



**MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND**

January 12, 2018

Larry Hogan, Governor
100 State Circle
Annapolis, Maryland 21401

Dear Governor Hogan,

Thank you, Governor Hogan for supporting Maryland's ban on fracking. Your support was key in establishing Maryland as the first state in the country with gas reserves to ban fracking through legislative action. Unfortunately, Maryland residents and America's River—the Potomac—are currently being threatened by fracked gas in the form of the proposed TransCanada Pipeline.

TransCanada has proposed to build a new, eight-inch-diameter pipeline that would cut across the Potomac River. The Potomac River Basin is one of the most prized and valuable environmental assets in our region. It also serves as a clean and stable source of drinking water for Marylanders. Indeed, Montgomery County's drinking water primarily comes from the Potomac River Filtration Plant on River Rd. Doing everything in our power to protect the Potomac River and to avoid polluting our drinking water is a top priority for all of us, and we hope that you will once again stand with Maryland residents to protect our drinking water and natural resources.

TransCanada's proposed Eastern Panhandle Expansion Pipeline in western Maryland would carry fracked gas from Pennsylvania through Maryland and into West Virginia. The pipeline would connect with another gas pipeline proposed by Mountaineer Gas, a West Virginia company. Not only would the TransCanada pipeline cross the Potomac River, but both pipelines would cross dozens of rivers and streams that flow into the Potomac River. Although Maryland's authority is centered on the TransCanada portion of this pipeline, both pipelines pose a severe risk to Marylanders.

There are inherent risks with the construction of pipelines and the methods used to route them across rivers and waterways, from stormwater pollution to massive spills during the Hydraulic Directional Drilling method called a "blowout". A blowout spill at the Potomac River crossing on the TransCanada pipeline immediately threatens the Washington County MD and the Berkeley County, WV public water system for over 100,000 people. Similarly, if a blowout were to occur with the Mountaineer Gas portion of the pipeline, which crosses three major tributaries to the Potomac, the same public and private water systems would be threatened.

The route proposed for both pipelines would also cross sensitive limestone geology called karst. Karst geology allows pollution to quickly flow through the ground and into aquifers that

supply drinking water to private and public water systems. Karst geology can increase the risks of a blowout spill during hydraulic directional drilling and pose a long term risk to drinking water from pipeline leaks or breaks after construction. The karst geology in Western Maryland and West Virginia's Eastern Panhandle continues to plague private water systems with increased bacteria levels sourced from farms and septic systems. Karst has also been responsible for localized private well water contamination from leaking gas station tanks. Karst can easily and quickly transmit pollution great distances. The threat to Maryland's water is not just during the construction phase, but for the life of the pipeline.

To move forward, TransCanada needs a permit under Section 401 of the Clean Water Act from your administration. This water quality certification process is meant to ensure that the proposed pipeline will not threaten or degrade Maryland's water quality. This process gives the Maryland Department of the Environment (MDE) a critical opportunity to assess the potential impacts of a federal project on the state's water resources. MDE has an obligation to conduct a thorough and rigorous review of the project's impacts. It must consider each individual waterbody crossing, up- and down-stream erosion and sediment issues, karst-related threats, and other impacts to water quality. As of now, TransCanada has not provided sufficient information about the entire pipeline project, including the related Mountaineer Gas pipeline, to state or federal regulators.

Unfortunately, MDE does not have a lot of time to make its decision. Under a recent and highly controversial decision from federal regulators, MDE has one year from the time TransCanada submitted its application to decide whether to approve or deny the Clean Water Act certification (no matter when MDE determines the application to be complete). Thus, MDE's deadline to act is March 15th, 2018. MDE must fully understand the scope of the impacts the pipeline will have on Maryland's water quality before making a decision on the pipeline. If this complete understanding cannot occur before March 15th, we strongly urge MDE to deny the permit while it asks for the necessary additional information from TransCanada. Ultimately, we believe that a thorough review of the pipeline's impacts will leave your administration with no choice but to deny the permit.

For these reasons, we, the undersigned elected officials, ask that you deny the 401 certification until Maryland has all the information it needs to fully understand the impacts of Eastern Panhandle Expansion natural gas pipeline. We believe a thorough understanding will leave you with no choice but to deny the 401 certification.

Thank you,



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Montgomery County
Council President



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Council Vice President



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