEP2319, Rev.5/2021.

[10] Michaela Jellicoe & Michael Delgado, *Quantifying the Risks of Underground Natural Gas Storage*, NARDeP, Brief 24, June 2014.

[11] Drew R.Michanowicz et al. *A National Assessment of Underground Natural Gas Storage: Identifying Wells with Designs Likely Vulnerable to a Single-Point-of-Failure*, Environmental Research Letters 12 (2017).

[12] Pennsylvania Department of Environmental Protection, Inspection Report Stimulation, Inspection Record No. 3384307, Permit No. 059-28088, Lumber Well Pad.

[13] *Id*. at page 4.

experts in developing wells, pipelines, and compressor stations, are not experts in preventing and mitigating future harm to the health and safety of communities and the environment. It also shows that even with the most cautious steps taken in gas development, current operators are unaware of existing harms. The Fox Hill 1 well is a legacy well that the operator had no idea existed until the communication event occurred. To operate under the belief that this was a one-off event is simply being blind to the fact that Pennsylvania has both documented and undocumented orphaned and abandoned wells all over the Commonwealth, many of which are not capped.

These issues and problems have occurred due to the current demand for gas in this region. This Project will further increase demand and require gas developers to expand their footprint in an area with hundreds, if not thousands, of known and unknown oil and gas wells. A catastrophic consequence like those described above awaits if the proper steps are not taken today to protect communities, workers, and the environment.

The third and last prong requires FERC to focus on how the Project could degrade the environment. However, this is almost impossible for FERC to understand as Rover has ignored the above two prongs of what the cumulative impacts would or could be. The Project plan does not address any issues outside of its footprint. This absence of information should cause alarm for FERC. Again, Rover stated that this Project delivers benefits that "far outweigh any potential minor or temporary adverse impacts" that it may create.[14] The absence of information also does not allow FERC to make a well-informed decision on the application before it.

Therefore, CCJ requests that FERC deny Rover any permit on the proposed Project until it can adequately account for all existing and future impacts that this Project would place on both the environment and human health, including the impacts that future development, as a result of this Project, would bring.

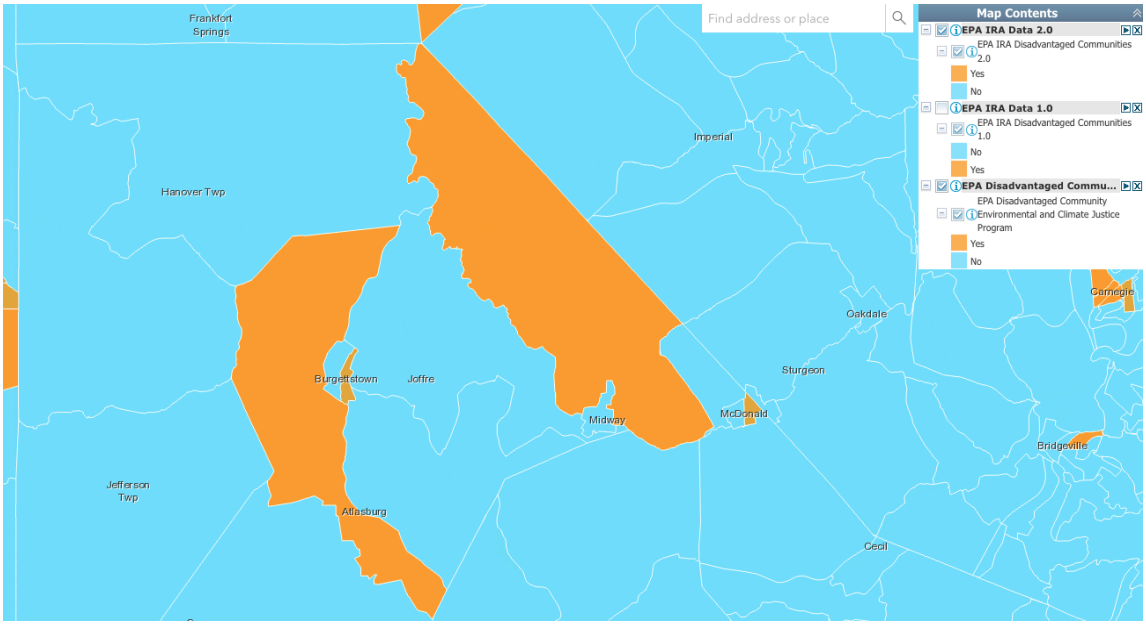
**The Applicant is Relying on Outdated Information Concerning What is and is not an Environmental Justice Area and Must be Required to Submit a More Comprehensive Application That Addresses the Possible Harms It Will Create.**

In its application, Rover has identified that three of the four census block groups within one mile of the project are EJ areas because of their low-income status and stated that they would not be disproportionately and adversely impacted by this project. However, this determination is incorrect. They made this determination using a series of guidance documents dated no later than 2019. Rover failed to use the more reliable tool known as EJScreen: Environmental Justice Screening and Mapping Tool ("EJScreen"), which was established as a national standard to determine EJ areas and FERC lists on its website.[15] If Rover had used this tool, they would have seen that these block groups are disproportionately and adversely impacted. Allowing Rover to develop the proposed project would only add to the current burdens.

---

[14] *Rover Pipeline LLC Volume I Public Information, Document* Accession #20241031-5360, Filed 10/31/2024, Pages 1-15, 9, Section D.
[15] *Resource Page*, Env't. Justice, FERC https://www.ferc.gov/resources-page.

EJScreen shows that the EPA identifies two of the four census block groups as IRA Disadvantaged Communities, but not because of their low-income status.[16] Block Group 2, Census Tract 7140, recognized as disadvantaged, has specific issues with hazardous waste, flood risk, low life expectancy, and disabilities. Block Group 3, Census Tract 7137, also disadvantaged, is disproportionately affected by toxic air releases, lead paint, flood risk, heart disease, and cancer and has many children under 5 years old - a particularly sensitive population.



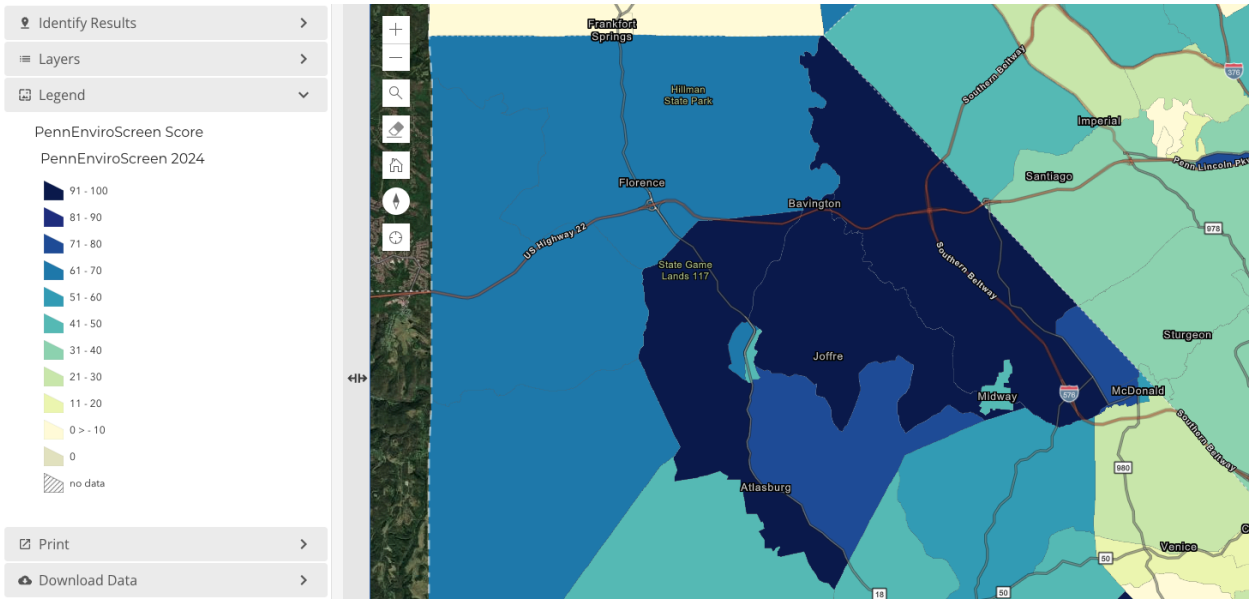

While those are the only two block groups designated as disadvantaged, notably, the other two block groups both have high levels of cancer. Block Group 2, Census Tract 7110, is also exposed to toxic air releases, and many residents have disabilities. Block Group 1, Census Tract 7137, also has high levels of heart disease.

However, while EJScreen is an improvement over traditional low-income and minority assessments for EJ determinations, like the project developer used here, its data is incomplete in our experience and does not always accurately represent all EJ areas. That is why CCJ prefers the use of a resource created by the Pennsylvania Department of Environmental Protection's Environmental Justice Office: PennEnviroScreen.[17] PennEnviroScreen uses a formula and 32 indicators, both environmental and socioeconomic, to give each census block group a percentile. Those block groups above the 80th percentile are considered EJ areas.[18]

---

[16] *EJScreen: Env't Justice Screening and Mapping Tool*, EPA https://ejscreen.epa.gov/mapper/.
[17] *PennEnviroScreen*, Pa. Dep't. Of Env't. Prot. https://gis.dep.pa.gov/PennEnviroScreen/.
[18] *PennEnviroScreen Methodology Document 2023*, Office of Env't. Justice, PA. DEP'T. OF ENV'T. PROT. https://files.dep.state.pa.us/PublicParticipation/Office%20of%20Environmental%20Advocacy/EnvAdvocacyPortalFiles/2023/015-0501-003-InterimFinal.pdf.

Here, PennEnviroScreen identifies three of the four census block groups within one mile of the project as EJ areas, including the block group (Block Group 1, Census Tract 7137) that contains the project, which Rover did not identify as an EJ area.




Block Group 1, Census Tract 7137, is disadvantaged to the 94th percentile for all block groups in Pennsylvania. They received a score of 92 for toxic air emissions and a 96 for compressor stations - which approval of this application would only make worse. Other indicators that affect living conditions where this block group received high scores include unconventional oil and gas wells (89), hazardous waste and storage sites (90), coal mining (85), and mining concerns (91). As identified by EJScreen, this block group has a population with high incidents of heart disease.

Block Group 2, Census Tract 7140, ranks in the 96th percentile for disadvantaged block groups. Again, they are disproportionately exposed to high levels of toxic air emissions (89) and compressor stations (89), but they are also exposed to high levels of traffic (96). This block group received an environmental effect[19] score of 100 due to the impact of unconventional gas wells (93), hazardous waste and storage sites (92), coal mining (84), and mining concerns (97). There is also a high unemployment rate here, receiving a score of 91.

Block Group 2, Census Tract 7137, is one of the most disadvantaged block groups in the state, placed in the 99th percentile. It received a score of 96 for both toxic air emissions and traffic while receiving scores of 90 for toxic water emissions and 86 for compressor stations. This block group also received an environmental effects score of 100 since residents are affected by conventional gas wells (80), unconventional gas wells (87), hazardous waste and storage sites (91), and mining concerns (96). In addition, as EJScreen notes, there are many children under five in this block group (96), and there are high rates of heart disease (85).

[19] A score for a group of indicators.

The only block group within one mile of the project that is not an EJ area is Block Group 2, Census Tract 7110. However, this block group still received high scores for toxic air emissions (92), conventional gas wells (86), and mining concerns (94).

The communities near the Bulger Creek Compressor station are already exposed to pollution. Pollution from compressor stations can cause burning eyes and throat, skin irritation, headaches, nausea, vomiting, cancer, and cardiovascular and respiratory risks (which many people in these block groups already have).[20] Pipelines and unconventional gas wells, which are likely to increase in the area to feed the expansions, come with additional health impacts. Unconventional gas wells increase the risk of groundwater contamination, exposing nearby residents to radioactivity, salts, and chemicals used in fracking fluid.[21] This means residents in these block groups are exposed through the air they breathe and the water they drink to stay alive. Additionally, pollutants from all the related infrastructure can have health impacts up to 10 miles[22] - much further than the one-mile buffer that the project developer imposed because it is the "maximum distance from which project-related impacts may be readily perceived by humans."

Thus, it is evident that the communities near this project are already disproportionately burdened by numerous cumulative impacts, and additional burdens from expanding this pipeline and facility must not be accepted or imposed.

In conclusion, the Center for Coalfield Justice requests the following:

- Rover holds meetings with local community members to share its plans to protect and preserve specific areas of interest before development takes place. Community members must be given ample notice to participate, no less than 30 days. These meetings should take place in a central location to the Project and be held in the evening to maximize participation.
- FERC denies this Project until Rover can explicitly show the investments, protections, and mitigation methods it plans to deploy to ensure its operations do not lead to any further noncompliance issues. This includes protections that will be required for other gas developers that are expanding due to the demand created by this project.
- Rover must re-submit its application using the most up-to-date Federal and PA DEP Environmental Justice measurement tool, PennEnviroScreen. Next, Rover will create an

---

[20] *Compressor Stations in the Northeast: A Guide to Protecting Your Health and the Environment*, Env't. Health Project (Feb. 15, 2023) https://www.environmentalhealthproject.org/post/compressor-stations-in-the-northeast-a-guide-to-protecting-your-health-and-the-environment; Curtis D Davis et. al., *Community Health Impacts from Natural Gas Pipeline Compressor Stations*, GEOHEALTH (Oct. 31, 2023) https://agupubs.onlinelibrary.wiley.com/doi/10.1029/2023GH000874.

[21] *Environmental Impacts of Natural Gas*, UNION OF CONCERNED SCIENTISTS (updated May 9, 2023) https://www.ucsusa.org/resources/environmental-impacts-natural-gas.

[22] Cynthia Walker, Ph.D, *Air Pollution from Pennsylvania Shale Gas Compressor Stations - Report*, FRACTRACKER ALLIANCE (March 19, 2020) https://www.fractracker.org/2020/03/air-pollution-pennsylvania-compressor-stations/; Spencer Levering, *Pitt studies link unconventional natural gas developments to childhood cancer, asthma attacks,* THEPITTNEWS (Sept. 7, 2023) https://pittnews.com/article/182127/news/pitt-studies-link-unconventional-natural-gas-developments-to-childhood-cancer-asthma-attacks/; *Oil and Natural Gas Production (ONGP) Health Concerns*, PA. DEP'T. OF HEALTH https://www.pa.gov/agencies/health/programs/environmental-health/oilgas.html#accordion-b14cb09678-item-db8e92c827.

operating plan that would either reduce or maintain current pollution emissions and discharges. If Rover cannot deliver on this, FERC must deny the Project.

Thank you for your consideration. If you have any questions, please contact us anytime.

Sincerely,

/S/

Ethan Story

Ethan Story, Esq.
Advocacy Director
Center For Coalfield Justice
ethan@centerforcoalfieldjustice.org

/S/
Nina Victoria

Nina Victoria J.D.
Community Advocate,
Center For Coalfield Justice
nina@centerforcoalfieldjustice.org