



## **II. INTEREST OF PETITIONER**

In support of its motion to intervene, the Clean Air Council states that it is a non-profit organization headquartered at 135 South 19th Street, Suite 300, Philadelphia, PA 19103, who has fought for more than 40 years to protect everyone's right to breathe clean air across Pennsylvania. The Council is a membership organization with more than 8,000 members who have an interest in improving air quality in Pennsylvania and in the health of the environment in Pennsylvania generally. As the majority of the proposed PennEast pipeline route is in Pennsylvania, the Council is uniquely qualified to provide the Commission with relevant information about the impacts the proposed project would have on the environment and on human health in Pennsylvania.

The Council is concerned that the PennEast pipeline will result in truly significant emissions of harmful air pollution, including nitrogen oxides, volatile organic compounds, carbon monoxide, hazardous air pollutants and greenhouse gases, negatively impacting the health of residents of areas already burdened by elevated levels of pollution. The Council is also concerned that the vast majority of the proposed PennEast pipeline – over 90 miles – lies within the Delaware River Watershed, which supplies drinking water to more than 15 million people. The project would cross dozens of wetlands and rivers, not only harming aquatic habitats but damaging water quality for the many people who depend on the Delaware River Watershed for their drinking water. In addition, the Council is concerned that PennEast's proposed permanent conversion of "exceptional value" forested wetlands to emergent wetlands violates Chapter 105 of the Pennsylvania Code and that the project cannot therefore obtain the necessary 401 Water Quality Certification from the Pennsylvania Department of Environmental Protection. Additionally, the Council is concerned that FERC has adopted an unlawful practice of issuing

Certificates of Public Convenience and Necessity for projects before they have obtained the necessary 401 Water Quality Certifications and seeks an opportunity to provide comments to FERC on this issue with respect to this project.

The Council is also concerned that PennEast and FERC will avoid doing a proper analysis of the cumulative impacts the project will have. There are, for example, multiple other proposed or recently approved pipeline projects whose environmental impacts must be considered cumulatively with those of the PennEast pipeline. However, given statements PennEast has already made about its interpretation of what NEPA requires to be considered in a cumulative impacts analysis, the Council is concerned that a meaningful cumulative impacts analysis will not be completed and seeks the opportunity to provide comments and input on that analysis. The Council is also concerned that consideration of the impacts of the PennEast pipeline alone would represent improper segmentation of this project from other interconnected pipelines and upgrade projects, including but not limited to: Transcontinental Pipeline Company's ("Transco") Leidy Line, which will have an interconnect with the PennEast project and on which FERC recently approved an expansion project, and Transco's proposed Atlantic Sunrise pipeline.

It is in the public's interest that the Clean Air Council should take part in this proceeding as an intervenor.

### **III. CONCLUSION**

**WHEREFORE**, the Clean Air Council respectfully requests that it be permitted to intervene in this proceeding with full rights to participate in all further proceedings.

Dated: October 19, 2015

/s/ Augusta C. Wilson

Augusta C. Wilson, Esq.

Staff Attorney

Clean Air Council

135 S. 19th St., Suite 300

Philadelphia, PA 19103

215-567-4004 x106

awilson@cleanair.org