



*national fuel*

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July 14, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, DC 20426

Re: National Fuel Gas Supply Corporation and Empire Pipeline, Inc.  
Northern Access 2016 Project  
Docket No. CP15-115-000

Dear Ms. Bose:

National Fuel Gas Supply Corporation and Empire Pipeline, Inc. hereby submit for filing with the Federal Energy Regulatory Commission (the "Commission") their responses to comments raised during the Commission's Supplemental Scoping Period for the Northern Access 2016 Project, as well as their responses to comments submitted after the Supplemental Scoping Period closed on May 29, 2015 (through June 12, 2015).

Please contact the undersigned if you have questions concerning this filing.

Very truly yours,

*/s/ Kenneth Webster*

Kenneth Webster  
Attorney  
National Fuel Gas Supply Corporation and  
Empire Pipeline, Inc.

Enc.

cc: Christine Allen

CERTIFICATE OF SERVICE

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I hereby certify that I have this day served, in accordance with the provisions of Rule 2010 of the Commission's Rules of Practice and Procedure, the foregoing document upon each person designated on the official service list compiled by the Secretary of the Commission in this proceeding.

Dated at Williamsville, New York this 14th day of July, 2015.

/s/ Liane Stau

Liane Stau

National Fuel Gas Supply Corp.

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***National Fuel***  
National Fuel Gas Supply Corporation  
Empire Pipeline, Inc.

**NATIONAL FUEL GAS SUPPLY CORPORATION  
EMPIRE PIPELINE, INC.**

**NORTHERN ACCESS 2016 PROJECT  
DOCKET NO. CP15-115-000**

**Scoping Comment Responses**

July 14, 2015

**Prepared for:**

Federal Energy Regulatory Commission  
Office of Energy Projects  
888 First Street NE  
Washington, DC 20426

National Fuel Gas Supply Corporation and Empire Pipeline, Inc.  
Northern Access 2016 Project  
Scoping Comment Responses  
Docket No. CP15-115-000

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A. Matrix Listing All Comments Through June 12, 2015

## Introduction

National Fuel Gas Supply Corporation (“Supply”) and Empire Pipeline, Inc. (“Empire” and collectively with Supply, “Applicants” or “National Fuel”) are seeking authorization from the Federal Energy Regulatory Commission (“FERC”) pursuant to Sections 7(b) and 7(c) of the Natural Gas Act to construct and operate the proposed Northern Access 2016 Project (“Project”) (CP-15-115-000).

On October 22, 2014, during the FERC pre-filing process (Docket No. PF14-18-000), FERC issued a *Notice of Intent to Prepare an Environmental Assessment for the Planned Northern Access 2016 Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings* (NOI). Applicants have since filed their proposed locations for one new compressor station and one new natural gas dehydration facility in Niagara County, New York, as part of their FERC Section 7(b) and 7(c) application for the Project.

On April 29, 2015, FERC issued a *Supplemental Notice of Intent to Prepare an Environmental Assessment for the Proposed Northern Access 2016 Project, Request for Comments on Environmental Issues, Notice of Environmental Site Review, and Notice of Public Scoping Meeting*, concerning the Niagara County, New York aboveground facilities and opened a supplemental scoping period for interested parties to file comments on environmental issues specific to these facilities, which closed on May 29, 2015. In addition, on May 20, 2015, FERC held a scoping meeting concerning the Niagara County, New York Project facilities at the Wendelville Fire Company, 7340 Campbell Boulevard, North Tonawanda, New York 14120. This additional scoping meeting was recorded by a stenographer and the transcript was filed under the Project docket on June 12, 2015 (Accession # 20150605-4004).

This Scoping Comment Response includes a matrix that provides a summary of written comments filed with FERC through June 12, 2015, as well oral and written comments provided at the May 20, 2015 FERC scoping meeting. This matrix include the commenter’s name, the date on which the commenter submitted comment(s), and a summary of such comment(s). National Fuel is attaching its matrix reflecting all comments from May 20, 2015 through June 12, 2015 as Attachment A.

National Fuel reviewed each comment, similar comments were grouped together, and comment summaries were developed within the following categories:

- Engineering/Construction;
- Water Use and Quality;
- Vegetation and Wildlife;
- Cultural Resources;
- Geologic Resources;
- Soils;
- Air Quality and Noise;

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- Socioeconomics;
- Alternatives;
- Safety and Reliability;
- Cumulative Impacts;
- FERC Process;
- Project Need; and
- Other

National Fuel responds to each of these comment summaries below in comment/response format. National Fuel's responses are based on the pipeline route and facilities in National Fuel's March 17, 2015 certificate application and agency responses, field work and plan development completed as of this time.

In addition to these Scoping Comment Responses, on July 1, 2015, National Fuel submitted a voluminous response (over 500 pages of technical responses and attachments) to FERC's June 11, 2015 environmental data requests, which are publicly available at FERC's eLibrary site (<http://www.ferc.gov/docs-filing/elibrary.asp>) under Docket No. CP15-115-000 (Accession No. 20150701-5332).

Further, as stated within this Scoping Comment Response and National Fuel's July 1, 2015 environmental data request response, National Fuel is continuing to evaluating non-residential alternate locations for its proposed Pendleton Compression Station and plans to file an update with FERC by August 30, 2015 regarding its efforts to secure locations for its proposed compressor station and other above-ground facilities.

## I. Engineering /Construction

### *Comment Summaries and Responses:*

1. Concern that National Fuel will be allowed to place debris outside the construction corridor potentially causing environmental damage to landowners' property. Statement that prior approval by and compensation to the property owner should be required.

**Response:** Through its standard Right-of-Way (ROW) Agreement, National Fuel negotiates and compensates property owners for all rights, including the right to stack logs/windrow brush, etc. parallel to the construction corridor. ROW Agreements are negotiated documents requiring mutual agreement between National Fuel and the property owner. Accordingly, prior approval and related compensation will have been agreed upon between National Fuel and the property owner prior to the stacking of logs, brush or other cleared materials along the construction corridor.

2. Request that National Fuel submit a list of property owners that have not signed ROW agreements with details of the landowners' concerns prior to FERC issuing a certificate to ensure that property owners' rights are not violated and that all laws and regulations are followed.

**Response:** National Fuel works diligently to ensure that legally protected rights are respected and protected. Property owner lists are confidential and are filed as such with FERC.

With respect to the XM-10 pipeline corridor, National Fuel has already obtained all necessary rights-of-way, which were obtained prior to its installation of the original 16-inch XM-10 pipeline.

As addressed in Section I(1), National Fuel makes good faith efforts to negotiate and enter into a ROW Agreement with each property owner along the pipeline. As such, potential usage will be mutually agreed upon during the ROW acquisition process.

3. Concern that in order to maintain a dry area around the compressor station site, considerable fill may be necessary. Statement that this fill may alter the natural water drainage causing serious flooding in the surrounding area.

**Response:** Neither considerable fill, nor any alteration of the natural drainage, is anticipated. Only a small portion of the southwest corner of the proposed compressor station property is located within FEMA-mapped floodplains. That portion of the proposed compressor station site will not be developed. See National Fuel's July 1, 2015 FERC Data Request Response (Accession

#150701-5331) to Resource Report 6, Question 7 (page 115),\* which includes an attachment that shows the proposed compressor station in relation to mapped FEMA floodplains (page 506).

4. Concern as to whether hazardous waste liquid tanks will be present on the proposed Pendleton compressor site. Request that National Fuel provide full details as to: where these tanks will be installed (aboveground and underground), size of the tanks, construction/reinforcement of the tanks, maintenance of the tanks, hazardous material that may be stored in the tanks, frequency that National Fuel will empty the tanks, method of transportation and disposal for any hazardous waste stored in the tanks, and National Fuel's protocol for remediation of possible spills or leaks from these tanks.

**Response:** National Fuel does not anticipate the installation of hazardous waste liquid tanks at the proposed Pendleton Compressor Station site.

5. Concern as to whether Pendleton Compressor Station will comply with new EPA rule requiring tanks at compressor stations to be fitted with Volatile Organic Compound capture systems.

**Response:** See response to Section I(4).

6. Concern as to the measures National Fuel will take to protect the pipeline during cold winters, including a frost heave, especially alongside the Frontier Chemical Hazardous Waste Superfund Site.

**Response:** National Fuel's engineers bring the latest state-of-the-art knowledge and techniques to each project including this one. The pipeline will be constructed with a minimum of 3 feet of cover, with additional cover at roads and railroads, streams and in agricultural fields. National Fuel operates thousands of miles of pipeline in New York and Pennsylvania. National Fuel's extensive experience has demonstrated that this amount of cover is effective to protect its pipelines from the effects of winter weather, including frost heaving.

7. Concern as to National Fuel's procedures for removing soil during the replacement of the pipeline near the Frontier Chemical Hazardous Waste Superfund Site.

**Response:** The replacement of the XM-10 pipeline will be completed via a "Lift and Lay" technique. The existing pipeline will be removed, and the new pipeline laid in its place in the same trench. As National Fuel did not experience contaminated

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\* Page numbers are references to the electronic version (Accession #150701-5331) of the FERC generated pdf file for National Fuel's July 1, 2015 FERC Environmental Data Request Response (based on the navigation tool bar in Adobe Acrobat). The July 1, 2015 FERC Environmental Data Request Response will be referred to herein as the July 1 Data Response.

soils during the original construction of the XM-10 pipeline, it does not anticipate any contamination during this replacement in the same trench. However, National Fuel will commit to pre-construction testing and monitoring during construction.

In addition, the replacement of the XM-10 pipeline is not anticipated to impact the Frontier Chemical-Pendleton site for the following reasons:

- The pipeline route is outside of the perimeter of the site which is completely encompassed by fencing, which was installed to restrict access;
- All of the third-party engineering controls for site remediation are within the area delineated by the fencing. Third-party engineering controls consist of cover system, groundwater containment, groundwater treatment system, and leachate collection;
- Third-party engineering controls were installed in 1996, and a monitoring plan was implemented. In 2006, human exposure and migration of contaminated groundwater were documented as under control;
- Empire's XM-10 pipeline was constructed in 2000, about 4 years after completion of the site's third-party engineering controls. The centerline for the pipeline (location of trench) runs parallel to the perimeter fencing, offset to the east by about 65 feet, neither intersecting the site nor the associated third-party engineering controls;
- There were no impacts to the site or third-party engineering controls during construction in 2000. Therefore, the proposed replacement pipeline installed in the same trench is not expected to impact the site; and
- National Fuel will be working with the NYSDEC to ensure that the proposed replacement pipeline will not interfere with the site and the associated third-party engineering controls.

A figure showing the Frontier Chemical site location in relation to National Fuel's Line XM-10 pipeline to be replaced, and a drawing showing the site, are included as part of National Fuel July 1 Data Response, Resource Report 8, Question 12 at page 135.

8. Request that National Fuel identify the location of the additional pipe storage yards and contractor yards in the Town of Pendleton noted in Resource Report 1, page 1-19 and clarify whether these locations be used for stockpiling contaminated soil.

**Response:** National Fuel has not selected any pipe storage yards or contractor yards in the Town of Pendleton. Once identified, National Fuel will submit these to FERC.

National Fuel commits to not stockpiling contaminated soils, if any, from the Frontier site at off-site contractor yards.

9. Concern that homes and businesses in the area surrounding the XM-10 Replacement Pipeline may suffer damage to their foundations due to blasting, as National Fuel's Resource Report 1, pages 1- 30 and 1-31, stated that "blasting may occur if bedrock cannot be removed by conventional techniques. Properties within 150 feet of the blasting zone will be inspected before and after the occurrence." Statement that the bedrock maps of Niagara County obtained from the Niagara County Soil and Water Conservation District illustrate that the bedrock is within 7-20 feet deep in the area of the proposed compressor station in Pendleton, NY. Statement that homes in the area have had to have crawl spaces in lieu of full basements due to the bedrock being closer than expected during construction and that Beach Ridge Road is an actual ridge in the bedrock.

**Response:** There is no need for, nor plans to blast near, any homes or businesses in connection with the construction of the Pendleton Compressor Station site. While National Fuel's original Resource Report 1 mentions inspections of "properties", National Fuel commits to not blasting within 150 feet of any residential or commercial structure in the area.

In addition, National Fuel did not encounter any bedrock during its installation of the original XM-10 pipeline. The 24 inch replacement pipeline will only require a slightly deeper trench than the original 16-inch line. Therefore, National Fuel does not anticipate the need for blasting during this construction.

10. Concern that National Fuel's Erosion and Sediment Control & Agricultural Mitigation Plan (ESCAMP) did not include a reference or plan of action specific to work being conducted alongside a Superfund Hazardous Waste Site, such as the Frontier Chemical-Pendleton Site.

**Response:** National Fuel's ESCAMP takes into consideration the location of the project work and will ensure the protection of the work site and adjacent areas. See National Fuel's July 1 Data Response concerning the Frontier Chemical – Pendleton Site (Resource Report 8, Question 12, page 158.) Based on National Fuel's review of information concerning this site, including the site boundaries in relation to the proposed construction workspace, National Fuel does not believe the replacement of the existing pipeline will impact the containment measures currently in place.

Nevertheless, in an effort to address community concerns before construction, National Fuel will consult further with the NYSDEC regarding the Frontier Chemical–Pendleton Site. In addition, National Fuel will perform a reconnaissance review and sample soils within the depth of planned excavation in the ROW adjacent to the Frontier Chemical–Pendleton Site, to better identify areas of concern.

National Fuel intends to implement an unanticipated contamination discovery plan for use during construction, which will provide procedures and protocols in the event hazardous materials are encountered during construction. See also Response to Section I(7).

11. Concern that the Hazardous Waste Site near XM-10 is currently capped, but the recent problems at the nearby Love Canal Hazardous Waste site showed that the remediation systems may fail and contaminants may leach out into the surrounding areas. Request that precautionary measures and testing procedures, should potential contaminated soil be unearthed, should be clearly addressed and put in place prior to any construction being authorized in the area.

**Response:** See response to Sections I(7) and I(10).

12. Concern as to toxicity of chemicals that will be used or emitted throughout the construction and operations of the Project facilities. Specifically, will Chromium 6 be used for or emitted from any aspect of the Pendleton Compressor Station?

**Response:** National Fuel reviewed the applications of Chromium 6 to determine whether it could potentially be used during the construction of the proposed compressor station. National Fuel identified a single application, coating products, where Chromium 6 could possibly be used. National Fuel thereafter reviewed the material safety data sheets (MSDS) of the paint and coating materials required by National Fuel specifications and determined that the Chromium 6 compound is not listed as a component of these materials.

## II. Water Use and Quality

### *Comment Summaries and Responses:*

1. Concern that wetland TE-26 (Class 2) [mapped along the northern boundary of the proposed new compressor station site in the Town of Pendleton] may extend a considerable distance south of its mapped boundary and cover much of the proposed compressor station site. Statement that the applicant and FERC should take this into consideration in evaluating the location of this proposed compressor station. Statement that a field inspection will be necessary to identify the regulated limits of regulated Freshwater Wetland TE-26.

**Response:** Protecting regulated wetlands is and will always be a priority of National Fuel. Our commitment to environmental health and safety is one of National Fuel's highest priorities. National Fuel is aware that NYSDEC-regulated wetlands may be found to extend beyond the currently mapped boundaries. National Fuel has been coordinating with NYSDEC staff regarding wetlands in connection with both the proposed aboveground facilities and the proposed pipelines. Specifically regarding NYSDEC-regulated wetland TE-26, NYSDEC will review National Fuel's field wetland delineation survey of the proposed compressor station property and determine whether a map amendment is required, based on NYSDEC's criteria.

2. Concern that Freshwater Wetland TW-26 (Class 2) [mapped along the northern boundary of the proposed new dehydration facility site in the Town of Wheatfield], based on preliminary evaluation, may extend a considerable distance south of its mapped boundary and cover a portion of the parcel where the dehydration facility site is proposed to be located.

**Response:** See the response to Section II(1).

3. Concern that the proposed Pendleton Compressor Station site is wet (swamp) throughout the year, and flat, with Bull Creek draining the area eventually to the Niagara River and the Great Lakes. Statement that a facility of this size is not going to be without ambient discharges of chemicals and have the potential for large accidental releases.

**Response:** Protecting our community and the environment surrounding our communities is one of National Fuel's highest priorities. Ambient discharges of liquid chemicals are not a part of the operation of the proposed compressor station facilities. If there is an inadvertent lubricating oil spill, it would be contained within the compressor station buildings and equipment skids. National Fuel is committed to following its site specific spill prevention plan to remedy an inadvertent spill.

### III. Vegetation and Wildlife

#### *Comment Summaries and Responses:*

1. Concern that bright lighting combined with fencing and possible noise and vibration as a result of this Project will negatively impact the survival and reproduction of a wide variety of animal species. Statement that the light would put nocturnal species at increased risk from predation and would stress any animals nesting in the area. Statement that insectivorous bats whose populations have plummeted due to white nose syndrome would have more difficulty hunting due to the light and noise. Statement that barbed wire fencing would divide habitat and could severely injure and entrap any deer attempting to jump the fence.

**Response:** National Fuel's design and construction practices will minimize impacts to wildlife associated with the Project facilities.

Lighting: The compressor station lighting will be controlled by the station automation system to minimize lighting during the evening and nighttime hours. When personnel are present on site, an appropriate level of lighting will be automatically activated to provide a safe working environment. Yard lighting will be properly directed and shielded to limit illumination to the immediate work areas. In the unlikely event of an emergency, lighting levels mandated by DOT Part 192 and OSHA regulations will be automatically activated.

Noise / Vibration: Predicted minor noise increases above ambient (measured as dBA Ldn) from the proposed compressor station and dehydration facility will have minimal and non-disruptive impacts on wildlife. A 0-3 dB change in sound level (i.e., potential noise increase above ambient) is representative of minimum impact, a 5-6 dB change is a noticeable impact, and a 10 dB change is perceived as doubling of sound level or a significant impact. At greater distances, noise levels will actually decrease after the upgrades are enacted. The proposed new Wheatfield Dehydration Facility has no effective noise increase, with potential noise increases above ambient range from 0.3 dB at NSA#3 2,450 feet north of the facility to 0.0 dB at NSA#1 3,000 feet southwest of the facility. The proposed new Pendleton Compressor Station will result in minimal noise increases due to operation of the facility. These potential noise increases above ambient range from 3.6 dB at NSA#1 1,650 feet southwest of the station to 2.1 dB at NSA#2 1,550 feet southeast of the station. Noise levels will attenuate as distance increases from the station/facility. Impacts will be contained to the immediate areas surrounding the stations/facilities.

Additionally, in order to minimize noise emitted from aboveground facilities, National Fuel will install the following: buried and/or acoustically lagged gas piping (where practicable), state of the art noise reducing designs for building insulation and air ventilation silencing, low noise gas and lube oil electric driven

coolers, turbine air inlet silencers, turbine exhaust silencers, blow down silencers, unit gas vent and station, retention of all in place natural foliage screening where possible, and construction of well-placed earthen berms and additional evergreen plantings. The same noise abatement and minimization measures proposed to reduce impact on humans will also serve to reduce impact to wildlife.

Station Fence: Compressor station fencing will be 8 feet in fabric height with 3 strands of barbed wire on extension arms above the chain link fence. The barbed wire height will prevent injury and entrapment for animals attempting to jump the fence.

2. Concern that initial construction would destroy wildlife habitat and any nests, dens or hives in the area. Statement that sensitive species with populations already in severe decline, such as honeybees, monarch butterflies and chorus frogs would have critical habitat destroyed, adding to their population losses. Statement that federally protected migratory birds, such as eastern bluebirds and northern flickers, would lose important breeding habitat.

**Response**: Only approximately 5 acres of the proposed Pendleton Compressor Station will be developed for station operations (buildings, roads, gravel area, and maintained lawns). National Fuel would allow the remaining 35 acres to remain as existing agricultural/reverting field and forest land, and would also consider enhancing the habitats in these areas to serve wetland and upland wildlife.

Based on information on the New York State Environmental Resource Mapper (<http://www.dec.ny.gov/imsmaps/ERM/viewer.htm>, accessed July 7, 2015), there are no rare plants, rare animals or significant natural communities mapped for the proposed compressor station property. However, as part of the permitting and agency review process, National Fuel is working with the NYSDEC and the U.S. Fish and Wildlife Service to identify and address any concerns related to state and federally protected rare, threatened, and endangered species, and migratory birds. See the response to Section III(3) below for more information on National Fuel's consultations related to migratory birds.

National Fuel will also commit to a conservation deed restriction for acreage not necessary to construct and operate the compressor station facilities.

3. Request that FERC withhold any approval of this project until the Migratory Bird Habitat Impact Assessment and Habitat Conservation/Restoration Plan is thoroughly reviewed and final approval is granted by U.S. Fish & Wildlife Service (USFWS).

**Response**: National Fuel is currently coordinating with the USFWS related to the Migratory Bird Treaty Act and will seek USFWS's concurrence on

its Migratory Bird Habitat Impact Assessment and Habitat Conservation/Restoration Plan.

4. Concern that the proposed project will potentially impact fish and wildlife resources. Statement that the proposed route crosses sensitive and critical habitat in the region, as the New York Natural Heritage Program has stated in a letter to Tetra Tech, dated May 5, 2015, that some rare federal/state listed species occur within 0.25 miles of the proposed rivers crossing route; and other rare species and some significant natural communities occur in wetlands very near the proposed route.

**Response:** National Fuel is working with the NYSDEC and the USFWS to address and resolve federal and state listed rare, threatened, and endangered species concerns for the Project. National Fuel anticipates resolving these concerns and anticipates these agencies will be able to make a determination that the Project is not likely to adversely affect protected threatened and endangered species.

5. Concern that Resource Report 3 fails to list the western chorus frog under Existing Resources, Reptiles and Amphibians (Section 3.3.1). Statement that chorus frogs are present in Pendleton and have been documented by the DEC in this general area, however were not surveyed as part of the most recent surveys this past Spring. Statement that breeding of chorus frogs would be disturbed by the constant noise if the proposed compressor station in Pendleton is in an area close to where these frogs are calling. Statement that chorus frogs are listed in New York State as a Species of Greatest Conservation Need, so it is imperative that these frogs should be properly documented and their habitat assessed before any approval of this project and the compressor station in Pendleton.

**Response:** NYSDEC Region 9 staff are aware of the above concern regarding chorus frogs, which National Fuel will work to address, if requested by NYSDEC, as part of the permit review process for the Project.

6. Concerns (EPA and USFWS) as to impacts that compressor stations and pipelines have on habitat loss and climate change. EPA stated that pipeline construction removes trees for the life of the project, and can destroy interior forest habitat.

**Response:** Protecting Western New York's natural resources are important to National Fuel. National Fuel's Project plans are designed to minimize impact on forest habitats. See National Fuel's July 1 Data Response to Resource Report 3, Question 5 (page 72).

In summary, based on the planned co-location of the Project pipelines with existing linear corridors for 85% of the Project length of the Mainline Pipeline and all/100% of the Replacement Pipeline length, there will be minimal to negligible adverse impacts on wildlife from forest fragmentation as a result of the Project.

With respect to EPA's concern about climate change as a result of tree loss, co-location of the proposed Project pipelines with existing ROWs serves to reduce the amount of tree clearing required for the Project, compared to alternative routes that do not follow and do not overlap with existing ROWs.

Table 1.3-2 in National Fuel's Resource Report 1 (filed on March 17, 2015) provides details about the amount of overlap of proposed construction workspace with existing, previously cleared ROWs. Where the proposed pipelines are parallel to existing ROWs, National Fuel plans to overlap the existing ROWs by either 20, 25, or 35 feet for the Mainline Pipeline and 66 feet for the Replacement Pipeline. As a result, tree clearing will be minimized.

7. Request to use acreage upon which the pipeline has an easement to enhance pollinator insect health by planting and retaining indigenous native vegetation, instead of spraying the right of way with herbicides.

**Response:** Retaining indigenous native vegetation that grows in Western New York is important to National Fuel. National Fuel's standard construction and operation practices support pollinator insect health. For example, National Fuel does not spray herbicides or other chemicals along its pipeline ROWs. In addition, National Fuel seeds and restores the vegetation on the ROW after installation of the pipelines, ensuring that the ROW is fully vegetated. National Fuel's proposed seed mixes for ROW restoration contain a variety of plant species that can be used by pollinator insects, including red clover, white clover, and birdsfoot trefoil (as well as other grasses). Following initial seeding, additional wildflowers become established in the ROW and serve as pollinator plants, including goldenrods, asters, Queen Anne's Lace, possibly shrubs like multi-flora rose, and similar meadow/old field plants species. Further, in wetland areas, the seeds and rhizomes of common species that are favored by pollinators (including milkweed, joe-pye weed, and sedges) are retained in the topsoil, which is conserved and replaced on top of the trench, for later re-establishment in the wetland. As a result of National Fuel's standard restoration measures, a wide variety of vegetation becomes established in the ROW during the first season after construction, many of which are used by pollinators. For properties where aboveground facilities are proposed, National Fuel is considering additional enhancements to benefit pollinator insects.

#### IV. Cultural Resources

##### *Comment Summaries and Responses:*

1. Concern that Resource Report 4 is incomplete as filed because listing of Native American Groups Consulted (Section 4.2) shows that no attempt was made to reach the Tribal Leaders of the Native American groups closest to the proposed Pendleton Compressor Station site (the Tuscarora or the Seven Nations).

**Response:** National Fuel consulted with all federally recognized Native American groups with aboriginal claims to the area, in accordance with FERC guidelines. Regarding the Seven Nations, the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP), which acts as the State Historic Preservation Office (SHPO), confirmed through their Tribal Liaison, Nancy Herter, Ph.D., that the “Seven Nations” is not a federally recognized group, but that these tribes, traditionally grouped under the Hausenosaunee (or Iroquois) Confederacy, are organized individually and recognized individually by the federal and state governments. Each individual tribe has their own Tribal Historic Preservation Office and/or contact for cultural matters. The tribes closest to the proposed Project in Niagara County were each contacted individually, including the Tuscarora Nation (June 29, 2015), the Tonawanda Seneca Nation (July 17, 2014 and June 29, 2015), and the Seneca Nation of Indians (July 17, 2014 and June 29, 2015). Additionally, these and other tribes were contacted in connection with the other components of the Project in other counties. Copies of all correspondence at the date of the FERC filing were included as Attachment 4A to Resource Report 4. All subsequent correspondence has been filed with FERC.

2. Concern that Native American artifacts, including arrowheads and pottery have been discovered on the land currently designated as the preferred location for the Pendleton Compressor Station, prior to approval of such Station.

**Response:** National Fuel respects our Native American community and the rich Native American heritage of northwest Pennsylvania and Western New York. All areas of the proposed Project will be subject to a Phase I archaeological field surveys including the parcel proposed for the Pendleton Compressor Station. Phase IA background research indicates that no previously identified archaeological sites are located within the parcel nor is it located in NY Office of Parks, Recreation, and Historic Preservation (OHRPH) archaeological sensitive area per the ORHPO on-line GIS sensitivity maps. Phase IB archaeological investigations will be conducted and results submitted to FERC.

## V. Geologic Resources

### *Comment Summaries and Responses:*

1. Concern that in Western New York and specifically Niagara County, there are several geographic fault systems that cross the area. Request that FERC submit a copy of the Project's schematics of the proposed Pendleton Compressor Station to the University at Buffalo's Multidisciplinary Center for Earthquake Engineering Research center for evaluation prior to approval and construction.

**Response:** National Fuel's engineers and geologists are highly experienced and take numerous precautions to ensure the integrity of the Project facilities. Section 6.4.1 of National Fuel's Resource Report 6 (submitted as part of National Fuel's FERC application) addresses earthquakes, based on source of information such as earthquake probability mapping, seismic risk, and mapped faults. On a scale of 0.00 (the lowest probability of earthquake) to 1.00 (the highest probability), all Project facilities are within the probability range of 0.00 to 0.03. Thus, there is a very low probability of major earth movement or damage to the Project facilities as a result of seismic activity.

National Fuel is also conducting geotechnical surveys as part of its detailed engineering and design for the proposed Pendleton Compressor Station and will employ an appropriate engineering design based on these surveys.

## VI. Soils

### *Comment Summaries and Responses:*

1. Statement that Resource Report 7 identifies the soils the pipeline will be buried in as Hamlin Silt Loam, Lakemont Silty Clay Loam, Canandaigua Silt Loam and Odessa Silty Clay Loam (A and B). Concern that the shrink-swell potential is moderate and has seasonal water saturation. Statement that natural force damages can result from earth movement, earthquakes, and frost heave.

**Response:** National Fuel previously disturbed these same soils during its installation of the original XM-10 pipeline. A lift and lay technique will be utilized by National Fuel to replace XM-10 and will minimize the amount of open trench. This technique will also reduce the amount of time when the trench is open and minimize the collection of water in the trench. Pipe installed in ground with saturated conditions will be weighted to insure a negative buoyancy. All installed pipe will be high-strength carbon steel with sufficient strength and ductility to withstand the internal pressure as well as the outside forces attributable to potential heaving and/or settlement.

In addition, the entire right-of-way lays in a very flat to slight sloping environment. Therefore, the risks associated with slope stability and landslides are not present. The pipeline is also in an area with minimal seismic activity. See response to Section V(1) regarding geotechnical surveys.

The pipeline will be constructed with a minimum of 3 feet of cover, with additional cover at roads and railroads, streams and in agricultural fields. National Fuel operates thousands of miles of pipeline in New York and Pennsylvania. National Fuel has a long history of constructing and operating pipelines that are able to withstand the natural forces described in this comment.

2. Concern that the soil within the Pendleton Compressor Station is sensitive to vibration.

**Response:** The engineering design for the structure of, and the type of compressor units proposed for use at, the proposed Pendleton Compressor Station will not produce detectable ground vibration. Therefore, impacts to soils due to vibration from the operation of the proposed Pendleton Compressor Station are not anticipated.

During construction, the high clay content of the soil will significantly reduce any vibration from construction activities. Material damping in soil is a function of many parameters including soil type, moisture content, and temperature. Clays tend to exhibit higher damping than sandy soils (Amick and Gendreau 2000). The soils located in the area of the proposed Pendleton

Compressor Station contain up to 60% clay content. This higher clay content will further reduce impacts of any vibration from construction activities.

**Reference:**

Amick, H. and M. Gendreau. 2000. Construction vibrations and their impact on vibration-sensitive facilities. ASCE Construction Congress 6. Available at: <http://www.colingordon.com/upload/document/32c91f6970ad9129b256ebf026d08cd4.pdf>. Accessed 6 July, 2015.

## VII. Air Quality and Noise

### *Comment Summaries and Responses:*

1. Concerns regarding the level of noise that may be heard in the surrounding neighborhoods and potential increases in noise level near the Pendleton Compressor Station location.

**Response:** Noise abatement is one of National Fuel's highest priorities because we recognize its potential impact on the quality of life of our neighbors. Accordingly, National Fuel, to the extent possible, will engineer the various components of the proposed compressor station to reduce and eliminate noise impacts.

Following the submittal of its FERC application in March 2015, National Fuel continued to evaluate the layout and design of the proposed Pendleton Compressor Station with an effort to further reduce noise impacts to the local residents. To that end, National Fuel decided to relocate the station facilities within the preferred station site, increasing the distance from the Aiken Road residents. While this relocation would increase the length of suction and discharge piping and access road required for the station, the station would be sited so that view shed and sound transmission would be significantly reduced due to woodlot and tree line shielding from Aiken Road. Therefore, on May 29, 2015, National Fuel submitted under Docket No CP15-115 (Accession No. 20150529-5352) its revised Pendleton Compressor Station (Preferred Location) Ambient Sound Analysis and Noise Impact Analysis (the "Pendleton C.S. Noise Study"), which was prepared by Hoover & Keith, Inc. The Pendleton C.S. Noise Study concluded that the sound level attributable to the proposed Station will not exceed the FERC criterion of 55 dBA Ldn at the nearby NSAs, and there should be no perceptible increase in vibration. In addition, the increase above ambient noise levels, as measured and reported, has been reduced significantly and now ranges from 2.1 dBA at NSA No. 2 to 3.6 dBA at NSA No. 1, with predicted post construction operating noise levels ranging from 36.9 dBA Ldn at NSA No. 3 to 40.8 dBA Ldn at NSA No. 2. Regarding the human perception for change in sound level, a 0-3 dB change in sound level is representative of a minimum impact.

National Fuel will also design the compressor station with state of the art mitigation measures, which include the following:

- 1) Compressor buildings designed to contain the noise of the turbine compressor unit, with high performance wall and roof panels, acoustically rated personnel and equipment doors, and a silenced building ventilation system;

- 2) Extremely high performance two-stage turbine exhaust silencing system;
- 3) Extremely high performance two-stage turbine air inlet silencing system;
- 4) Turbine lube oil cooler with low noise electric driven fans;
- 5) Utilization of buried piping to contain piping noise, and very high performance acoustical pipe lagging (where practicable) for any noise-risk above grade piping;
- 6) Station gas cooler with low noise electric driven fans;
- 7) Unit blowdown silencers to minimize gas venting noise during normal unit startup and shutdown;
- 8) Station ESD gas vent silencers to minimize venting noise for any station emergency blowdown;
- 9) Extremely high performance noise mitigation measures for station ancillary equipment (instrument air compressors and station standby generator set); and
- 10) Retention of all in place natural foliage screening, and construction of well-placed earthen berms and additional evergreen plantings.

In addition, National Fuel will perform post-construction sound level measurements to ensure that noise mitigation measures are meeting specified acoustical requirements.

With respect to a noise complaint (local residents will be provided with a contact number within the National Fuel Land and/or Compressor Engineering Departments), National Fuel will immediately investigate such complaint, including an evaluation of field-measured noise levels, and the potential source(s) of the perceived noise from the facility. National Fuel will also evaluate and incorporate observations and data from its field investigation into potential design modifications, as well its potential implementation of additional noise mitigation measures.

- (a) Concern that there is no mention of noise mitigation measures such as walls or berms by National Fuel.

**Response:** National Fuel will undertake significant, state of the art noise mitigation measures. See response to Section III(1).

- (b) Concern as to what happens if the projected decibel ranges are not the actual.

**Response:** National Fuel will complete a post-completion noise study within sixty (60) days of the in-service date of the proposed new compressor station. Noise emitting components not meeting manufacturers' guarantees or FERC's requirements will be promptly addressed.

- (c) Concern as to enforcement of National Fuel's compliance with noise limits.

**Response:** National Fuel will comply with FERC's noise limitations and address noise issues if they arise per FERC's requirements. See response to Section VII(2)(a) and (b).

2. Concern that noise level from compressor station will be twice the current ambient noise level in Pendleton, New York. Request that National Fuel engage in all reasonable practices to reduce noise pollution from the proposed project.

**Response:** The noise level for the proposed compressor station is not predicted to be twice the current ambient noise level. See response to Section VII(2).

3. Concern that animals that depend on song for mating, including local chorus frogs and peepers, and will be overpowered by compressor noise, especially during the extremely loud venting of the pipeline (blowdowns). Statement that animals who find the noise, lighting, and commotion in the area too much to tolerate are unlikely to survive their attempts to find a new territory.

**Response:** National Fuel's significant noise mitigation measures will reduce impacts on wildlife. Moreover, according to the New York State Environmental Resource Mapper, there are no rare plants, rare animals or significant natural communities mapped for the proposed compressor station property. See also responses to Sections III(1) and (2) and Section VII(1).

4. Concern that nesting birds exposed to increased ambient noise would be chronically stressed, causing them to give decreased parental care to their young. Statement that in a study by Strasser and Heath published in the Journal of Applied Ecology, it was shown that kestrels nesting in high disturbance areas are 10 times more likely to abandon their nests. Request that more studies on how noise impacts wildlife populations must be done before destroying any habitat.

**Response:** National Fuel takes aviary needs into consideration and will work to protect our region's bird population. The referenced Strasser and Heath study (2013) is based on an environment and conditions that bear little to no relation to the environment and conditions surrounding the proposed Pendleton Compressor Station site. That subject multi-year study was completed along one of Idaho's major expressways, Interstate 84, and in suburban and rural areas south of

Idaho's capital city of Boise. The study found that kestrels were 10 times more likely to abandon nests in these high disturbance areas than lower disturbance areas.

Based on review of the study's abstract summary, the study found that areas of disturbance were associated with high numbers of vehicles, traffic speed, number of lanes, and proportion of land development (and associated human activity). A portion of the study area was located near Interstate 84, an 8-lane highway with a posted speed limit of 65 mph, and high vehicular traffic.

Regarding the Project facilities, potential disturbances to nesting habitat are highly unlikely, but may be considered with regard to two circumstances: temporary construction activities and the long-term operational phase. The majority of noise and disturbance impact will be temporary, and if they occur at all, will occur during construction of the proposed pipeline and aboveground facilities, including the proposed Pendleton Compressor Station. However, as will be shown by National Fuel's Migratory Bird Impact Assessment and Habitat Conservation Plan, construction activities will be scheduled to avoid major vegetation clearing during the majority of the migratory bird breeding season for most of the proposed pipeline. Aboveground facility vegetation clearing work (including such work at the proposed Pendleton Compressor Station site) will similarly be scheduled to avoid the majority of migratory bird breeding season.

There will also be minimal noise increases due to the operation of the proposed compressor station. Predicted operational noise increase ranges from 3.6 dB at 1,650 feet southwest of the station to 2.1 dB 1,550 feet southeast of the station. Noise impacts will attenuate with increased distance from the station. The nature of the proposed compressor station noise also would be considerably different than the high disturbance areas/traffic noise referenced in the Strasser and Heath study in that: 1) the sound of the compressor station is much lower than the high disturbance area traffic noise along the 8-lane highway in the study; and 2) the high disturbance areas cited in the study likely had both sound and visual (i.e., moving objects) stimuli that were repeated yet variable, as opposed to a compressor station which would have a low level sound increase without moving visual stimuli.

Finally, a site that National Fuel had earlier considered for the proposed dehydration facility in the Town of Wheatfield (not the currently proposed location) was reportedly found to have known breeding populations of short-eared owl and also supported northern harriers. Based on this and other considerations, National Fuel sought a different location for the Wheatfield dehydration facility. The proposed Pendleton Compressor Station site was reviewed based on New York Natural Heritage Program's database and no issue of concern related to breeding birds was identified as a result of that review.

**Reference:**

Strasser, E. H. and J. A. Heath. 2013. *Journal of Applied Ecology* 50: 912-919.

5. Concern as to the possibility that emissions from the Pendleton Compressor Station will make it more difficult for children with asthma to breathe, based on exposure to dangerous levels of nitrous oxide. Statement that health impacts from compressor station emissions include increased asthma symptoms, difficulty controlling asthma and increases in respiratory illnesses.

**Response:** National Fuel is committed to complying, at a minimum, with all applicable federal air quality and emissions-related regulatory requirements, including the Clean Air Act, during both construction and operation of the Project facilities. National Fuel will also review and address potential ambient air quality impacts as part of the NYSDEC's air permit application process. Specifically, National Fuel will submit to the NYSDEC air permit applications in connection with its proposed construction and operation of regulated emission sources for the Northern Access 2016 project facilities. These applications will be prepared in accordance with NYSDEC requirements and will include various forms, equipment specifications, emission calculation tables, and the detailed data and information used by National Fuel to calculate and model air emissions. National Fuel's air permit applications will also include details regarding various meteorological and operating conditions, including temperature.

In addition, in order to further reduce environmental impacts, National Fuel has selected equipment which incorporates low-emission technology, specifically:

- Solar SoLoxNox turbines, which will utilize dry lean-premixed combustion technology to provide clean combustion at the proposed compressor station. Emissions from these turbines meet or are below applicable new source performance standards for combustion turbines; and
- Flash emission separators, as well as thermal oxidizer emission controls, which will reduce overall system emissions on the proposed dehydration system(s).

Additional air permitting information has been provided in Resource Report 9 of National Fuel's FERC Application for the Project, as well as in National Fuel's July 1 Data Response at pages 165, 170 and 171.

6. Concern as to indirect and cumulative impacts that compressor stations have on wildlife and climate change.

**Response:** National Fuel believes in and makes decisions using best practices to ensure it is not negatively contributing to the region and the national environmental health. As noted in National Fuel's detailed cumulative impacts analysis found in Resource Report 1, pages 40-63 (part of its FERC application for the Project), the Project's cumulative impacts are anticipated to be minimal and insignificant. The anticipated minimal impact is attributed to National Fuel's use of specialized construction techniques and resource protection, as well as its commitment to compliance with applicable federal regulations.

In addition, to satisfy the requirements of the National Environmental Policy Act of 1969 (NEPA), FERC has indicated that it will prepare an environmental assessment (EA) for the Northern Access 2016 Project, which will address geology, soils, water resources, wetlands, vegetation, fisheries, wildlife, threatened and endangered species, land use, recreation, visual resources, cultural resources, air quality, noise, safety, cumulative impacts, and alternatives. FERC also generally considers appropriate direct, indirect, and cumulative impacts flowing from the proposed project during its review process.

7. Request that National Fuel modify Table 9.1-5 showing the "Preliminary Summary of PTE Emissions for the proposed Pendleton Compressor Station", as the footnotes to this table show that estimates were provided based on un-realistic temperature and humidity levels. Statement that the table gives estimates based on 0°F and 70% relative humidity which are not indicative of conditions in Pendleton, New York. Request that National Fuel should base the emissions projections on either the average winter temperature in Pendleton during which time the compressor station would be running at full load, or the average yearly temperature and humidity for Pendleton, using an estimate of the yearly load capacity.

**Response:** Additional information will be provided as part of National Fuel's air permit application. See response to Section VII(5).

8. Concern that the extremes in temperature for the region are not properly documented in Resource Report 9. Statement that the weather data from only one year was used, and shows a temperature range between -3°F and 92°F for year 2013. Statement that this past February there were 8 days below -3°F at the Niagara Falls airport and that with climate change, these temperature extremes may get worse. Request that the weather conditions documented in the resource report should take into account the possibility that cold winters will continue and discuss their effect on the operation of the proposed compressor station.

**Response:** Additional information will be provided as part of National Fuel's air permit application. See response to Section VII(5).

9. Request that modify Table 9.1-6 showing the “Preliminary Summary of PTE Emissions for Proposed Wheatfield Dehydration Facility”, as the footnotes to this table do not show what temperature and humidity and elevation these emissions are based on. National Fuel should use a temperature and humidity level that is realistic for the Wheatfield area.

**Response:** Additional information will be provided as part of National Fuel’s air permit application. See response to Section VII(5).

10. Concern that emissions resulting from the Pendleton Compressor Station are equivalent to 500 furnaces all running at one time.

**Response:** Additional information will be provided as part of National Fuel’s air permit application. See response to Section VII(5).

11. Concern that compressor station leak toxic emissions and outgas benzene and other airborne toxins.

**Response:** Additional information will be provided as part of National Fuel’s air permit application. See response to Section VII(5).

12. Concern as to monitoring of the compressor station by the EPA or NYSDEC, as “air sampling is costly and rarely done.”

**Response:** Additional information will be provided as part of National Fuel’s air permit application. See response to Section VII(5).

## VIII. Socioeconomics

### *Comment Summaries and Responses:*

1. Concern that the proposed facilities will lower homeowner property values significantly. Statement that no one would want to live near a loud and potentially dangerous high-powered compressed gas pipelines, so property values will plummet.

**Response:** Our community neighbors' property values are important to National Fuel. In its development and construction of the proposed Project, National Fuel will take the steps necessary to protect our community neighbors. The pipelines will be below grade, and silent. National Fuel also has a long history of operating its pipelines safely and responsibly.

In addition, with respect to National Fuel's recent pipeline and aboveground facility construction, the proximity of property to such natural gas facilities has not been shown to be a detriment to property values or new construction in the vicinity of such facilities. Additionally, as stated in Section 5.2.3.1 of Resource Report 5 (part of National Fuel's FERC application for the Project):

#### ***5.2.3.1 Property Values***

Impacts to property values as a result of the Project would be negligible. The Project pipeline corridors would follow established ROW corridors. In addition, several analyses have been conducted that have determined that proximity to natural gas pipelines has no discernible impact on real estate values. These studies include:

- In 2001, the Interstate Natural Gas Association of America (INGAA) Foundation published the results of a study entitled "Natural Gas Pipeline Impact Study." The goal of the study was to determine the effects of natural gas pipelines on real estate values. The study was conducted over several years, and included data from both rural and suburban areas. The ultimate finding of the study was that proximity to natural gas pipelines has no discernible effect on real estate values (INGAA 2001).
- In 2008, a study was conducted to determine the effect of the South Mist Pipeline Extension on residential property values in Clackamas and Washington counties, Oregon. The analysis found no statistically significant effect from natural gas pipeline development on residential property values (Fruits 2008).
- In 2008, Palmer (2008) also looked at the effect of the South Mist Pipeline Extension on residential property values in Clackamas and Washington counties, Oregon. This market study, conducted on behalf of Palomar Gas

Transmission, LLC, used data from 2004 to 2008 to compare sales of properties along pipeline corridors with comparable sales of non-affected properties. The study found no measurable effect on property values resulting from the construction and operation of natural gas pipelines.

- More recently, the January/February 2011 edition of the International Right of Way Association publication, Right of Way, included an article entitled, “The Effect of Natural Gas Pipelines on Residential Value.” This study did not identify a systematic relationship between proximity to the pipeline and sale price or value (International Right of Way Online 2011).
- Additionally, a 2012 study by Gnarus Advisors LLC, examined whether the proximity to pipelines, particularly natural gas pipelines, had an effect on residential property values. The study contained a literature review specific to pipelines and property values, with a focus on actual sales data. The authors concluded that there was “no credible evidence based on actual sales data that proximity to pipelines reduces property values.” (Gnarus Advisors LLC 2012).

2. Concern that Resource Report 5 is incomplete as filed. Statements that:

- Section 5.1 fails to provide the exact geographic area used by National Fuel to calculate the socioeconomic conditions, it only provides a “general location”.

**Response:** As discussed in Section 5.1, socioeconomic conditions are discussed on a countywide level. The area used to calculate the socioeconomic conditions includes McKean County, Pennsylvania and the counties of Allegany, Cattaraugus, Erie, and Niagara Counties, New York. Thus, the report is accurate and complete.

- Table 5.1-19, Niagara County Police/Sheriff Departments, does not list the closest New York State Police Department in Lockport, New York.

**Response:** A revised table is provided below.

**Table 5.1-19. Niagara County Police/Sheriff’s Departments**

<b>Department</b>	<b>Street Address</b>	<b>City</b>
Lewiston Police Department	4059 Creek Road	Youngstown
Lockport Police Department	1 Locks Plaza #1	Lockport
Niagara County Sheriff’s Department	5526 Niagara Street Ext	Lockport
Niagara Falls City Marshall	1027Main Street	Niagara Falls
Niagara Falls Police Department	520 Hyde Park Boulevard	Niagara Falls
North Tonawanda Police Department	216 Payne Avenue	North Tonawanda
New York State Police Department	3609 Witmer Road	Niagara Falls
New York State Police Department	6566 Dysinger Road	Lockport

Source: Homefacts, New York 2014.

- Table 5.2-20, Niagara County Fire Departments, does not list the closest Fire Department for the proposed Pendleton Compressor Station, the Wendelville Fire Company. Concern that if this list is used as part of the emergency notification procedure, the closest fire company will not be notified.

**Response:** A revised table is provided below. The purpose of Section 5.1.4 is to assess the effect of immigration on municipal services such as police, fire protection, medical facilities, and schools and is not used as part of the emergency notification procedure.

**Table 5.1-20. Niagara County Fire Departments**

Department	Street Address	City
Adams Fire Department	7113 Nash Road	North Tonawanda
Cambria Volunteer Fire Company	4631 Cambria Wilson Road	Lockport
Columbia Hook and Ladder 1	85 Columbia Street	North Tonawanda
Frontier Volunteer Fire Company Inc.	2176 Liberty Drive	Niagara Falls
Gratwick Hose Volunteer Fire Company	110 Ward Road	North Tonawanda
Lewiston Fire Company #2	1705 Saunders Settlement Road	Niagara Falls
Live Hose Company #4	71 Vandervoort Street	North Tonawanda
Lockport Fire Department	1 Locks Plaza #2	Lockport
Niagara Falls Air Reserve Station	2250 Franklin Drive	Niagara Falls
Niagara Falls Fire Department—Station #3	401 72 <sup>nd</sup> Street	Niagara Falls
North Tonawanda Fire Department Engine 4	495 Zimmerman Street	North Tonawanda
Rapids Volunteer Fire Company Inc.	7195 Plank Road	Lockport
Rescue Fire Company #5	1241 Strad Avenue	North Tonawanda
Sanborn Fire Department	5811 Buffalo Street	Sanborn
Shawnee Volunteer Fire Company	3747 Lockport Road	Sanborn
South Lockport Fire Company—Main Hall	5666 S Transit Road	Lockport
St. Johnsburg Fire Company Inc.	7165 Ward Road	North Tonawanda
Sweeney Hose Company #7	499 Zimmerman Street	North Tonawanda
Town of Niagara Active Hose Company Inc.	6010 Lockport Road	Niagara Falls
Wendelville Volunteer Fire Company	7340 Campbell Blvd.	North Tonawanda
Wrights Corners Fire Company	4043 Lake Avenue	Lockport

Source: Homefacts, New York 2014.

- Section 5.1.4.5, paragraph entitled Schools, does not mention day care facilities; specifically Kandyland Kids, Inc., which is located at the junction of Beach Ridge Road and Main Road in the Town of Pendleton.

**Response:** The purpose of Section 5.1.4 is to assess the effect of immigration on municipal services such as police, fire protection, medical facilities, and schools. Because day care facilities are generally paid services, they are not included as part of the analysis.

- Section 5.1.5, Agriculture and Timber Production makes no mention of organic farms and orchards in the immediate area of the planned Pendleton Compressor Station; specifically, Smith Orchards Cider Mill which is located on Mapleton Road, near Main Road in the Town of Pendleton.

**Response:** These areas will not be impacted by construction or operations activities and are not included in National Fuel's detailed discussion.

## IX. Alternatives

### *Comment Summaries and Responses:*

1. Concern as to location of Pendleton Compressor Station in a residential and agricultural area and approximately 0.7 miles from a major school district. Request that National Fuel utilize an industrial facility or area zoned industrial rather than a residential and agricultural community.

**Response:** The proposed compressor station will be located greater than 1 mile from the Starpoint Central School District.

With respect to any Northern Access 2016 aboveground facilities, where land rights have not yet been secured, site alternatives are still being evaluated, including National Fuel's new compressor station. National Fuel is committed to working with individual landowners and communities in an environmentally and commercially responsible manner to identify and secure sites which meet the needs of the Project. See National Fuel's July 1 Data Response, Resource Report 1, Question 3 (page 26), which notes that National Fuel is in the process of reviewing and evaluating alternative non-residential compressor station sites in the Town of Wheatfield and Pendleton, New York. As these alternatives are developed, National Fuel will electronically file an update with FERC, which will be available to the general public via FERC's eLibrary website. This update is anticipated to be submitted by August 30, 2015.

2. Request that a new habitat study of the Pendleton Compressor Station area be completed by the DEC before any permits are granted. Statement that the information from the DEC's Natural 20150527-5009 FERC PDF (Unofficial) 5/26/2015 9:11:35 PM Heritage Database that is used for assessing the natural environment may be outdated. Statement that the proposed area is situated on designated wetlands which are afforded special protections by the state and federal government. Request any protected species and ecosystems are identified, and that this data can be recorded and taken into consideration.

**Response:** National Fuel requested an updated Project review from the New York Natural Heritage Program in Spring 2015. Based on a letter from New York Natural Heritage Program dated May 5, 2015, no records of rare or state-listed animals or plants, or significant natural communities are in the vicinity of the proposed Project facilities in Niagara County.

Similarly, Based on information on the New York State Environmental Resource Mapper (<http://www.dec.ny.gov/ismmaps/ERM/viewer.htm>, accessed July 7, 2015), no records of rare plants and rare animals or significant natural communities are currently mapped for the proposed compressor station property.

Moreover, as part of the wetland and stream permitting and agency review process, National Fuel is working with the NYSDEC, U.S. Army Corps of Engineers, and U.S. Fish and Wildlife Service to identify and address any concerns related to state- and federally protected rare, threatened, and endangered species, and migratory birds.

3. Concern as to dehydrator being proposed in Wheatfield instead of Canada since required to meet Canadian gas quality requirements.

**Response:** The natural gas moisture content specification for delivery to the TransCanada Pipeline system must be met at the Chippewa delivery point at the international border crossing. Consequently, the dehydration facility must be located on the Empire Pipeline mainline in the U.S.

4. Concern as to National Fuel's lack of objectivity regarding the No-Build Alternative and Alternative Energy Sources throughout Resource Report 10, preventing FERC from making an "informed decision" regarding National Fuel's application for a Certificate of Public Convenience and Necessity.

**Response:** Prior to submittal of its FERC application for the Project, National Fuel objectively completed a thorough analysis of reasonable alternatives, ranging from the broadest evaluation of no-action and system alternatives, to the detailed evaluation of route variations. Pipeline routing and aboveground facility site options were evaluated based on regional topography, potential adverse environmental impacts, population density, existing land use, and construction safety and feasibility considerations.

In addition, FERC's environmental review process is still ongoing and will encompass each of the various environmental resource reports submitted as part of National Fuel's FERC application, including Resource Report 10 – Alternatives. As part of FERC's extensive review of National Fuel's application for the Project, FERC has retained a third-party contractor to assist it with the preparation of environmental documentation, including environmental data requests and an environmental assessment of the Project. As evidence of FERC's diligent and thorough review, on June 11, 2015, National Fuel received approximately twenty pages of environmental data requests from FERC, which included requests related to alternatives (see July 1 Data Request Response, Resource Report 1, Question 3, at page 26 and Resource Report 10, Question 1 at page 178). National Fuel responded to FERC's data requests on July 1, 2015 and will continue to supplement its responses to these data requests, as well as its FERC application, as additional information becomes available.

5. Request that National Fuel's pipeline continue along the North Tonawanda and Wheatfield, New York borders following the existing power lines until the Dehydrating station location is reached. Statement that National Fuel already has an existing pipeline

that runs off Line X North where it ties into the XM-10 pipeline. Statement that this pipeline extends into North Tonawanda, New York and stops at the Nash Road Station. Statement that there is no need to disrupt any forested wetlands because the existing power lines run through that area. Statement that this reroute also would not disrupt the Frontier Chemical Hazardous Waste Superfund site.

**Response:** During the FERC pre-filing process, National Fuel evaluated the extension of its Line X-North pipeline west of its Nash Road Station. The pipeline would generally follow a narrow (approximately 70 foot wide) National Grid double tower electric transmission corridor. Within that existing corridor are also two brine pipelines. Standard pipeline construction for 24-inch pipe would require a 75 foot wide cleared corridor with a minimum of 50 feet, requiring the pipeline to be constructed adjacent to the existing utility corridor. The route would entail approximately 3.2 miles of 24-inch pipeline ending near the currently proposed dehydration facility on Liberty Drive in Wheatfield, New York. Construction of the pipeline would be extremely difficult at the required road crossings due to residential and commercial development (likely requiring workspace and access for horizontal directional drills behind the houses at each cross road) and also along the route due to extensive forested and other wetlands along the corridor. As a result, this alternative was dropped from consideration. An alternative analysis of this option and other options under current consideration will be provided by August 30, 2015.

6. Request that National Fuel consider pipeline route to come off Line X North or the XM-10 pipeline where they meet, and traverse West then North until it reaches the area between Shawnee Road and Nash Road just south of the Empire pipeline. Statement that this would include running a new pipeline and a new tie into the Empire pipeline. Statement that although this area is not zoned for industrial use, it would get the compressor station away from the nearest NSA. Statement that this route would not disrupt the Frontier Chemical Hazardous Waste Superfund site.

**Response:** The proposed route between Shawnee and Nash Road, connecting Line X-North and the Empire mainline would involve at least 3.1 miles (before any routing studies) of Greenfield pipeline corridor locating the compressor station in the adjoining Town of Wheatfield – also in an agricultural residential area. This alternative would involve considerable pipeline footage along a Greenfield route, beginning in a heavily congested residential area and then traversing extensive federal and state wetlands (in lieu of constructing along Empire’s existing 3.05 mile XM-10 pipeline corridor to connect Supply’s Line X-North and the Empire mainline). Stated another way, the suggested re-route would place the pipeline and proposed compressor station in another town with additional environmental impacts and would require the establishment of a new pipeline corridor. For these reasons, this is not considered a viable or preferable alternative.

For discussion of the Frontier Chemical site, see response to Section X(9).

7. Request that National Fuel consider pipeline route option to continue the XM-10 pipeline along the proposed route (along the old railroad line) until an area better zoned for a compressor station is reached. Statement that there are areas in the town of Cambria that are zoned industrial that would work. Statement that this would include extending the XM-10 pipeline and then looping it back down to the Empire Pipeline to tie in.

**Response:** Recent discussions regarding this alternative have centered around the use of a potential compressor station site near an existing compressor station operated by Tennessee Gas Pipeline on Route 93, Lockport Junction Road, located in Cambria, New York. This option would require the replacement of all 3.05 miles of XM-10 (from Line X to the proposed compressor station site) with 24-inch pipe, and the construction of an additional approximately 8.1 miles of 16-inch and 24-inch transmission pipeline, on a minimum of 100 feet wide construction right-of-way (requiring more than the abandoned rail corridor for construction). Based on the significant additional environmental impacts, this alternative was not considered a viable or preferable alternative.

8. Request that National Fuel build an electric compressor station if there is to be a compressor station in Pendleton that is this close to homes and a school.

**Response:** See National Fuel's July 7, 2015 response to the FERC staff's March 3, 2015 comments concerning the feasibility of using electric-motor-driven compressors at the proposed Pendleton Compressor Station (Accession No. 20150707-5163, Docket Nos. PF14-18-000 and CP15-115-000).

**X. Safety and Reliability**

***Comment Summaries and Responses:***

1. Concern regarding Bull Creek (by the future compressor station) overflowing every spring and associated safety issues concerning siting of compressor station nearby.

**Response:** The proposed Pendleton Compressor Station site is not within a FEMA flood plain except for a very small piece on the southwest side of the property along Bull Creek. This portion of the property would not be utilized for the station.

2. Concerns as to National Fuel's plans if the compressor station loses power, as there is a computer responsible for the protection of the station.

**Response:** National Fuel will implement a multi-layer approach to power within the proposed compressor station facility. While its prime source of power is provided by the utility, National Fuel has multiple backup sources in the case of a utility interruption. The power to the facility and the backup sources are also monitored by National Fuel's gas control system, and swift actions are taken to send personnel to the location if required. If all of National's Fuel's layers of power systems are unavailable, the system is designed to operate in a failsafe manner. In this instance, the station would go through a controlled shutdown.

3. Concerns as to air base planes flying over the compressor station and the type of liability insurance if a plane crashes into the compressor station.

**Response:** The proposed compressor station site is not in the final approach of, or in close proximity to, any commercial or military airport.

4. Concerns as to additional accidents during construction on Aiken Road because of winding curves and a narrow road with no shoulder.

**Response:** National Fuel and its contractors will work with Pendleton town officials to provide adequate construction signage for individuals traveling on Aiken Road and will employ its current practice of daily site safety meetings discussing road hazards. Oversize loads would be properly escorted to the site.

5. Concern that the facility will stress the fire departments and emergency services, which are not equipped nor trained to handle the potential emergency of a gas explosion.

**Response:** After the proposed compressor station is completed, National Fuel Operations Department will conduct Emergency Management Agency (EMA) meeting(s) with local emergency responders to review the emergency expectations of both parties, and will conduct similar meetings at least once a year thereafter. National Fuel's Operations Department has a standard EMA Agenda that it

discusses at all of these meetings including: National Fuel's off-hour response coverage, National Fuel's contact info for emergency responders; emergency response training for first responders, a safe perimeter table top emergency simulation, facility tours and a review of National Fuel's spill prevention control and countermeasure plan. Additionally National Fuel's Operations Department management is required to complete FEMA Incident Command Center training. Compressor station management is also required to and will conduct at least one field and one tabletop emergency simulation annually.

6. Concern that the proposed compressor station will be unmanned. Statement that the monitoring station is about 30 miles away in Orchard Park, NY, which had 84 inches of snow in just 2 days in November 2014. Statement that the New York State Thruway was closed for 4 days; emergency crews could not get to people; roofs collapsed; and flooding occurred when the temperatures warmed several days later causing a state of emergency.

(a) How fast will emergency National Fuel crews respond?

**Response:** National Fuel has operated in the western NY/PA locations for over 100 years and has successfully responded during numerous severe weather events. See National Fuel's July 1 Data Request Response, Resource Report 11, Question 5 at page 184.

(b) Where will the emergency crews be located? How will they be trained?

**Response:** National Fuel uses heat and fire detectors and gas sensors to detect a hazardous situation and render it safe without human intervention. Operators can also manage the system manually if required. National Fuel's Gas Control Operation Center (GCOC) also has the ability to control the fail-safe emergency shutdown system remotely. These methods are actually safer and quicker than deploying crews or even the actions of on-site staff. In addition, GCOC will dispatch appropriately trained personnel to respond to the station as required. Depending on the emergency event, these responses can be immediate.

(c) How do residents and first responders get notified by National Fuel in the case of an emergency?

**Response:** See response to Section X(10).

(d) How will residents be warned of impending malfunctions and dangers like excessive emissions due to blow downs?

**Response:** See response to Section X(7)(c).

(e) Can blow downs be done directly back through the pipeline rather than into the air?

**Response:** Blowdowns cannot be blown back into the pipeline due to differences in pressure. However, National Fuel is evaluating the feasibility of a vent gas recovery system for planned blow downs at the station.

(f) How will National Fuel work with the school district to assist in a comprehensive evacuation plan, in case of an emergency?

**Response:** National Fuel is committed to collaborating with first responders and EMA's to assist with any site specific evacuation plans and notifying the public in the case of an emergency.

7. Concern as to whether National Fuel will adhere to all safety regulations.

**Response:** National Fuel is keenly focused on the safe delivery of natural gas. As such, National Fuel will comply with all applicable federal safety regulations.

National Fuel will also employ numerous inspectors, and both environmental and skilled trade inspectors, to oversee construction and insure compliance with project specifications, permit conditions and federal design requirements. In addition, construction will be subject to inspection by regulatory bodies, which could include OSHA, FERC, US DOT, NYPSC (as agent for USDOT/PHMSA) and the NYDEC.

8. Concern that the pipeline National Fuel is planning to enlarge is located directly between a Superfund Hazardous Waste Site and many homes along Beach Ridge Road in Pendleton, New York. Statement that the Reliability and Safety report makes no mention of evacuation of the Public. Statement that no mention of the pipeline contractors being trained to handle the hazardous material that could potentially be encountered either during construction or in the event of an explosion.

**Response:** The Frontier Chemical Pendleton Site is a closed hazardous waste site located adjacent to the existing right-of-way (approximately mileposts 1.5 – 1.7) for the Replacement Pipeline in Pendleton, New York. The Replacement Pipeline is not anticipated to impact the Frontier Chemical-Pendleton site for the following reasons:

- The pipeline route is outside of the perimeter of the site which is completely encompassed by fencing, which was installed to restrict access;
- All of the third-party engineering controls for site remediation are within the area delineated by the fencing. Third-party engineering controls consist of cover system, groundwater containment, groundwater treatment system, and leachate collection;

- Third-party engineering controls were installed in 1996, and a monitoring plan was implemented. In 2006, human exposure and migration of contaminated groundwater were documented as under control;
- Empire's XM-10 pipeline was constructed in 2000, about 4 years after completion of the site's third-party engineering controls. The centerline for the pipeline (location of trench) runs parallel to the perimeter fencing, offset to the east by about 65 feet, neither intersecting the site nor the associated third-party engineering controls;
- There were no impacts to the site or third-party engineering controls during construction in 2000. Therefore, the proposed replacement pipeline installed in the same trench is not expected to impact the site; and
- National Fuel will be working with the NYSDEC to ensure that the proposed replacement pipeline will not interfere with the site and the associated third-party engineering controls.

A figure showing the Frontier Chemical site location in relation to National Fuel's Line XM-10 Pipeline to be replaced, and a drawing showing the site, are included as part of National Fuel's July 1 Data Request Response, Resource Report 8, Question 12, at page 135.

9. Concern as to possible failure of automated valves (and availability of manual valves as backup), especially if they are not exercised on a regular basis and are exposed to the weather. Request that National Fuel disclose to the Public the details of any Preventative Maintenance Program.

**Response:** The use of automated valves has greatly increased system responses for natural gas pipelines and facilities. However, to provide multilayer protection, there is not a complete reliance on this technology. There are manual overrides designed into National Fuel's systems to allow for operations personnel to operate and maintain its facilities. National Fuel also has various preventative maintenance programs in place to maintain specific equipment, as required by Part 192 of the Department of Transportation's regulations, manufacturer's guidelines and operational experience.

10. Concern that the Town of Pendleton is being asked to subsidize National Fuel's emergency response plan by way of training and personnel expense, apparatus that was previously not contemplated, as well as liability for being involved with their operations.

**Response:** Local emergency responders will not be involved with the operations of the proposed compressor station. Free training will be provided by National Fuel. In addition, based on National Fuel's operating history, local emergency responders have not needed to add additional personnel or apparatus.

National Fuel's Gas Control Operations Center (GCOC) monitors all major gas facilities and can identify abnormal or emergency conditions, should they occur. In the event GCOC identifies one of these conditions, GCOC is able to make system adjustments remotely and/or dispatch appropriate field personnel to respond. In the event an emergency condition was reported by the public, National Fuel would also dispatch appropriate field personnel to respond.

In the unlikely scenario that conditions limit National Fuel personnel from responding in an expeditious manner, or as conditions necessitate, outside agencies such as police and fire departments will be called to assist in the emergency response.

After the construction of the proposed compressor station is completed, National Fuel's Operations Department will conduct Emergency Management Agency (EMA) meeting(s) with local emergency responders to review the emergency expectations of both parties, and will conduct similar meetings at least once a year thereafter. National Fuel's Operations Department has a standard EMA Agenda that it discusses at all of these meetings, including: National Fuel off-hour response coverage, emergency response training for first responders, a safe perimeter table top emergency simulation, facility tours and a review of National Fuel's spill prevention control and countermeasure plan. There is no fee to local emergency responders to attend the above-referenced EMA meetings or training.

11. Concern that National Fuel would experience great difficulty accessing the proposed facility during an emergency given multiple possible road closures. Statement that snow removal procedures were not defined, and this is an off-road facility.

**Response:** National Fuel has extensive experience in operating its gas facilities in this region. A third party contractor will be hired to maintain driveways and remove snow for the proposed facilities. Also, National Fuel has its own snow removal equipment which it can operate, if needed, to remove snow during an emergency.

12. Concern that National Fuel's operational plan did not detail site-specific routine maintenance presence, detailed response procedures, or those personnel and/or equipment who are required to respond. Statement that it does not speak to coordination with the local Fire Department and does not define required response times (e.g. 2-hour or 1-hour response) for specific events. Statement that defining detailed and specific response protocols is a crucial element. Statement that National Fuel failed to provide a viable emergency response plan as there are no defined protocols and/or expectations of response time in the event of an unexpected mechanical failure.

**Response:** All routine maintenance will follow National Fuel's inspection program compliance requirements, which are internally tracked in an electronic system

(including valve inspections, regulator inspections, and above grade facilities inspections). This system has established early warning exception reports that warn of upcoming inspection deadlines. Work orders are written and given a priority classification if remedial action is required to address identified areas of concern.

Detailed emergency response requirements are outlined in National Fuel's Operations and Maintenance manual and are reviewed annually by subject matter experts.

In addition to all of the failsafe safety measures in place, an operations employee will report to the proposed compressor station site during normal business hours. A second operations employee from a nearby facility will also perform inspections of the proposed compressor station during normal business hours. Both of these operations employees will be available for callouts outside of regular business hours along with a group of employees located at other nearby National Fuel facility sites.

13. Concerns about Pendleton Compressor Station becoming a soft target for a terrorist attack.

**Response:** National Fuel complies with the Transportation Security Administration (TSA) Pipeline Security Guidelines in its implementation of security practices. A risk-based approach is utilized to manage security related threats, incidents, and responses. National Fuel installs and monitors the appropriate security measures at facilities to assist in managing the risk associated with specific facilities. Several National Fuel key employees possess Secret Level Security Clearances with the Department of Homeland Security that allow them access to classified threat information. Threat information is continually monitored and reasonable responses to the threats are implemented when required. TSA reports have indicated that the threat for pipeline facilities is low. For the proposed Pendleton facility, a layered approach to prevent, deter and detect security incidents will be utilized. National Fuel will also coordinate security planning and response for the Pendleton facility with the appropriate Niagara County, state, and federal government agencies as needed.

14. Concern as to warning of aircraft in event of a blow down and “violent vertical movement” created by blow downs.

**Response:** All station blowdowns would be conducted through blowdown silencers meeting or exceeding industry best practice. Neither unit blowdowns nor full station blowdowns create “violent vertical movement“ at any elevation utilized by aircraft. The proposed site is also not in the final approach of any commercial or military airport. As such, no aircraft warning is required or planned.

15. Concern as to effects of exposure to benzene from inhalation, specifically on children:

- a. What studies have been done that show the impacts on unborn babies and toddlers living within 2,000 feet of a compressor station?

**Response:** National Fuel is committed to complying, at a minimum, with all applicable Federal air quality and emissions-related regulatory requirements. National Fuel will also review and address potential ambient air quality impacts as part of the NYSDEC’s air permit application process. Specifically, National Fuel will submit to the NYSDEC air permit applications in connection with its proposed construction and operation of regulated emission sources for the project facilities. These applications will be prepared in accordance with NYSDEC requirements and will include various forms, equipment specifications, emission calculation tables, and the detailed data and information used to calculate and model air emissions. National Fuel’s air permit applications will also include details regarding various meteorological and operating conditions, including temperature.

In addition, in order to further reduce environmental impacts, National Fuel has selected equipment which incorporates low-emission technology, specifically:

- Solar SoLoxNox turbines, which will utilize dry lean-premixed combustion technology to provide clean combustion at the proposed compressor station. Emissions from these turbines meet or are below applicable new source performance standards for combustion turbines.
- Flash emission separators, as well as thermal oxidizer emission controls, which will reduce overall system emissions on the proposed dehydration system(s).

Additional air permitting information has been provided in Resource Report 9 of National Fuel’s FERC Application for the Project, as well as in National Fuel’s July 1 Data Request Response, at pages 165, 170 and 171.

16. Concern as to whether there will be a fund setup to compensate residents living close to the facility if there is damage or health risks due to accidents or EPA violations.

**Response:** National Fuel is committed to complying with all applicable federal regulations, during both construction and operation of the Project facilities. In addition, the Project facilities will be covered by insurance to respond to any such claims.

17. Concern as to lightning strikes at compressor station site, location in a FEMA flood zone and inability of existing small bridge to handle heavy machinery.

**Response:** National Fuel designs and constructs its facilities to minimize the effect of lightning strikes. National Fuel's Gas Control Operations Center is staffed 24/7 and will take appropriate action, including the dispatch of qualified personnel, in the event of a lightning strike or other related malfunction.

The existing bridge identified in this comment is National Fuel's access road bridge to its odorant station along the XM-10 pipeline where it crosses Bull Creek. Load capabilities of this bridge will be evaluated and the bridge will be replaced if necessary.

## **XI. Cumulative Impacts**

### ***Comment Summaries and Responses:***

1. Request that FERC consider the impacts related to gas drilling in the Marcellus and Utica shales.

**Response:** See Section 6 of National Fuel's May 4, 2015 Motion for Leave and Answer to the Motions to Intervene filed by Allegheny Defense Project (ADP) and Pennsylvania Alliance for Clean Water and Air (PACWA).<sup>1</sup>

2. Request that FERC complete a full environmental impact review before taking action, as the Northern Access 2016 Project and the Northern Access 2015 Project are connected, cumulative and similar actions.

**Response:** See Section 1 of National Fuel's May 4, 2015 Motion for Leave and Answer to the Motions to Intervene and Comments filed by ADP and PACWA.<sup>2</sup>

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<sup>1</sup> See Response to ADP and PAWCA, Accession No. 20150504-5124, Docket No. CP-15-115 (May 4, 2015), at pages 10-11.

<sup>2</sup> See Response to ADP and PAWCA, Accession No. 20150504-5124, Docket No. CP-15-115 (May 4, 2015), at pages 3-5.

## XII. FERC Process

### *Comment Summaries and Responses:*

1. Request for another public meeting with proper notice. Statement that residents only had four days' notice to get questions ready.

**Response:** National Fuel is evaluating alternatives to the proposed Pendleton Compressor Station site. National Fuel is committed to having an additional public meeting regarding the proposed compressor station. The expectation is that this meeting would occur after appropriate land rights have been secured.

2. Concern that landowners were not made aware of the Project until they received a flyer in the mail about it a few days before the FERC scoping meeting.

**Response:** Collectively, National Fuel and FERC provided notice to landowners in the vicinity of the proposed XM-10 replacement, the proposed dehydration facility sites, and the proposed compressor station sites on multiple occasions.

- (a) National Fuel held a voluntary Public Meeting in Pendleton on August 28, 2014 at the Wendelville Fire Hall, located at 7340 Campbell Boulevard, North Tonawanda, New York 14120. In advance of the Public Meeting, National Fuel sent letters inviting all landowners whose property: (i) would be crossed or used by the proposed facilities, (ii) would abut the edge of a proposed facility site or a right-of-way which runs along a property line in the area in which proposed facilities would be constructed, (iii) contains a residence within 50 feet of the proposed construction work area; or (iv) would be within one-half mile of the then proposed dehydration facility site. National Fuel also invited local public officials. At the time of the August 28, 2014 Public Meeting, National Fuel had not yet identified its preferred compressor station location.
- (b) National Fuel representatives personally contacted landowners along the XM-10 pipeline route to seek and/or explain the need for access to properties in order to complete required civil, environmental and archeological surveys.
- (c) On March 30, 2015, National Fuel sent informational packets to affected landowners in accordance with FERC's notice requirements. National Fuel also notified public officials.

Additionally, in connection with FERC's May 20, 2015 Scoping Meeting concerning the Niagara County Project facilities, FERC provided notice to all affected landowners, including those within one-half mile of the proposed compressor station location, as specified in the Commission's regulations. This

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was confirmed by FERC Commissioner Norman Bay's July 6 and July 7, 2015 letters, filed in Docket No. CP-15-115-000 (Accession Nos. 20150630-0206 and 20150630-0205).

### XIII. Project Need

#### *Comment Summaries and Responses:*

1. Statement that there has been no evidence provided by the Applicant that the Project will have any benefits to the residents of New York. Statement that if FERC conducts a proper economic analysis, the potential economic costs to New York resulting from the Project are significant and include, but are not limited to, economic losses for agriculture and restaurant businesses, economic losses for the tourism industry, job losses for the trucking industry, economic losses for the train industry and property value losses for private home owners. Statement that New York will not receive tax revenues or profits, if any, from National Fuel's exports of gas to Canada.

**Response:** National Fuel's development of this \$451 million infrastructure project will have several expected community benefits, including impacts resulting from its direct purchases of goods and services and the "multiplier effect" of those purchases. Specifically, National Fuel anticipates the following community benefits from its significant investment in Western New York and north central Pennsylvania:

- Approximately \$11.5 million (annually) in incremental Property Taxes, of which more than \$2.8 million (annually) will be paid to Niagara County:
  - Compressor Station \$2,005,577
  - Dehydration Facility \$276,549
  - Replacement Pipeline \$526,430
  - Tie-in Modifications \$28,121;
- Approximately \$6.6 million in incremental Sales Tax, of which more than \$2.4 million will be paid to Niagara County;
- Creation of 1,000 to 1,200 jobs during construction, with an additional "multiplier effect" in other businesses;
- Support of local businesses during construction, operation and maintenance of the Project facilities including:
  - Contractors
  - Material providers, and
  - Services providers;
- Ongoing work with local companies, including consulting services;
- Conservation deed restriction at the proposed Pendleton Compressor Station for all property acquired greater than 8-10 acres, which will forever preserve "buffer acreage";

- Local company with more than 100 years in the area;
- North American sourced pipe and compression; and
- Enabling economically produced gas to enter into the interstate pipeline grid.

Damage to crops and timber directly resulting from construction along the right of way will be compensated by National Fuel.

See response to Section VIII(1) regarding property values.

2. Comment that National Fuel states that the 2016 project is needed to meet the needs of its customers, but National Fuel does not have customers in Canada. Statement that Canada has its own natural gas reserves, and the United States has their own natural gas reserves. Statement that Canada appears to have more than enough natural gas reserves to supply their own market.

**Response:** National Fuel's customer for the Northern Access 2016 project is a natural gas producer developing reserves in Pennsylvania. This producer, Seneca Resources Corporation, has contracted with both Supply and Empire to provide it with a transportation path into the interstate pipeline grid. This grid serves the U.S. Northeast and eastern Canada, and through Canada back into the U.S. Midwest and New England. This pipeline network is the same network that, for most of the period since the 1980's, has brought gas into the U.S., some from western Canadian reserves and some from U.S. Gulf Coast and Mid-Continent reserves. The final destination of the molecules of gas is dependent on supply and demand and market functions, not National Fuel's direction.

#### XIV. Other

##### *Comment Summaries and Responses:*

1. Concern that the proposed pipeline ROW in Marilla and Elma would cross Wetland EA 4 (Hemstead Road Wetland) in the Town of Marilla. Statement that this is a Class 1 wetland based on documented occurrences of false hop sedge, an unlisted species ranked by the Natural Heritage Program as S2 [imperiled] and a significant natural community [a silver ash maple swamp identified as EO Rank B [exemplary occurrence in good condition]].

**Response:** This wetland of concern (EA-4/Hemstreet Road Wetland) was identified by the New York Natural Heritage Program and the NYSDEC. As such, National Fuel is aware of it and is addressing this issue in its project planning and routing efforts. National Fuel has routed the proposed Mainline Pipeline around the edge of this community to avoid impacts to the silver ash swamp. Also, National Fuel is in the process of conducting surveys for false hop-sedge along the proposed pipeline route in this area. If false hop sedge is found in the proposed construction workspace area, National Fuel will make adjustments to avoid and minimize impacts to this species and community, which may include route modifications, alternative construction techniques, special restoration measures, or a combination of all.

2. Concern that while the proposed gas supply line runs adjacent to an existing power line for long distances, where the route is away it divides a landowner's property, renders several acres unuseable, and unnecessarily crosses several identified wetlands.

**Response:** Generally, where National Fuel's Mainline Pipeline route deviates from the existing power line and/or pipeline corridor, such deviation was intended to avoid an existing structure or other area of concern, often resulting from a request by the landowner. These deviations do not render acreage unusable, since the owner can continue to utilize the surface of the right-of-way area.

3. Concern that National Fuel's ROW agreement allows National Fuel to transport any substance it likes through the pipeline.

**Response:** National Fuel's standard Right of Way Agreement allows "for the transportation of gas, oil or other substances which can be transported through a pipeline....", which is typical terminology in the industry. However, as these are negotiated agreements, which require landowner signature, if a landowner had concerns as to the transportation of "other substances" language, he/she could request (or for agreements already in place, could have already requested) that National Fuel limit the use of the proposed pipeline to the transportation of gas.

**ATTACHMENT A-1**

SUMMARY OF SCOPING COMMENTS FILED WITH FERC FROM MAY 20, 2015 THROUGH JUNE 12, 2015

National Fuel Gas Supply Corporation and Empire Pipeline, Inc.  
Northern Access 2016 Project  
Docket No. CP15-115-000

Last Name	First Name	Commenting Party	Comment Date	Concern(s)	Comment Summary
<b>I. FEDERAL STATE AND LOCAL AGENCIES</b>					
Higgins	Michael T.	New York State Department of Environmental Conservation	May 29, 2015	<ul style="list-style-type: none"> <li>• Various. See Summary.</li> </ul>	<p>The NYSDEC would like to reiterate that since the majority of the Northern Access 2016 Project (Project) is proposed to be located in New York, a thorough evaluation of all impacts, including cumulative impacts to New York's resources, is warranted. NYSDEC submits these comments with the reservation that a draft.</p> <p>Department staff urges the applicant to coordinate with NYSDEC to develop study plans and protocols to ensure that the information collected from the studies and surveys NYSDEC has suggested in these comments adequately addresses NYSDEC's resource concerns and comports with generally accepted scientific principles and methodologies.</p> <p><b>NYSDEC Review and Approvals.</b> In accordance with Section 401 of the Clean Water Act, applicants seeking a Federal license or permit for activities that may result in a discharge to navigable waters must obtain a Water Quality Certification (WQC) from NYSDEC indicating that the proposed activity will comply with State water quality standards. Federally-delegated or authorized permits, such as a Title V permit for the proposed compressor station, and a State Pollution Discharge Elimination System (SPDES) Stormwater Permit for Construction Activities, may also be applicable and require approvals by NYSDEC. The Project Sponsor will also be expected to apply for applicable State law permits as relevant to the resources impacted by the project proposal and demonstrate compliance with applicable State water quality standards. Along with the permit applications, NYSDEC also intends to rely upon the federal environmental review prepared pursuant to the National Environmental Protection Act to determine if the Project will comply with the applicable New York State standards.</p> <p><b>Water Resources, Fisheries, and Wetlands.</b></p> <p>The proposed pipeline ROW in Marilla and Elma would cross Wetland EA-4 (Hemstreet Road Wetland) in the Town of Marilla. This is a Class 1 wetland based on documented occurrences of false hop sedge (<i>Carex lupuliformis</i>, an unlisted species ranked by the Natural Heritage Program as S2 [imperiled]) and a significant natural community (a silver maple-ash swamp IDed as EO Rank B [exemplary occurrence in good condition]). It is not possible to assess project impacts to these features at this early stage of review as staff have not yet completed a field inspection of the ROW. Please note that there are no evident unmapped state wetlands in the Marilla/Elma segment of the ROW and that the ROW is proposed to cross one Class A stream (Buffalo Creek in the Town of Marilla).</p> <p>[T]he proposed station site borders a Class A stream (Buffalo Creek) and a Class C(t) stream (an unnamed tributary to Buffalo Creek ~100 feet east of the NFG parcel).</p>

**Scoping Comment Table**  
**Docket No. CP15-115-000**

Last Name	First Name	Commenting Party	Comment Date	Concern(s)	Comment Summary
Higgins (continued)					<p>even completed a field inspection of the ROW. Wetland TE-26 (Class 2) is mapped along the northern boundary of the proposed new compressor station site in the Town of Pendleton. It appears that Wetland TE-26 may in fact extend a considerable distance south of its mapped boundary and covers much of the proposed compressor station site. The applicant and FERC should take this into consideration in evaluating the location of this proposed compressor station.</p> <p>The 4-mile pipeline replacement in the Towns of Wheatfield and Pendleton would cross or border four mapped state regulated Freshwater Wetlands: TE-6 (Class 2), TE-26 (Class 2), TE- 29 (Class 2), and TE-30 (Class 2). There also appear to be two unmapped state wetlands (wetlands exceeding 12.4 acres but not yet mapped and regulated by NYSDEC) along this ROW segment. It is not possible to assess project impacts to these features at this early stage of review.</p>
Masterson	Sandra	Chairman, Town of Pendleton of Assessment Review	June 1, 2015	<ul style="list-style-type: none"> <li>Property Values</li> </ul>	<p>As Chairman of the Board of Assessment Review for the Town of Pendleton, I would like to go on record stating that if the compressor site goes through as proposed, it will cost the town MILLIONS of DOLLARS in lowered assessments of the 320 residential properties located within a one mile radius of the site!</p>
Ortt	Robert	U.S. Senator, 62nd Senate District	May 29, 2015	<ul style="list-style-type: none"> <li>Noise</li> <li>Pollution</li> <li>Safety</li> <li>Alternatives</li> <li>Compressor site</li> </ul>	<p>I request the Federal Energy Regulatory Commission (FERC) to engage in a complete review of all communications from the public and elected officials concerning the National Fuel Gas/Empire Pipeline pumping station that National Fuel currently plans to construct in the Town of Pendleton in Niagara County.</p> <p>Many of my constituents in the area are very concerned about possible noise levels, pollution hazards, and other dangers. I believe that these concerns validate a full review by the FERC before the site is to be built.</p> <p>I also call on the FERC to require National Fuel to engage in all reasonable practices to reduce noise pollution from this proposed project, should it be built.</p> <p>I would also like to urge the FERC to reconsider the proposed site for this project due to its close proximity to residential homes.</p>
Nemi	Anthony J.	Niagara County Legislator, 11th District, Lockport, NY	May 20, 2015	<ul style="list-style-type: none"> <li>Review of public comments and communications from elected officials.</li> <li>Noise</li> <li>Quality of life</li> <li>Property Values</li> <li>Frontier Chemical Hazardous Waste Site</li> <li>Pollution</li> </ul>	<p>I am writing to urge the Federal Energy Regulatory Commission to conduct a thorough review of public comments and communications from elected officials regarding the National Fuel Gas/Empire Pipeline compressor station that National Fuel plans to site in the Town of Pendleton in Niagara County, New York.</p> <p>Several area residents have raised concerns about noise levels and potential pollution hazards associated with the Frontier Chemical Landfill. I would further ask that FERC direct National Fuel to take all reasonable steps to mitigate noise pollution from this site.</p> <p>Quality of life is a critical consideration for homeowners and for the resale value of their homes. I would also request you keep me apprised of your agency's actions regarding the referenced project.</p>
Buechler	Wolfgang	Chairman, Town of Pendleton Zoning Board of Appeals	May 28, 2015	<ul style="list-style-type: none"> <li>Zoning</li> </ul>	<p>Pendleton does not provide zoning where uses permitted by right include activities that would be typically called Heavy Industry as this would inconsistent with the character of the community they wish to preserve/create.</p>

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<b>II. LANDOWNERS ALONG THE XM-10 PIPELINE CORRIDOR OR WITHIN 0.5 MILES OF PROPOSED PENDLETON COMPRESSOR STATION</b>					
<b>Last Name</b>	<b>First Name</b>	<b>Commenting Party</b>	<b>Comment Date</b>	<b>Concern(s)</b>	<b>Comment Summary</b>
Ciepiela	Barbara A.	Individual, Lockport, NY	May 26, 2015	<ul style="list-style-type: none"> <li>• Environmental Impacts</li> <li>• Property Values</li> <li>• Liability Insurance</li> <li>• Health Concerns</li> <li>• Safety</li> <li>• Alternative Sites (XM-10 and Compressor Station)</li> <li>• Scoping Meeting Notification</li> <li>• Frontier Chemical Hazardous Waste Site</li> </ul>	<p>Why did only a few people receive the packet from National Fuel in April about the compressor station and pipeline?</p> <p>What plans do you have if there is no power for a few days?</p> <p>This facility needs to be manned by a human being 24/hours a day, 7 days a week. What type of emergency alert warning system to Pendleton residents will you have if there is a fire, blowdown, malfunction, or explosion in the compressor station or on the pipeline? If it takes 2-3 hours for someone to investigate a possible gas leak from your Mercaptan facility, how long will it take to assist us with life-threatening problems at the compressor station or pipeline explosions?</p> <p>There are zinc oxide rods being added to the existing 16 pipes towards Campbell Blvd. on Beach Ridge because of the high-tension power lines and they are rusting out really quickly. The pipeline supervisor told a resident that it was an explosion waiting to happen. What are you going to do to prevent this from happening to the new 24-inch pipes?</p> <p>The 16-inch pipes should not be changed to the high-pressure 24-inch pipelines by the existing Frontier Chemical Superfund, which contains highly volatile compounds and radioactive wastes. This is a potentially explosive situation. The pipes and compressor station should not be close to this site. Are you going to change the location? If not, do you not care about the people of Niagara County?</p> <p>The air base planes have their pattern over my house and would be really low over the compressor station. What type of liability insurance do you have if a plane crashes into the compressor station if methane gas renders the pilot unconscious?</p> <p>Because of winding curves and a narrow road with no shoulder, there are a lot of accidents on Aiken Road. How are you going to reroute your trucks to avoid Aiken? What type of liability insurance do you have for accidents?</p> <p>Why aren't you building the compressor station in an industrial area?</p> <p>Bull Creek overflows every Spring by the future compressor station? Since we are a recognized wetland, what will happen if the compressor station is submerged in water?</p> <p>We are in an earthquake fault zone. There was a small earthquake near me this past week. With the high-pressure pipelines and vibrations from the compressor station, what liability and health insurance do you have if you cause a major earthquake in our area?</p>

**Scoping Comment Table**  
**Docket No. CP15-115-000**

Last Name	First Name	Commenting Party	Comment Date	Concern(s)	Comment Summary
Ciepiela (continued)					I have very sensitive ears—I cannot sleep if people are talking near me or any sounds. Will you pay for my increased medical costs when I get sick from not being able to sleep?  If the compressor station gets placed here, will you compensate me for the difference between the value of my house now and the decreased value when I try to sell my home?
Lyons	Sherry	Individual, Lockport, NY	May 24, 2015	<ul style="list-style-type: none"> <li>Noise / Noise Mitigation</li> </ul>	My biggest concern about this compressor is the potential for noise. No one moves to Pendleton to hear a constant 24/7 operational humming sound. I didn't see any mention of noise mitigation measures such as walls or burms. I also wonder what happens if the projected decibel ranges are not the actual. Will there be repercussions for exceeding the allowed levels? How do we enforce compliance? 23,000 hp is big and I assume must generate noise.
Ciepiela	Barbara	Individual, Lockport, NY	May 28, 2015	<ul style="list-style-type: none"> <li>Dehydration Facility Location</li> </ul>	Why are you building a dehydrator in Wheatfield instead of Canada since they are requiring it and they can contaminate their water? You could then build the compressor station there in an industrial site.
Drossos	Markos	Individual, Pendleton, NY	May 29, 2015	<ul style="list-style-type: none"> <li>Location of Compressor Station</li> <li>Emissions</li> <li>Safety</li> <li>Public Benefit</li> </ul>	Please don't allow national fuel to put this loud, polluting, hazardous factory site within 1600 ft of my home. This is outrageous that this is even a thought in motion. I have 3 year olds at my home who will become ill from the pollution emitted. It will ruin our beautiful ecosystem. It will be loud and obnoxious. It and blow up my house and kill my family. Do you want my families blood on your hands? Don't do it. Not in my backyard. This is unnecessary. There is zero benefits to Pendleton. Simply put, No.
<b>III. Other Individual Comments</b>					
Whelan	C. Douglas	Starpoint Central School District, 4363 Mapleton Road, Lockport, NY 14094	May 26, 2015	<ul style="list-style-type: none"> <li>Location of Compressor Station</li> <li>Noise</li> <li>Proximity to Starpoint School District</li> </ul>	It is very concerning to me that the Federal Government would allow the installation of the 22,000 horsepower gas compressor station and a dehydration facility to be located within a residential area and approximately .7 of a mile from a major school district.  We have a great number of students and staff members who are very sensitive to various environmental issues, even to the extent that we cannot cut the grass on the property during school hours.  Additional concern is the environmental issue regarding the level of continual noise that will be heard in the surrounding neighborhoods.  To place this type of facility in close proximity to the school district and residential housing makes no sense.
Gilman	Gary	Individual, Lockport, NY	May 27, 2015	<ul style="list-style-type: none"> <li>Environmental Impacts</li> <li>Emissions</li> </ul>	Where do I sign up to be part of the Natural Gas Pipeline Industry so I too can have access to all the amazing information and training FERC provides National Fuel- Empire and other Pipeline companies? I live in Pendleton, NY which is finally returning to cleaner air and better water quality as the DEC and EPA Superfunds are cleaning up the messes left by other Industries. The quietness of birds chirping is wonderful for my health and wellbeing. The beauty of a paradigm shift in which Industries are becoming more responsible rather than destroying our beautiful Nation and environment under the disguise of someone's greater good. Now National Fuel Empire is willing to put high but of course acceptable levels of benzenes; formaldehyde; methane; and other toxic emissions back into our air for National Security and Obamacare.

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Gilman (continued)					<p>Yes Pendleton, NY like Love Canal might become the source of medical advancements in cancer. Perhaps Roswell Cancer Center might name this FERC or get a grant from National Fuel – Empire to build a new wing of all National Security related cancers never seen in the USA before but thanks to compressor stations built in residential areas rather more compatible environments. What is FERC doing to send the Industry and Residents of Pendleton the same message? The message that FERC values all of us equally and equality is present to all in this great Nation regardless of race, creed, color, and net worth!!!</p>
Slote	Karen	Individual, North Tonawanda, NY	May 26, 2015	<ul style="list-style-type: none"> <li>• Human Health Impacts</li> <li>• Impact on Wildlife</li> <li>• Noise</li> <li>• Lighting Impacts (Compressor Station Site)</li> </ul>	<p>Initial construction would destroy wildlife habitat and any nests, dens or hives in the area.</p> <ol style="list-style-type: none"> <li>a. Sensitive species with populations already in severe decline, such as honeybees, monarch butterflies and chorus frogs would have critical habitat destroyed, adding to their population losses.</li> <li>b. Federally protected migratory birds, such as eastern bluebirds and northern flickers, would lose important breeding habitat</li> <li>c. The bright lighting combined with the huge expanse of fencing and the constant noise and vibration that would accompany this project, would negatively impact the survival and reproduction of a wide variety of species.</li> <li>d. The light would put nocturnal species at increased risk from predation and would stress any animals nesting in the area. Insectivorous bats whose populations have plummeted due to white nose syndrome would have more difficulty hunting due to the light and noise.</li> <li>e. The barbed wire fencing would divide habitat and could severely injure and entrap any deer attempting to jump the fence</li> <li>f. The noise would severely impair any animal’s ability to detect danger</li> <li>g. Animals that depend on song for mating, including our local chorus frogs and peepers, would be overpowered by compressor noise, especially during the extremely loud venting of the pipeline called a blowdown.</li> <li>h. Nesting birds exposed to increased ambient noise would be chronically stressed, causing them to give decreased parental care to their young. In a study by Strasser and Heath published in the Journal of Applied Ecology, it was shown that kestrels nesting in high disturbance areas are 10X more likely to abandon their nests. Below I have attached the source of the study. More studies on how noise impacts wildlife populations must be done before destroying any habitat.</li> </ol> <p>Animals who find the noise, lighting and commotion in the area too much to tolerate are unlikely to survive their attempts to find a new territory.</p>

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Slote (continued)					<p>This compressor should be sited at in industrial complex, away from residential areas and undisturbed wildlife populations. Since the proposed site in our quiet town is not suitable for this compressor, I formally request a new habitat study of the area to be completed by the DEC before any permits are granted. Information from the DEC's Natural 20150527-5009 FERC PDF (Unofficial) 5/26/2015 9:11:35 PM</p> <p>Heritage Database that is used for assessing the natural environment may be outdated. The proposed area is situated on designated wetlands which are afforded special protections by the state and federal governments. For this reason it is imperative that any protected species and ecosystems are identified, and that this data can be recorded and taken into consideration before deciding whether or not to approve this project.</p> <p>National Fuel is in the process of completing a Migratory Bird Habitat Impact Assessment and Habitat Conservation/Restoration Plan (MBTA Assessment Plan) for submittal to the USFWS NY and PA offices. I formally request that FERC withhold any approval of this project until this MBTA Assessment Plan is thoroughly reviewed and final approval is given to it by the USFWS. I also request that the USFWS assess other disturbed areas that NFG has claimed have been restored to verify that they have indeed been successful before they begin this project and damage our area</p>
Putney	Kelli	Individual, North Tonawanda, NY	May 24, 2015	<ul style="list-style-type: none"> <li>• Noise</li> <li>• Proximity to Frontier Chemical Hazardous Waste Site</li> <li>• Notification of Scoping Meeting</li> <li>• Proximity to Starpoint School District</li> </ul>	<p>We already have a Superfund Cleanup Site within less than .5 miles of our home, and this pipeline is a threat to that site. In addition, it is extremely close to the Starpoint Central Schools.</p> <p>We were not made aware of this project whatsoever until we received a flyer in the mail about it several days ago and there was just ONE public meeting about it.. We feel that our voices have not been heard in this process and that our democratic rights to express ourselves and influence an important decision in our community have been denied.</p>
Hargreaves	Paula J.	Individual, North Tonawanda, NY	May 27, 2015	<ul style="list-style-type: none"> <li>• Resource Report 10 – Renewable Energy Sources</li> </ul>	<p>I would like to comment and challenge some of the statements made in the Resource Report 10 – Alternatives submitted March 16, 2015 by TetraTech on behalf of their client National Fuel. This report references FERC Docket No. PF14-18-000 but is now related to FERC Docket No. CP15-115. Page 7 &amp; 8 concern Renewable Energy Sources and contains the statement that Significant investment in infrastructure would be required to transport electricity from renewable sources to consumers. I would like FERC to review submissions made to them recently by National Grid as part of their commitment to improving the electric network across upstate New York. A May 21st, 2015 news article detailed work to be done in Niagara County to transform, or step-down, electricity delivered through high voltage transmission lines into lower voltage feeder lines that make their way both overhead and underground through neighborhoods. The article went on to report over the past five years, National Grid has committed more than \$1.6 billion in growing and improving its electric network across upstate New York, with an additional \$1.6 billion anticipated to be invested over the next three years. FERC must have given approval to National Grid to improve their network to bring the advantages of one of the largest sources of Renewable Energy in our area – The Niagara Power Project to the Public. How can FERC disregard the National Grid projects and allow the National Fuel project whose obviously biased report states the time required to site, design, permit and construct the necessary renewable energy and electric transmission infrastructure would likely not meet the Project's scheduled in service date of November 1, 2016. I request that FERC review the environmental</p>

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Hargreaves (continued)					impacts of the proposed National Fuel project and compare it to the environmental impacts of the already approved National Grid project and a more independent and comprehensive Environmental Impact Statement before issuing a Certificate to National Fuel.
Hargreaves	Paula J.	Individual, North Tonawanda, NY	May 27, 2015	<ul style="list-style-type: none"> <li>• Segmentation / Cumulative Environmental Impacts</li> <li>• Need for Project</li> <li>• Exportation of Natural Gas to Canada</li> </ul>	<p>After reviewing many documents relating to the Northern Access 2016 Project and the Northern Access 2015 Project I have come to the conclusion that FERC has again allowed a pipeline company to deliberately segment projects that are obviously related and co-dependent and as such the entire process is flawed, especially as it related to cumulative environmental risks and the public's right to know and be involved in the process. I understand that the budget of FERC is totally dependent on the fees paid by energy companies and therefore, it is to FERC's advantage to allow the pipeline companies to segment their projects and isolate small communities such as ours in the process. I would like to point out several inconsistencies that I have found. National Fuel and its many subsidiaries state that the 2016 project is needed to meet the needs of National Fuel's customers. Firstly, unless National Fuel has acquired yet another company, National Fuel does not have customers in Canada. Secondly, I would suggest that you review the reports readily available on-line from the US Census Bureau showing that the population in Upstate New York is actually DECLINING. Finally, I refer you to the US Energy Information Administration's website. They have a chart showing the International &amp; Interstate Movements of Natural Gas by State. The State I selected is New York. The link is <a href="http://www.eia.gov/dnav/ng/ng_move_ist_a2dcu_SNY_a.htm">http://www.eia.gov/dnav/ng/ng_move_ist_a2dcu_SNY_a.htm</a> . The chart shows that in 2008 780,862 Million Cubic Feet of natural gas were IMPORTED from Canada through the border with New York. At the same time the EXPORTS to Canada from New York State were ZERO. The chart clearly shows that the amount of IMPORTS of natural gas from Canada declining at the same time the natural gas reserves in the Marcellus Shale region were being exploited. The chart goes on to show that beginning in 2011 New York State began EXPORTING gas to Canada in ever increasing amounts. Obviously we are exporting natural gas through an existing pipeline, just not one owned by National Fuel. Canada has its own natural gas reserves and the United States has their own natural gas reserves. Therefore, I question the Public Convenience and Necessity of this project and request that FERC do a complete study regarding the need for any importing or exporting of natural gas between Canada and the United States. It is certainly not Convenient for any member of the Public here in Pendleton although it is probably financially convenient for National Fuel to export our natural gas to increase their profits. Plus it is certainly not a public necessity for either National Fuel's customers here in Upstate New York's declining market or even for the natural gas consumers in Canada. Canada appears to have more than enough natural gas reserves to supply their own market by simply not exporting natural gas into the United States.</p>
Hargreaves	Paula J.	Individual, North Tonawanda, NY	May 21, 2015	<ul style="list-style-type: none"> <li>• Proximity to Frontier Chemical Hazardous Waste Site</li> <li>• Safety</li> <li>• Emissions</li> <li>• Wildlife Impacts</li> </ul>	<p>After the attending the Public Scoping Meeting in Pendleton NY last night it has become obvious that the public's right to be involved in the review of the original approval process of the XM-10 pipeline that runs parallel to the Frontier Chemical-Pendleton Hazardous Waste Site Code 932043 was flawed. Therefore, I am formally requesting the FERC and the New York State Department of Environmental Conservation pull their original filings made by Empire Pipeline, Inc. - now a wholly owned subsidiary of National Fuel, specifically relating to the Environmental Assessment as it relates to the construction of the pipeline so close to a Hazardous Waste Site.</p> <p>As the only unpaid member of the Community Advisory Committee formed in 1995 for the Remediation Project, I for one, would have in the very least made some sort of comment relative to the construction being</p>

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Hargreaves (continued)					so close to the Pendleton Site. The planned construction of the 3.05 miles of 24-inch pipeline, replacing 3.05 miles of existing National Fuel 16-inch XM-10 pipeline again exposes the residents of the area to a definite danger in view of the construction being so close to the Hazardous Waste Site. I also fear for the wildlife in the area .I also hope that your emissions are preferably nonexistent and released high.
Slote	Allan J.	Individual, Pendleton, NY	May 27, 2015	<ul style="list-style-type: none"> <li>• Emissions</li> <li>• Overall Health Concerns</li> <li>• Location of Compressor Station</li> <li>• Zoning</li> </ul>	<p>As the father of a child with asthma who attends Starpoint School, I am worried about the very real possibility that the emissions from the compressor would make it more difficult for my son to breathe. The compressor would be sited between our home and his school. He would be exposed to polluted air almost 24 hours a day. Exposure to dangerous levels of nitrous oxide will be inevitable. Health impacts include increased asthma symptoms, difficulty controlling asthma and increases in respiratory illnesses.</p> <p>This compressor does not belong in an area that is zoned residential. They are required to comply with local ordinances, and they are clearly not complying with our zoning ordinance. Find an industrial site situated as far as possible away from homes and schools.</p>
Byers	David A	Individual, Lockport, NY	May 29, 2015	<ul style="list-style-type: none"> <li>• Safety</li> </ul>	It is my understanding that the town of Pendleton does not have an ordinance that prohibits or restricts the discharge of firearms. The land area surrounding the proposed Compressor site is rural in nature and a natural habitat for deer and other wildlife which are hunted during the appropriate season. The proposed location of the Compressor site away from residential development and set back out of sight in the woods heightens the risk for an errant round striking aboveground facilities.
Byers, AICP	David A	Individual, Lockport, NY	May 28, 2015	<ul style="list-style-type: none"> <li>• Resource Report 10 - No-Build Alternative and Alternative Energy Sources</li> </ul>	<p>My primary concern is an obviously lack of objectivity concerning the No-Build Alternative and Alternative Energy Sources discerned from various statements made throughout this Report. The bias toward the applicant's Northern Access 2016 project is readily apparent and thus, I suspect it would put FERC in a very difficult position to accept the application without meeting its requirement to comply with the National Environmental Protection Act.</p> <p>My overall opinion of the applicant's Resource Report No. 10 - Alternatives is that it was prepared with obvious biases toward support for the project that includes a sense of urgency that the project MUST be approved in order to meet its commitment for supplying natural gas to its customers. The lack of objectivity found in this analysis especially with regard to the unavoidable and irreversible environmental consequences outlined in the applicant's other Resource Reports prevents FERC from making an informed decision regarding their application for a Certificate of Public Convenience and Necessity. Accordingly, FERC should request additional analyses and subsequent public review.</p> <p>I currently serve as an aviation planning consultant and have conducted several environmental assessments during my 35-year career. I hold undergraduate and master's degrees in aviation management and a PhD in Science Education from the Florida Institute of Technology. I am a member in good standing with the American Institute of Certified Planners (AICP). My wife is the owner of the property located at 4479 Beach Ridge Rd and her sister owns the vacant lot next door. I have no direct benefit in my spouse's property other than survivor rights. Furthermore, I have not been offered nor have accepted compensation from any public or private interests for the preparation of this material or for any other comments or advice.</p>

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Von Heckler	Diane	Individual, Pendleton, NY	May 28, 2015	<ul style="list-style-type: none"> <li>• Safety</li> <li>• Proximity to Close to Starpoint Schools</li> <li>• Proximity to Frontier Chemical Hazardous Waste Site</li> <li>• Property Values</li> <li>• Emissions</li> <li>• Noise</li> <li>• Heath Concerns</li> <li>• Emergency Response</li> </ul>	<p>This potential facility is intended to be unmanned and is a risk to our fast growing residential community. One of the projected sights is near a school with increasing enrollment. Starpoint is considered one of the best school systems in NYS. One of the projected sites runs close to Starpoint schools put places innocent children at risk.</p> <p>Other existing installations like have been known to create excessive noise, leak toxic emissions and outgas benzene and other airborne toxins. The list of health issues associated with exposure to toxic substances directly linked to this kind of a high compression pipeline are well documented.</p> <p>The most shocking fact of all is the fact that one of projected sights for the National Fuel gas line runs parallel to and have potential disturbing contact with a level 2-superfund toxic waste sight!!!! This toxic site has already been disturbed once by gas line construction and although currently capped, this site still radioactive and highly volatile. I was told that the local residents were unaware of this last construction project and the resulting disturbance when a smaller gas line was installed a few years ago.</p> <p>Pendleton has one of the highest property tax rates in NYS. I moved here and was willing to pay these exorbitant taxes in hopes to live in a quiet agricultural and residential community. I risked my life savings to purchase a hope that I hoped would appreciate in value. An unmanned high-powered compressed gas line will lower our property values significantly. No one would want to live near such a loud and potentially dangerous high-powered compressed gas pipelines and my property value will plummet.</p> <p>Most importantly this will stress our fire departments and emergency services. These brave first responders are not equipped nor trained to handle a potential emergency of a gas explosion and the result could be catastrophic. These organizations have said they are willing to go on record to say so that they are not prepared to handle an emergency that could result. If an accident where to happen the entire town and all its residents would pay the ultimate price, not the National Fuel Corporation.</p>

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Gilman	Gary	Individual, Lockport, NY	May 28, 2015	<ul style="list-style-type: none"> <li>• Emergency Preparedness / Safety</li> <li>• Liability Insurance</li> </ul>	<p>What do the residents of Pendleton, NY trust? A proposed National Fuel - Empire Pipeline compressor station which will be unmanned even though these stations have a track record of explosions and malfunctions. How much does technology fail and frustrate us daily? How many glitches are there in software programming which have to be corrected on a daily basis in any industry? The monitoring station is about 30 miles away in Orchard Park, NY which had 84 inches yes 84 inches of snow in just 2 days during November, 2014. There were states of emergency; the New York State Thruway was closed for 4 days; even emergency crews couldn't get to people; roofs collapsed; flooding occurred when the temperatures warmed several days later causing more states of emergency. Since we all know there is no way to fight a natural gas fire except shut off source and let burn which will emit lots of toxic hazardous chemicals posing real life threatening conditions to people; endangered species; and environment. How fast will emergency National Fuel - Empire pipeline crews respond? Where will there emergency crews be located? How will they be trained? Who will insure this training? What about liability insurance paid for by National Fuel - Empire to compensate residents for malfunctions and explosions or anything which damages life; property; and causes harm? How do residents and first responders get notified by National Fuel - Empire in the case of an emergency? How will residents be warned of impending malfunctions and dangers like excessive emissions due to blow downs? Can blow downs be done directly back through the pipeline rather than into the air? In the past, National Fuel - Empire have used incorrect maps and incorrect listing of residents which have been outdated. What will they do better to insure the residents safety? National Fuel has told residents of Pendleton they are not required to keep the us notified of problems with their facilities including failures as have happened in the past with the Mercaptan facility. What guarantees are there in your approval process that the very agreements with National Fuel - Empire will be honored? What happens when violations occur? Will you revoke their permits?</p>
Gilman	Gary	Individual, Lockport, NY	May 28, 2015	<ul style="list-style-type: none"> <li>• Safety</li> <li>• Location of Compressor Station</li> <li>• Emissions</li> <li>• Emergency Management</li> </ul>	<p>Is there anyway National Fuel - Empire pipeline could utilize an industrial facility or area zoned industrial rather than a populated residential and agricultural community? Pendleton, NY has been expanding with new homes being built in the proposed area all the time increasing the density of population. What safeguards would be added to a facility in a residential community which doesn't have the public safety system nor manpower to handle an emergency the likes which happen with compressor stations elsewhere in the USA? Will National Fuel Empire pipeline agree to monitoring all toxic emissions on a regular basis working closely with all regulatory agencies including the town insuring everyone's safety? Will National Fuel - Empire adhere to all safety regulations including the ones used to be granted the FERC approval and accept liability in the event of an incident putting residents safety first before their corporate infrastructure? What makes a positive difference in the FERC review process? If I was a pipeline company, I would know this answer as you teach them in workshops yet for the residents impacted by the pipelines and compressor stations there is no assistance on how to get our concerns hears and included with real proof in the field operations. What real proof will be there in the daily operations of the proposed compressor stations? What guarantees and emergency management plans plus drills will National Fuel - Empire provide? What does the National Gas Act of 1938 allow for the residents who help pipeline companies transfer their commodities to market? What allows us to be considered an integral part of the process which gets the protection from FERC we rightfully deserve?</p>

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Gilman	Gary	Individual, Lockport, NY	May 29, 2015	<ul style="list-style-type: none"> <li>• Compressor Station Location</li> <li>• XM-10 Construction Location</li> </ul>	<p>Have you ever looked around Pendleton, NY? There is no industry. There are no polluters since Frontier Chemical stopped dumping Radioactive and other hazardous chemicals in the ground and air Which then became an Level 2 Superfund site? How come all government acts and regulatory Commissioners share the same concerns for health and safety for all residents rather Than not even batting an eyelash opening door for new pollutants we all breathe whether Generated from compressor station in Pendleton, NY? What about Putting in stronger safeguards and regulations insuring co-existing of all including Industry Of Life and Well-being rather than putting equipment over human life?</p>
Hargreaves	Paula J.	Individual, North Tonawanda, NY	May 29, 2015	<ul style="list-style-type: none"> <li>• Various Concerns regarding Resource Report 5 - Socioeconomics.</li> </ul>	<p>As the Public Comment Period is set to expire at midnight tonight, I want to make several points for the record which, if an extension of the Public Comment Period as requested by US Senators Schumer and Gillibrand is granted, I will expand on. Resource Report 5 – Socioeconomics submitted March 16, 2015 is incomplete as filed and should not be accepted by FERC. Example: Section 5.1 fails to give the exact geographic area used by National Fuel to calculate the socioeconomic conditions, etc. Only gives general location.</p> <p><b>Example:</b> Table 5.1-19 Niagara County Police/Sheriff’s Departments does not list closest New York State Police Department in Lockport, NY. Presuming that this list is used as part of your emergency notification procedure – this omission only makes me wonder what else is missing in your plans.</p> <p><b>Example:</b> Table 5.2-20 Niagara County Fire Departments. This does not list the closest Fire Department for the proposed Pendleton Compressor -WENDELVILLE COMPANY. Again, I presume this list is used as part of your emergency notification procedure – how can you not notify the closest fire company?</p> <p><b>Example:</b> Same section 5.1.4.5, Paragraph entitled Schools. You make NO MENTION of Day Care facilities. Specifically Kandyland Kids, Inc. – located at the junction of Beach Ridge Road and Main Road in the Town of Pendleton – or don’t you think that these pre-kindergarten children are worthy of mention!</p> <p><b>Example:</b> 5.1.5 Agriculture and Timber Production. This section makes no mention of Organic Farms and Orchards in the immediate area of the planned Pendleton Compressor. Specifically, Smith Orchards Cider Mill - located on Mapleton Road, near Main Road in the Town of Pendleton.</p>
Gilman	Gary	Individual, Lockport, NY	May 29, 2015	<ul style="list-style-type: none"> <li>• Noise</li> </ul>	<p>The EPA recently did a noise study which is showing the noise Level will be twice t The ambient noise in Pendleton NY which will be unsafe For residents. What will be done to guarantee the noise level remains the same it is now or Better? Where in the permit process and regulations are human studies conducted rather than Relying on predictive ones? What insures the quality of life including sound of chirping Hummingbirds is always the noise level?</p>

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Hargreaves	Paula J.	Individual, North Tonawanda, NY	May 29, 2015	<ul style="list-style-type: none"> <li>• Various Concerns Regarding Resource 4 Cultural Resources</li> </ul>	<p>As the Public Comment Period is set to expire at midnight tonight, I want to make several points for the record which, if an extension of the Public Comment Period as requested by US Senators Schumer and Gillibrand is granted, I will expand on.</p> <p>Resource Report 4 – Cultural Resources submitted March 16, 2015 is incomplete as filed and should not be accepted by FERC.</p> <p><b>EXAMPLE:</b> Section 4.2 Native American and Agency Consultations. The listing of Native American Groups Consulted shows that NO ATTEMPT was made to reach the Tribal Leaders of the Native American groups closest to the proposed Pendleton Compressor location – the Tuscarora or the Seven Nations.</p> <p>Anyone familiar with the area knows the location of the Tuscarora Reservation, obviously this report was completed by someone completely unfamiliar with the region. I have consulted with the landowners who own the land that is currently designated as the preferred location for the Pendleton Compressor station.</p> <p>Indian artifacts, including arrowheads and pottery have been discovered on the land. Prior to the Pendleton Compressor Station being approved I request that FERC have these possibly important Native American artifacts evaluated, so the importance of the area in question can be properly evaluated from an archaeological standpoint.</p>
Hargreaves	Paula J.	Individual, North Tonawanda, NY	May 29, 2015	<ul style="list-style-type: none"> <li>• Geographic fault systems/Earthquakes</li> </ul>	<p>As the Public Comment Period is set to expire at midnight tonight, I want to make several points for the record which, if an extension of the Public Comment Period as requested by US Senators Schumer and Gillibrand is granted, I will expand on. As anyone who lives in Western New York and specifically Niagara County, there are several geographic fault systems that cross the area. In view of the enormous size and location of the proposed Pendleton Compressor station, I am requesting that FERC submit a copy of the schematics of the proposed Pendleton Compressor to the University at Buffalo’s Multidisciplinary Center for Earthquake Engineering Research center for evaluation prior to approval and construction. As many residents of Pendleton know, there was a 5.5 earthquake that struck on the Ontario- Quebec border on June 23, 2010 that was felt throughout New York State. We, as residents of Pendleton are obviously concerned about our personal health and safety if such an event occurred again with a high-pressured natural gas pipeline and compressor station sitting in our backyards! Reference: <a href="http://www.buffalo.edu/news/releases/2010/06/11483.html">http://www.buffalo.edu/news/releases/2010/06/11483.html</a></p>

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Hargreaves	Paula J.	Individual, North Tonawanda, NY	May 29, 2015	<ul style="list-style-type: none"> <li>• Safety</li> <li>• Proximity to Frontier Chemical Hazardous Waste Site</li> </ul>	<p>As part of this project National Fuel is planning to enlarge an existing 16 inch natural gas pipeline which runs parallel to a Superfund Hazardous Waste Site known as the Frontier Chemical-Pendleton site. As a member of the Community Advisory Committee formed during the Remediation Project at this site, I am extremely familiar with all the chemical compounds stored under the capped area, specifically, the large quantities of corrosive chemicals. I have been reviewing Resource Report 11 – Reliability and Safety filed March 16, 2015 and it has raised additional concerns. Section 111.1 states that The pipeline will be periodically inspected utilizing an internal pipeline inspection from a qualified third party contractor which checks for corrosion anomalies or deformations using the most recent Magnetic Flux Reflux technology. The inspection will occur minimally every 7 years as part of National Fuel’s Transmission Integrity Management Plan..</p> <p>Section 11.1.2 – Historical Operating Record states that Generally, the natural gas transmission industry has an excellent record of public safety. We in Pendleton cannot live with general safety records, not when our lives are at stake.</p> <p>In view of the corrosive chemicals stored at the Frontier Chemical – Pendleton site – which could possibly leach towards the natural gas pipeline from the OUTSIDE – how is National Fuel going to detect this very real corrosion threat – INTERNALLY? My concerns are very real, especially in view of the 2012 accident involving a 20-inch transmission line in Kanawaha County, West Virginia. An 800 foot section of Interstate was obliterated! 4 houses were leveled! The investigation into the incident cited corrosion as the cause of the blast. The pipeline National Fuel is planning to enlarge runs directly between a Superfund Hazardous Waste Site and many homes along Beach Ridge Road in Pendleton, New York. The Reliability and Safety report makes no mention of evacuation of the Public. No mention of the pipeline contractors being trained to handle the hazardous material that could potentially be encountered either during construction or in the event of an explosion! The report even mentions blasting operations will take place in a controlled manner – blasting near a Superfund Hazardous Waste Site? Again, I request FERC contact the New York State Department of Environmental Conservation and the United States Environmental Protection Agency to do a full environmental impact assessment, specifically in the area of the Frontier Chemical-Pendleton site PRIOR to issuing any Certificate or Approval to National Fuel for the Northern Access 2016 Project.</p>

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Hargreaves	Paula J.	Individual, North Tonawanda, NY	May 29, 2015	<ul style="list-style-type: none"> <li>• Resource Report 11 - Safety</li> </ul>	<p>I have been reviewing Resource Report 11 – Reliability and Safety filed March 16, 2015 and it has raised additional concerns. The report states National Fuel’s pipeline systems are equipped with Remote Control Valves. This measure allows the valves to be operated remotely by Gas Control in the event of an emergency. Remotely closing the valve allows sections of the pipeline to be isolated from the rest of the pipeline system. Remote Control Valves will be implemented at the Project’s 13 proposed MLVs along the Mainline Pipeline.</p> <p>Automated valves fail, especially if they are not exercised on a regular basis and are out it the weather. It's typical for these valves to sit for years, not being needed. However - when you do, they are frozen solid because there is no mention of a PREVENTATIVE MAINTENANCE program to go out and test them to ensure functionality. I understand that testing them would mean they have to interrupt service to do so, but this has to be done for the safety of the Public. Is there any sort of manual over-ride features (hand-wheels) being built into the pipeline system? I request that FERC have National Fuel disclose to the Public the details of any Preventative Maintenance Program and give then sufficient time to comment prior to issuing any Certificate or approval.</p>
Hargreaves	Paula J.	Individual, North Tonawanda, NY	May 29, 2015	<ul style="list-style-type: none"> <li>• Resource Report 11</li> <li>• Safety</li> <li>• Emergency Response/Liability</li> </ul>	<p>I have been reviewing Resource Report 11 – Reliability and Safety filed March 16, 2015 and it has raised additional concerns. The report states National Fuel will incorporate the facilities proposed by this Project into its emergency response plans that currently cover existing facilities and will work with first responders in the community to develop modifications to a local community’s plan as necessary. National Fuel will continue to work with the local communities to ensure that a satisfactory plan is in place. Basically they are stating that they want meet and hold hands with all the stakeholders. When in fact it appears that they are trying to shift liability. They'll be the first ones to throw their hands up and shift blame when all the stakeholders don't join-in and accept mutual responsibility for the overall safety plan. This document makes the Town of Pendleton and our volunteer Fire Company complicit.</p> <p>Additionally, they are placing an undue burden on our Fire Department. Wendelville Volunteer Fire Company (even though not listed in the report) is not equipped nor prepared for this type of facility in Town. However, they impose the following: First responders’ primary role is that of evacuation and creating a safe zone by cordoning off the emergency site. Roles of responders, roles of National Fuel personnel, properties of natural gas, and tabletop scenarios are covered in these classes. Additional equipment includes Vehicles with Hand Tools, Leak Detection Equipment (Combustible Gas Indicators and Flame-Ionization Leak Detectors), Air Movers, Pneumatic Grease Guns, Leak Repair Materials, Grounding Cables, Traffic Control Safety Devices, etc. The Town of Pendleton is being asked to subsidize NFG's emergency response plan by way of training and personnel expense, apparatus that was previously not contemplated, as well as liability for being involved with their operations. The Town and our Fire Department may be at risk here and we need FERC to allow the Town attorney time to properly review this implication prior to approval by your agency.</p> <p>National Fuel is indirectly imposing cost and liability on the Town of Pendleton which needs to be fully quantified and evaluated. Again, I request that FERC allow our Town and Fire Company sufficient time to investigate, assess and give comment PRIOR to issuing any Certificate or approval to National Fuel for the Northern Access 2016 Project.</p>

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Hargreaves	Paula J.	Individual, North Tonawanda, NY	May 28, 2015	<ul style="list-style-type: none"> <li>• Safety/Emergence Response</li> </ul>	<p>I am filing this on behalf of a concerned Pendleton, NY resident who possess an A.S. and a B.S. in Mechanical Engineering, as well as decades of experience in facilities management, physical plant operation, operation, maintenance and repair of internal combustion engines and various other types of mechanical equipment, and much experience with general safety and personnel matters that exist in commercial and industrial settings.</p> <p>I would challenge the following: That the DOT; under Title 49 U.S.C. Chapter 601, and/or the DOT's Pipeline and Hazardous Materials Safety Administration (PHMSA), and/or the DOT's Minimum Federal Safety Standards in 49 CFR 192 have not provided adequate safety to the Town of Pendleton residents; specifically in areas of operations and maintenance, and emergency response of pipeline facilities; regardless of allowed provisions for the pipeline operator to use various technologies to achieve safety. National Fuel has stated that the plant, once operational, will be monitored remotely via cameras and a control system from a monitoring facility located in West Seneca, NY which is south of the City of Buffalo and over 20 miles from the proposed plant. National Fuel represents in their publications that they have skilled and trained personnel, however they also conversely state that no engineers or technical personnel will be resident at this facility while operational. There are several distinct deficiencies associated with the proposed operational plan.</p> <p>Based on direct field-experience, I can say that despite the best kept maintenance records, despite the most sophisticated instrumentation and controls (including auto-shutdown features), and despite the best executed preventative maintenance programs; mechanical and/or rotating equipment will still experience unexpected failure. The physical plant operations I am involved with are staffed with no less than two (2) skilled personnel scheduled 24/7/365 to supplement our very comprehensive control and safety systems, to immediately respond to any mechanical malfunction, and most importantly, to immediately respond to any life, safety situation that may unexpectedly arise. National Fuel would experience great difficulty accessing the proposed facility during an emergency given multiple possible road closures. To that end, snow removal procedures were not defined, and this is an off-road facility.</p> <p>The operational plan did not detail site-specific routine maintenance presence, detailed response procedures, or those personnel and/or equipment who are required to respond. It does not speak to coordination with the local Fire Department, and most importantly, it does not define required response times (e.g. 2-hour or 1-hour response) for specific events. As a person who constructs and executes emergency response contracts for mission-critical equipment, defining detailed and specific response protocols is a crucial element. National Fuel Gas failed to provide a viable emergency response plan as there are no defined protocols and/or expectations of response time in the event of an unexpected mechanical failure.</p>
Maerten	Dale A.	Individual, Lockport, NY	May 31, 2015	<ul style="list-style-type: none"> <li>• Drainage at Compressor Station site</li> <li>• Noise</li> <li>• Zoning</li> </ul>	<p>In order to maintain a dry area around the site considerable fill will be necessary. This fill will alter the natural water drainage causing serious flooding in the surrounding area. A large facility like this belongs in an area zoned heavy-industrial not rural residential.</p>
Boyd	John	Individual, Lockport, NY	May 31, 2015	<ul style="list-style-type: none"> <li>• Noise</li> <li>• Property values</li> </ul>	<p>I do not understand why such a large facility that generates noise, exhaust and lights all night would be built in a rural setting that is zoned residential.</p>

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Last Name	First Name	Commenting Party	Comment Date	Concern(s)	Comment Summary
Reeb	Annmarie	Individual, Pendleton, NY	May 29, 2015	<ul style="list-style-type: none"> <li>• Specific Concerns regarding FERC Scoping meeting.</li> </ul>	<ol style="list-style-type: none"> <li>1. The scoping meeting was not on the FERC Calendar the week prior to the meeting.</li> <li>2. The location provided to the public was the mailing address of the Wendelville Fire Hall and not the property location, which is Pendleton, NY.</li> <li>3. A resident in a wheelchair was unable to get to the microphone due to overcrowding.</li> <li>4. The total capacity for both meeting rooms in the fire hall is approximately 343 people. You had at least 274 people seated, over a hundred residents standing and this did not include National Fuel Employees or FERC/NRG Employees. The scoping meeting should have been rescheduled so that a larger location would allow for all of the public to be present.</li> <li>5. There were residents that could not get into the room and thus stood outside or left.</li> <li>6. FERC informed residents that National Fuel Employees were on one side of the room and FERC Employees were on the other side of the room to answer questions. National Fuel Employees did not wear any form of ID and not recognizable to the public.</li> <li>7. The public meeting rules were not followed by FERC and thus did not allow all of the public to have someone else speak for them This occurred when FERC allowed a resident to give their 3 minutes to another speaker and then this was not allowed. When the public was upset over the change in rules, FERC informed the public that the meeting could be stopped. The rules of the Scoping Meeting were not made clear to the public. Once the rules were amended, then the public that signed up to speak should all have had the same opportunity.</li> <li>8. Materials for the public about this meeting were never discussed by FERC as to their availability on the library, prior to the meeting, leaving residents who had no information, unable to properly participate in the scoping public hearing.</li> </ol>
Broughton	Cynthia	Individual, North Tonawanda, NY	May 29, 2015	<ul style="list-style-type: none"> <li>• Health Concerns</li> <li>• Aesthetics</li> <li>• Quality of Life</li> <li>• Property Values</li> </ul>	Both Pendleton and Wheatfield will be affected by this compressor. Possible health hazards, destroying the look of our community, concerns about the quality of life, property values, and becoming a soft target for terrorist as defined by the Homeland Security Department.
Gilman	Gary	Individual, Lockport, NY	May 29, 2015	<ul style="list-style-type: none"> <li>• Noise</li> </ul>	The EPA recently did a noise study which is showing the noise Level will be twice the ambient noise in Pendleton NY which will be unsafe

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Maerten	Joel	Fire Chief, Wendelville Fire Company, Pendleton, NY	May 29, 2015	<ul style="list-style-type: none"> <li>• Emergency preparedness</li> <li>• Safety</li> <li>• Notification of Scoping Meeting</li> </ul>	<p>We have no capacity to engage in any type of operation on an industrial scale, which this proposed project is.</p> <p>Should a small to catastrophic failure occur, the effect on surrounding residents would be immediately felt and most likely life-threatening. Considering all factors related to traveling to the site, weather and traffic to name two, I can imagine a situation where the Fire Company is left to fend for itself facing an uncontrollable conflagration.</p> <p>National Fuel and Empire Pipeline currently maintain a site in the vicinity of the proposed project that adds odorant to the current natural gas transmission system. I am quite familiar with this facility because the Fire Company is called all too often to reports of natural gas leaks in the area. The standard response of the Fire Company is to investigate and contact the pipeline operators via the posted phone number. Over the years, nothing has been done by National Fuel or Empire Pipeline to end the release of odorant into the air. The current reality is that residents are so accustomed to the smell of natural gas in the area that they wouldn't know if they actually had a real natural gas leak. National Fuels unwillingness to rectify the odorant situation concerns me as they make plans for a large industrial facility. As mentioned, it will be unmanned.</p> <p>They area is wet. It is better described as a swamp, being wet in many areas throughout the year – even in the middle of summer. The area is also flat, with Bull Creek draining the area eventually to the Niagara River and the Great Lakes. A facility of this size is not going to be without ambient discharges of chemicals and have the potential for large accidental releases.</p> <p>The procedures have either intentionally or inadvertently been flawed. Few residents that could potentially be affected by this project were notified.</p> <p>The Town of Pendleton publishes all public notices in the Lockport Union Sun and Journal. The notification of this meeting was not published there. The scoping meeting was scheduled in a poor location with limited room for attendees.</p>
Lemieux	Kimberly	Individual, Lockport, NY	May 29, 2015	<ul style="list-style-type: none"> <li>• Concerns regarding Resource Report 7 (Soil)</li> <li>• Proximity to Frontier Chemical Hazardous Waste Site</li> </ul>	<p>Resource Report No. 7 Soils FERC Docket No. PF14-18-000 Submitted: March 16, 2015 on Page 7-102 identifies the soils that pipeline will be buried in. The soils identified are Hamlin Silt Loam, Lakemont Silty Clay Loam, Canandaigua Silt Loam and Odessa Silty Clay Loam (A and B). The shrink-swell potential is moderate and has seasonal water saturation. Natural force damages can result from earth movement, earthquakes, and frost heave to name a few. My home is directly across from the proposed compressor station on Beach Ridge Road. This past record cold (negative 5 degree temperature) winter, my deck heaved approximately two inches and never returned to the original height. What will National Fuel do to protect the pipeline from a frost heave and cause pipeline stress, potentially causing a leak of natural gas into our soil or causing an explosion? What specific actions will National Fuel take to prevent this frost heave from happening alongside the Frontier Chemical Hazardous Waste Superfund Site?</p>

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Lemieux	Kimberly	Individual, Lockport, NY	May 30, 2015	<ul style="list-style-type: none"> <li>Procedures for Soil Removal</li> </ul>	What will National Fuel's procedures for removing soil during the replacement of the pipeline near the Frontier Chemical Hazardous Waste Superfund Site? According to National Fuel's Resource Report 1 - General Project Description page 1-19 states that additional pipe storage and contractor yards are being evaluated. What are the locations for the contractor yards in the Town of Pendleton and will these locations be used for stockpiling contaminated soil?
Lemieux	Kimberly	Individual, Lockport, NY	May 30, 2015	<ul style="list-style-type: none"> <li>Blasting &amp; Bedrock damage</li> </ul>	National Fuel's Resource Report 1 - General Project Description page 1- 30 and 1-31 states that blasting may occur if bedrock cannot be removed by conventional techniques. Properties within 150 feet of the blasting zone will be inspected before and after the occurrence. The bedrock maps of Niagara County obtained from the Niagara County Soil and Water Conservation District illustrate that the bedrock is within 7-20 feet deep in the area of the proposed compressor station in Pendleton, NY. Homes in our area have had to have crawl spaces in lieu of full basements due to the bedrock being closer than expected during construction. Beach Ridge Road is an actual ridge in the bedrock. The homes and business in the surrounding area may feel and suffer damages to their foundations due to the blasting.
Lemieux	Kimberly	Individual, Lockport, NY	May 30, 2015	<ul style="list-style-type: none"> <li>Landowner Lists</li> </ul>	According to a letter to Ms. Bose, Secretary of the Federal Energy Regulatory Commission dated April 16, 2015 Kenneth Webster, Attorney for National Fuel Gas Supply Corporation and Empire Pipeline requested privileged and confidential treatment of (forwarded) landowner list. National Fuel may be in breach of the confidentiality statement that the landowner signed. Referenced in the Northern Access 2016 Project, Resource Report No. 7 Soils, Ferc Docket No. PF14-18-000 on pages 35, 73, and 92 there are 9 references to Boyce as the landowner of the proposed compressor station in Pendleton, NY. Additionally, Fronmueller is referenced 15 times in the same document on pages 35, 73, 74, 92 and 93. How will National Fuel compensate the landowners that have now been exposed in the project contract negotiations?
Siracuse	Sara	Individual, Lockport, NY	May 29, 2015	<ul style="list-style-type: none"> <li>Alternative Compressor Station Locations</li> <li>Environmental Impact Statement</li> </ul>	<p>National Fuel and Empire Pipeline Inc. (collectively National Fuel) have failed to properly address the option of Alternative sites for their proposed compressor Facility. Every proposed alternative offered in their application is in a residential area and none of them are conducive to the surrounding environment or purpose. I am requesting they be required to research and review alternative sites in industrial areas that would correct, properly address and mitigate by elimination the impacts placing this Compressor site on the proposed property in Pendleton, NY</p> <p>Secondly, I am requesting a Full Environmental Impact Statement be required for the project before receiving FERC approval</p>
Cusimano	Sharon	Individual, Lockport, NY	May 29, 2015	<ul style="list-style-type: none"> <li>Compressor Station Location</li> </ul>	This project should not be allowed in the Town of Pendleton at the proposed site. The reasons for not allowing National Fuel's Project are numerous. It will cause harm to our children and future generations, the air we breathe, the soil we plant in, our wildlife, honey bees in particular that are in danger as it is. This project should not be in a rural area.

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Lemieux	Victor	Individual, Lockport, NY	May 29, 2015	<ul style="list-style-type: none"> <li>Compressor Station Alternatives</li> </ul>	<p>National Fuel's site engineers have failed to do an adequate job at scoping out potential sites for the Pendleton compressor station.</p> <ol style="list-style-type: none"> <li>National Fuel already has existing pipelines that run off the Line X north where it ties into the X-10 pipeline. This pipeline extends into North Tonawanda and stops at the Nash Road Station. I propose they continue along the North Tonawanda and Wheatfield border following the existing power lines until they get to the location of the where they are proposing to build the Dehydrating station. That is a zoned industrial area. No need to disrupt any forested wetlands because the existing power lines run through that area. Also this would not disrupt the Frontier Chemical Hazardous Waste Superfund site.</li> <li>This option would again come off the Line X North or the X-10 pipeline where they meet and traverse West then North until it reaches the vast area between Shawnee Road and Nash Road just South of the Empire pipeline. This would include running new pipelines and a new tie into the Empire pipeline. Although this is not zoned for industrial it would get the compressor away from the NSA. Also this would not disrupt the Frontier Chemical Hazardous Waste Superfund site.</li> <li>Another option would be to continue the X-10 pipeline along the same route (along the old railroad line) until they reach an area better zoned for a compressor station. There are areas in the town of Cambria that are zoned Industrial that would work. This would include extending the X-10 pipeline and then looping it back down to the Empire Pipeline to tie in. Also there is some incorrect information in the Resource Report 10 that would need to be corrected. I feel that the Table 10.5-1 in the Resource Report 10 has failed in finding a Site that is Zoned Industrial.</li> </ol> <p>If there is to be a compressor station in Pendleton that is this close to homes and a School, I request that FERC Deny their request to build a Gas Turbine Compressor Station and instead request them to build an Electric Compressor Station. They already have to bring in 3 Phase capable of producing 13,200 volts which is more than enough to power an Electric Compressor.</p>
Yeager	Robin	Individual, Pendleton, NY	June 1, 2015	<ul style="list-style-type: none"> <li>Need for Project</li> </ul>	<p>At the beginning of the FERC presentation, the meeting lead from FERC stated the phrase 'public necessity' as one of the functions that the FERC is in charge of determining. After hearing all the comments and keeping an open mind, it seems this project is not truly necessary for the public. If I missed something - any one person shared as 'proof' of true public necessity for the above project, can you please send me PROOF of public necessity?</p>
Hargreaves	Paula J.	Individual, North Tonawanda, NY	June 2, 2015	<ul style="list-style-type: none"> <li>Hazardous Waste Tanks</li> </ul>	<p>I would like to know if hazardous waste liquid tanks will be present on the proposed Pendleton compressor site. If they are, I would like full details given as to where exactly they will be installed - above ground - underground, how big they will be, how will they be constructed/reinforced, how National Fuel plan to look after those tanks, what hazardous materials will be stored in them, how often they will empty them, how will they transport the waste, where will the waste be disposed off, what plans do they have regarding remediation of possible spills or leaks from these tanks?</p> <p>I understand that the EPA had a new ruling effective January 1, 2015 requiring tanks at compressor stations to be fitted with Volatile Organic Compound capture systems, is the proposed Pendleton Compressor going to have this system?.</p>

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Boyd	Vivian	Individual, Lockport, NY	June 1, 2015	<ul style="list-style-type: none"> <li>• Noise</li> <li>• Pollution</li> <li>• Property Values</li> <li>• Environment</li> <li>• Heath</li> <li>• Location of Compressor Station</li> <li>• Economic Benefit</li> </ul>	<p>My concerns are as follows:</p> <ol style="list-style-type: none"> <li>1. NOISE: We chose to move to the country to enjoy the quiet. Even though you state the noise generated by this plant will not be much, it is 100% more than what we hear at the present time.</li> <li>2. POLLUTION: Any emissions into the air are considered pollutants to me and are not acceptable. You cannot put a price on one's health.</li> <li>3. DEVALUATION OF OUR HOME AND PROPERTY: We have worked hard and invested much money and many years to enhance our home and property. I resent the fact that this may have been for naught.</li> <li>4. RECREATION AND AESTHETICS: The plant will be an eye sore and the lights will be on continuously. The town of Pendleton has beautiful snow mobile trails, bicycle paths and walking paths through -out the fields very near the proposed site of the compressor station.</li> <li>5. TOWN HISTORY: Much of the land in Pendleton is still farmed. The property behind my home is farmed by my family, who are fourth generation farmers in Niagara County. We raise sheep for my small fiber arts business and have recently decided to raise Christmas trees on part of this property. A large industrial, noisy, polluting gas compressor station near- by would be an eye sore to this environment.</li> <li>6. ENVIRONMENTAL AND HEALTH: The land in the area behind our home is very low and wet and any run off from an industrial plant could be harmful to humans, wildlife and agriculture.</li> <li>7. THE MISLEADING CLAIM OF CREATING 700 JOB OPPORTUNITIES DURING CONSTRUCTION: these jobs will only be temporary. These people will most likely be from outside the community, generating no income for the few businesses in Pendleton and not contributing to Pendleton's taxes.</li> <li>8. THE IMPACT ON THE RESIDENTS OF THE AREA: The above mentioned negative effects of this compressor station could affect the many residents (I believe more than 100),who reside in the immediate area.</li> </ol> <p>In conclusion, I don't understand how National Fuel can build an industrial plant in a residential and agricultural area. It appears that the only people who will benefit from this compressor station will be the owners and investors of National Fuel and the Canadians who will be receiving the fuel. These benefits will be at the expense of the residents of Pendleton. If the owners and stockholders of National Fuel would like to really see the impact of what an area looks like in the future once industry moves in then they should take a drive through Niagara Falls, New York. They should also ask themselves if they would like a compressor plant in their own back yard.</p>
Randall	Lea	Individual, Pendleton, NY	June 4, 2015	<ul style="list-style-type: none"> <li>• Proximity to Frontier Chemical Hazardous Waste site.</li> <li>• Proximity Starpoint Central School District</li> <li>• Emergency response</li> </ul>	<p>My concerns are that the pipeline will run parallel and directly next to the Frontier Chemical Superfund Hazardous Waste site. Buried below the clay cap in the Frontier Chemical Superfund site is 72 hazardous waste chemicals, including radio-active waste.</p> <p>This pipeline expansion will be less than one-mile from the Starpoint Central School District, which has nearly 3,000 children and teachers on our central campus daily. We are serviced by a volunteer fire company that is not equipped to handle any industrial emergencies or a major gas emergency</p>

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Koch	Michael	Individual, Pendleton, NY	June 5, 2015	<ul style="list-style-type: none"> <li>• Location of Compressor Station</li> </ul>	<p>As a long time resident of Pendleton, NY I am extremely opposed to this project.</p> <p>Empire will construct a new 22,214 horsepower compressor station in the Town of Pendleton, Niagara County, N.Y. There is no way this should be built in a residential area, let alone 2 miles from the Starpoint Schools. It belongs in an industrial park, NOT in a residential area!</p>
Hargreaves	Paula J.	Individual, North Tonawanda, NY	June 5, 2015	<ul style="list-style-type: none"> <li>• Various Concerns regarding Resource Report 10 - Alternatives</li> </ul>	<p>I have reviewed many of the documents submitted by National Fuel/Empire Pipeline in support of their Northern Access 2016 project. The Initial Draft of Resource Report 10 - Alternatives submitted by NF on August 25, 2014 states in the Introduction that Empire would provide approximately 350,000 Dth/d of gas to interconnect with TransCanada Pipelines Limited.</p> <p>The May 1, 2015 Comments in Support of the project submitted by Seneca Resources states that they need the 350,000 Dth/day to make good on an a long standing agreement they have to deliver the gas to the Dawn market hub in Ontario, Canada. The May 20, 2015 handout prepared by National Fuel/Empire for the May 20th, 2015 Public Scoping Meeting states in its Project Overview that Empire Pipeline would increase its capacity by 350,000 Dth per day. The portion of the Northern Access 2016 project being proposed to take place in Niagara County - the installation of a new 22,214 horsepower compressor station in the Town of Pendleton, the installation of a dehydrator facility in the Town of Wheatfield are being done just to EXPORT the natural gas to Canada. This is in no way of benefit to customers in the UNITED STATES.</p> <p>I request that FERC and the Public Services Commission review the need for this portion of the Northern Access 2016 Project it is definitely NOT in the American Public's benefit. Especially those of us who would have to live with the pollution and environmental destruction caused by the project.</p>
Hargreaves	Paula J.	Individual, North Tonawanda, NY	June 5, 2015	<ul style="list-style-type: none"> <li>• Erosion and Sediment Control &amp; Agricultural Mitigation Plan</li> </ul>	<p>I have reviewed National Fuel Gas Corporation's report entitled Erosion and Sediment Control &amp; Agricultural Mitigation Plan - submitted to the docket 1/21/2015 and cannot find any reference or plan of action specific to work being conducted alongside a Superfund Hazardous Waste Site. Such as the Frontier Chemical-Pendleton Site Co. 932043.</p> <p>I request that FERC insist that this report be revised prior to issuing a Certificate to National Fuel/Empire Pipeline, Inc. not only to protect the health and safety of the nearby residents, but also to protect the workers who will potentially be working in such an environmentally sensitive area. I also request that this plan be submitted to the New York State Department of Environmental Conservation for review prior to issuing a Certificate to National Fuel/Empire Pipeline, Inc. to proceed. Yes, the Hazardous Waste Site is currently capped, but one only has to take a look at the recent problems at the nearby Love Canal Hazardous Waste site to learn that the remediation systems do fail and contaminants do leach out into the surrounding areas. Precautionary measures and testing procedures should potential contaminated soil be un-earthed, should be clearly addressed and put in place PRIOR to any construction being authorized in the area.</p>

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Barclay	William	Individual, North Tonawanda, NY	June 5, 2015	<ul style="list-style-type: none"> <li>Environmental,</li> <li>Compressor Station Location</li> <li>Proximity to Starpoint School District</li> </ul>	I have many concerns over the proposed 22,000 horsepower compressor being located in Pendleton and the changing of the existing pipeline to a 24-inch high pressure one: When were the environmental studies done? This is being located in a residential/farming community. It should go in an industrial park. The proximity to our local school, Starpoint, is very disturbing to me. So many things take years to be approved. Why is this being pushed though so quickly? An alternative site in an area that is zoned for industrial use MUST be considered. Should a disaster of any sort occur, our small volunteer fire department does not have the resources to contain it. Will the government be providing us with additional equipment and training? Let's slow this whole thing down and consider other options.
Gilman	Gary	Individual, Lockport, NY	June 7, 2015	<ul style="list-style-type: none"> <li>Safety</li> </ul>	What can FERC do to provide stability in the pipeline which is carrying known hazardous material which is highly volatile and explosive? What will FERC do to insure National Fuel - Empire pipeline companies value life and environment as much as the commodity they are transporting?
Slote	Karen	Individual, Pendleton, NY	June 7, 2015	<ul style="list-style-type: none"> <li>Chorus frog impacts</li> </ul>	National Fuel's Resource Report 3 on Vegetation and Wildlife for the Northern Access 2016 Project fails to list the western chorus frog under Existing Resources, Reptiles and Amphibians (3.3.1). As a member of Frog Watch USA, I have documented chorus frogs in Pendleton for the past 2 years, and have heard them in the area for many years prior to my involvement in that organization. Chorus frogs have also been documented by the DEC in this general area, however our location was not part of their most recent surveys this past spring. Breeding of chorus frogs would be disturbed by the constant noise if the proposed compressor would be placed in Pendleton in an area close to where these frogs are calling. Chorus frogs are listed in NYS as a Species of Greatest Conservation Need. It is imperative that these frogs be properly documented and their habitat assessed before any approval of this project and the compressor station in Pendleton.
Brooks	Renee	Individual, Pendleton, NY	June 7, 2015	<ul style="list-style-type: none"> <li>Health Impacts</li> <li>Frontier Chemical Hazardous Waste Site</li> <li>Air traffic studies</li> </ul>	I am hoping that you can help me as I have a few questions regarding the above Docket #CP15-115-000. I am wondering what, if any, investigation of health related affects the compressor will have on the people of the surrounding communities including school age and unborn children. Also, I am concerned about the superfund site at Townline and Beach Ridge Roads in Pendleton being disturbed during the pipeline work. Can you explain how this pipe will go in with a guarantee that the heavy metal site will not be disturbed? Has there been any studies done of the air traffic that travels in a pattern over the proposed compressor site as well as the pipeline? These planes fly over daily.... Thank you so much for working for the American people. Looking forward to your reply.  P.S. Would you also provide me with the names of the politicians who are supporting this project? Thank you.
Brooks	Jeffrey	Individual, Pendleton, NY	June 8, 2015	<ul style="list-style-type: none"> <li>Requesting for names of politicians supporting the Project</li> </ul>	Will you please send me the names of any politicians that support National Fuel's Northern Access 2016 Project?
Brooks	Jeffrey	Individual, Pendleton, NY	June 8, 2015	<ul style="list-style-type: none"> <li>Requesting for names of chemicals used or emitted through construction and operation of Project</li> </ul>	Would you please tell me what toxic chemicals will be used or emitted for the Northern Access 2016 Project throughout the construction and maintaining its operation? Specifically, will Chromium 6 be used for or emitted from any aspect of this compressor?

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**Docket No. CP15-115-000**

Last Name	First Name	Commenting Party	Comment Date	Concern(s)	Comment Summary
Hargreaves	Paula J.	Individual, North Tonawanda, NY	June 8, 2015	<ul style="list-style-type: none"> <li>Various Concerns regarding Resource Report 9</li> </ul>	<p>I would request that FERC have National Fuel/Empire Pipeline to redo their Table 9.1-5 showing the Preliminary Summary of PTE Emissions for proposed Pendleton Compressor Station, The footnotes to this table show that the estimates were given based on un-realistic temperature and humidity levels. The table gives estimates based on 0F and 70% relative humidity. This is un-realistic. Just how many days in Pendleton, New York actually have those temperature and humidity conditions? I live here, and I know there are not enough of those days to warrant approval of this project based on those estimated emissions. FERC should have National Fuel/Empire Pipeline at least base their emissions projections on either the average winter temperature in Pendleton, during which time the compressor station would be running at full load, or the average yearly temperature and humidity for Pendleton, using an estimate of the yearly load capacity.</p> <p>Also I would request that FERC have National Fuel/Empire Pipeline to redo their Table 9.1-6 showing the Preliminary Summary of PTE Emissions for Proposed Wheatfield Dehydration Facility, the footnotes to this table do not show what temperature and humidity and elevation these emissions are based on. Again, National Fuel/Empire Pipeline should use a temperature and humidity level that is realistic for the Wheatfield area.</p>
Slote	Karen	Individual, Pendleton, NY	June 9, 2015	<ul style="list-style-type: none"> <li>Resource Report 9</li> </ul>	<p>In National Fuel's Resource Report 9 on Air and Noise Pollution, the extremes in temperature for our region are not properly documented. The weather data from only one year was used and it showed a temperature range between -3°F and 92°F for the year 2013. Just this past February alone there were 8 days below -3°F at the Niagara Falls airport. These are as follows:</p> <p>February 13 2015: -9°F  February 15 2015: -6°F  February 16 2015: -11°F  February 17 2015: -7°F  February 20 2015: -8°F  February 23 2015: -7°F  February 24 2015: -6°F  February 27 2015: -8°F</p> <p>With climate change, these temperature extremes will only get worse. The weather conditions documented in National Fuel's resource report should take into account the very real possibility that these very cold winters will continue and what their effect will be on the operation of the proposed compressor station.</p>
Hargreaves	Paula J.	Individual, North Tonawanda, NY	June 10, 2015	<ul style="list-style-type: none"> <li>Specific Concerns Regarding FERC Site visit</li> </ul>	<p>I would like to comment on the Meeting Summary dated 5/20/2015 recently posted to the docket by the FERC staff. The summary is entitled "Proposed Pendleton Compressor Station and Wheatfield Dehydration Facility Environmental Site Review". The summary details a "environmental site review" conducted by 2 FERC staffers and 3 members of National Fuel and 3 consultants for Natural Resource Group – who sometimes work for FERC and sometimes work for the pipeline industry.</p> <p>In the interest of impartiality and the interests of the residents living in the area of the proposed Pendleton Compressor, I respectfully request that the FERC staff return to Pendleton and again take a tour of the area, with the RESIDENTS and see it through the RESIDENTS eyes, not through National Fuel's. This would help the residents in the area feel that the FERC review process is going to be un-biased.</p>

**Scoping Comment Table**  
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Last Name	First Name	Commenting Party	Comment Date	Concern(s)	Comment Summary
Hargreaves	Paula J.	Individual, North Tonawanda, NY	June 12, 2015	<ul style="list-style-type: none"> <li>• Noise Sensitive Areas - Request to amend measurements.</li> </ul>	<p>I would like FERC to have National Fuel/Empire Pipeline amend their measurements to so called Noise Sensitive Areas. Looking at their various reports where Noise Sensitive Areas are mentioned, it would appear that their measurements are extending right up to the various homes in the area. By allowing this measurement FERC is indeed regulating the home owners and NOT the Energy Companies - National Fuel/Empire Pipeline.</p> <p>Why should the residents be confined to their homes? Why should the children not be allowed to play in their own yards? Why should the family pets and livestock be subjected to excessive noise? Why cannot they be allowed to roam anywhere on their owners property? Why shouldn't the homeowners be able to enjoy ALL of their own property without the intrusion of noise from the proposed compressor station - we pay the taxes?</p> <p>FERC should ensure that all noise measurements are to the outer perimeter of the property owned by National Fuel/Empire Pipeline and not an inch beyond. New York State Department of Environmental Conservation I believe has rules that restrict acceptable noise levels to the property line of the noise emission. Therefore, I request that FERC have National Fuel/Empire Pipeline comply with the more stringent New York State Department of Environmental Conservations rules regarding acceptable noise levels.</p> <p>This should not be a problem to National Fuel/Empire Pipeline as their own Vice President Ron Kraemer stated at the May 20th, 2015 Public Scoping meeting that they would beat the EPA's allowable 55 decibel limit by 10 to 15 decibels. So setting a maximum of 45 decibels at the property line should be of no consequence to them and I am sure Mr. Kraemer would be the first to step up and endorse the change. This would allow the homeowners in Pendleton, their children, their pets and their livestock to not be severely impacted by the noise from the proposed compressor station - should FERC allow them to proceed and construct it. Even though it is totally inappropriate for a RESIDENTIAL AREA.</p>
Gilman	Gary	Individual, Lockport, NY	June 12, 2015	<ul style="list-style-type: none"> <li>• Blowdowns at Compressor Station</li> </ul>	<p>NFG Fact Sheet presented at FERC Scoping Meeting May 20, 2015 indicated NFG is committed to low emissions stating the only emission is the combustion of natural gas which is similar makeup as residential furnace. This is direct quote from NFG posting on website as of 5/18/2015. Does this mean there will be zero blow downs to release pressure from piping at the compressor station? Also indicated from NFG is their facilities will meet stringent New York State Department of Conservation (DEC) and EPA permit requirements. Does this mean the Environmental Impact Statement will be done as this is requested by New York State DEC? Commitment by NFG states all facilities expected to qualify for DEC Air Facility Registration emission levels ( lowest of 3 qualification levels)? Does the lowest level indicate best air quality? Will the FERC permit be revoked if NFG doesn't comply or exceed New York State DEC and EPA permits which are in place to protect the public and environment or will NFG be allowed to proceed even though they don't meet the commitments they told the residents they would adhere to?</p>

**Scoping Comment Table**  
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Last Name	First Name	Commenting Party	Comment Date	Concern(s)	Comment Summary
Freeborn	Hugh	Individual, Porterville, New York	May 27, 2015	<ul style="list-style-type: none"> <li>• Mainline Pipeline Route</li> <li>• ROW Agreement/Acquisition</li> </ul>	<p>National Fuel never contacted me to discuss this matter as described in the letter I received on March 30,2015 from National Fuel. Instead they hand delivered a Right-Of-Way agreement to my home, in May, with no previous notice expecting it to be signed. They called back one week later to find out if it was signed yet. I called Aiden Moyer, my contact Representative for National Fuel, and gave him my concerns with the agreement as written. He has yet to respond in writing, as requested, to my concerns. It appears to me that National Fuel is waiting for the May 29th. deadline for public comments to FERC to expire.</p> <p>I have been trying to get National Fuel to have them modify their proposed route through my property since I received the detail of the actual route that they are planning on taking. The Route that they are proposing does not follow environmental requirements. The route does not run parallel to existing Right-Of-Ways. Instead it will cut a new Right-Of-Way through my property. The Results will be 3 individual separate Right-Of-Ways through a 3 Acre portion of my property leaving 4 small unusable pieces of property. This is one of the areas that there was a concern for the Bat Population and how their Habitat would be affected. The route planned is not the same as what was shown to me by one of their representatives in the public meetings they held last year in Olean, NY. There are already three individual Right-Of-Ways in the area in question. Two on my property and one along my property line in the adjacent property. There is no reason that they should not be able to follow the existing Right-Of-Ways as is required by environmental regulations. This would leave me with 2 large useful portions of property close to the same as I presently have.</p> <p>In addition, The proposed Right-Of-Way Agreements being offered by National Fuel expecting Land owners to sign gives them the right to pump any substance they like through the pipeline. This means that land owners are allowing them to transport Nuclear Waste through the pipeline. Since FERC only issues them a certificate for one substance and regulations require them to Negotiate with the land owners if they want to transport a different substance, FERC should require them to be accurate and specific about what is transported in the agreements and whether the pipeline is located above or below ground.</p>

**Scoping Comment Table**  
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<b>IV. NGOs</b>					
<b>Last Name</b>	<b>First Name</b>	<b>Commenting Party</b>	<b>Comment Date</b>	<b>Concern(s)</b>	<b>Comment Summary</b>
Talbot	Ryan	Allegheny Defense Project (ADP)	April 16, 2015	<ul style="list-style-type: none"> <li>• Segmentation</li> <li>• Cumulative, Direct, and Indirect Impacts</li> </ul>	See Joint Comments of ADP and PAWCA, submitted on April 17, 2015 under Docket CP15-115 (Accession # 20150417-5025).
Lisak	Jenny	Pennsylvania Alliance for Clean Water and Air (PAWCA)	April 16, 2015	<ul style="list-style-type: none"> <li>• Segmentation</li> <li>• Cumulative, Direct, and Indirect Impacts</li> </ul>	See Joint Comments of ADP and PAWCA, submitted on April 17, 2015 under Docket CP15-115 (Accession # 20150417-5025).

**ATTACHMENT A-2**

**MAY 20, 2015 FERC PUBLIC SCOPING MEETING COMMENTS**

National Fuel Gas Supply Corporation and Empire Pipeline, Inc.  
Northern Access 2016 Project  
Docket No. CP15-115-000

Last Name	First Name	Description of Commenting Party	Comments/Questions
Smith	Bradley	Resident, Town of Pendleton	<ul style="list-style-type: none"> <li>• Soil not conducive to vibration or disturbance. Compressor being built on clay swamp.</li> </ul>
Masterson	Sandra	Chairman of the Board of Assessment Review for the Town of Pendleton	<ul style="list-style-type: none"> <li>• Noise and vibrations – concern that will affect otherwise quiet, rural neighborhood and property assessments. Lowering assessments in one area of the town raises them in another.</li> <li>• Availability of natural gas to Town of Pendleton - Will residents have access and option to go to natural gas rather than propane?</li> </ul>
Reeb	Annmarie and Samantha	Resident, 6630 Sheetram Road, Pendleton, New York	<p>Children’s exposure to Benzene and other airborne chemicals.</p> <ul style="list-style-type: none"> <li>• What are the exposure levels?</li> <li>• Impacts of Benzene and what protective measures will be implemented?</li> <li>• Request that a permissible exposure limit be determined.</li> </ul>
Sherwood	Karen	Resident, Beach Ridge Road, Town of Pendleton	<ul style="list-style-type: none"> <li>• Issue with National Fuel and Empire selling their product to Canada to increase their profits (no benefit to Niagara County).</li> </ul>
Maerten	Joel	Chief, Wendelville Fire Company	<ul style="list-style-type: none"> <li>• Mercaptan smell at existing NFG facility - stated has handled numerous complaints for gas leaks for a mercaptan station currently operated by National Fuel. Met with National Fuel and was promised it would be taken care of, butsmells still there.</li> <li>• Public outreach / Notification - As chief of the fire company, nobody approached him about project. Residents have reached out to him requesting information. NFG is not forthcoming with information. Nobody seems to be notified properly.</li> </ul>
Ryndak	Valeria	Resident, Town of Pendleton	<ul style="list-style-type: none"> <li>• Notification - Lack of notice; only two days to prepare. Mailing was bulk and came from the Town (not invited by FERC or National Fuel).</li> </ul>
Monde	Kelly	Resident, 4609 Beach Ridge Road, Pendleton, New York	<ul style="list-style-type: none"> <li>• Proximity of Compressor Station to Residence - Compressor station is going to be within 2,000 ft. of home.</li> <li>• Emissions- emissions from the station have potential to blow directly into children’s’ bedroom window. <ul style="list-style-type: none"> <li>◦ What studies have been done that show the impact on children living within 3,000 ft. of a natural gas compressor station?</li> </ul> </li> <li>• Accidents at Compressor Stations - There have been documented cases of accidents at natural gas compressor stations - will there be a fund set up to compensate the residents living around the facility if there is any damage or health risk due to the accidents or EPA violations?</li> </ul>
Carrillo	Sue	Intervener	<ul style="list-style-type: none"> <li>• Expedited Review - “oral motion” to oppose FERC expediting the EA for NA 2016 Project.</li> <li>• Environmental Impact Statement - FERC must issue a schedule for a full environmental impact statement and FERC’s schedule must follow, produced by the NYDEC. “Oral motion” for an extension of time to allow full due process.</li> </ul>

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Last Name	First Name	Description of Commenting Party	Comments/Questions
Bolse	Barbara	Resident, Pendleton, New York	<ul style="list-style-type: none"> <li>Notification - not enough notification to residents.</li> </ul>
Schmelz	Richard	Resident, Pendleton, New York	<ul style="list-style-type: none"> <li>Electric Compression - Has any thought been given to electrical pumping? Would be safer and quieter.</li> </ul>
Hens	Geri	Hens Honeybee Farm	<ul style="list-style-type: none"> <li>Stated the U.S. Agriculture Department reiterated that pollinator insect health is a matter of national security and food production.</li> <li>Can we use the acreage that the pipeline has an easement to enhance pollinator insect health by doing plantings and retaining indigenous native vegetation instead of spraying with herbicides.</li> </ul>
Lemieux	Logan	Resident, Town of Pendleton	<ul style="list-style-type: none"> <li>Overall health concerns (breathing chemicals/noise from compressor)</li> </ul>
Lemieux	Kim	Resident, Pendleton, New York	<ul style="list-style-type: none"> <li>Health and safety concerns for school children at Starpoint Central School District: <ul style="list-style-type: none"> <li>Will National Fuel assist the school to deal with emissions, eliminating chemical particles that fall on surfaces children play on?</li> </ul> </li> <li>Concerns over response time at unmanned station: <ul style="list-style-type: none"> <li>What precautions and money will be set aside to the school district to assist in emergency efforts?</li> <li>How will National Fuel work with the school district to assist in a comprehensive evacuation plan?</li> </ul> </li> </ul>
Stirling	Gail	Resident, Pendleton, New York	<ul style="list-style-type: none"> <li>Location of Compressor Station - How can FERC allow the compression station to be built in Pendleton ruining our areas where it is being built to help send the natural gas to Canada?</li> </ul>
Zimmerman	Michael	Resident, Pendleton, New York	<ul style="list-style-type: none"> <li>No benefit to this rural community. This is not an industrial community.</li> </ul>
Riester	Jim	Supervisor, Town of Pendleton; Intervener	<ul style="list-style-type: none"> <li>Health and safety concerns.</li> <li>Noise complaints.</li> <li>Location of Compressor Station - Industrial project does not belong in a residential area.</li> <li>Wetlands impacts - There are wetlands along Bull Creek.</li> <li>Request for month extension to complete full environmental impact.</li> </ul>
Gentzke	Sue	Comments on behalf of Holly Dawson, Resident, Pendleton, New York	<ul style="list-style-type: none"> <li>Emissions - wanted everyone to know about volatile organic compounds: Benzene, Toluene, Ethyl benzene, Sulfur dioxide, Carbon monoxide, particulate matter, Formaldehyde, Nitrogen oxide and sulfur oxide, .</li> </ul>
Kopcinski	Thomas	Individual	<ul style="list-style-type: none"> <li>How do the shareholders benefit?</li> </ul>

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Ciepiela	Barbara	Resident, Pendleton, New York	<ul style="list-style-type: none"> <li>• Recent Gas Smell – Stated that last couple weeks because of high winds by residence there is gas permeating the atmosphere. Called the National Fuel mercaptan site. Visited the pipeline in the ground and fluid was coming out of the pipes along with a hissing sound. Called DEC Spill hotline, which took a report. Called National Fuel; which gave another number. Called that number and received response that they can't do anything except file the report. Call the Clean Air Coalition number which directed back to National Fuel. They stated they do not service Pendleton and to call NYS Electric and Gas or call 911. NYSEG came to the house. Took a half hour to reach contact from National Fuel and had to give him directions to the facility as he did not know where the facility was.</li> <li>• If you [National Fuel] cannot maintain an existing facility, what are you going to do with a 22,000 horsepower compressor station?</li> </ul>
Gilman	Gary	Resident, Pendleton, New York	<ul style="list-style-type: none"> <li>• Notification/Communication - Communication and notification to residents has been terrible.</li> <li>• Issue with Mr. Kraemer changing calculation of emissions from 1 furnace to 500 furnaces. Actual is 800.</li> <li>• Complaints regarding health.</li> </ul>
Burger	Jean	Individual	<ul style="list-style-type: none"> <li>• Concerns over natural disasters.</li> <li>• Feels the proposed pipeline and compression station increases the risk of fire and/or explosions to a residence nearby.</li> <li>• Safety concerns.</li> </ul>
Burger	Ed	Individual	<ul style="list-style-type: none"> <li>• Emission concerns - Formaldehyde.</li> </ul>
Buechler	Wolfgang	Chairman of the Pendleton Zoning Board of Appeals	<ul style="list-style-type: none"> <li>• Zoning ordinances in Pendleton. 91% of land use is residential. No heavy industrial. Pendleton does not allow for heavy industrial projects within the zoning ordinances.</li> </ul>
Dawes	Peter	Individual	<ul style="list-style-type: none"> <li>• Threat of methane to aviation.</li> <li>• What system will be in place to warn aircrafts away in the event of a blow down?</li> </ul>
Bobsein	Louis	Individual	<ul style="list-style-type: none"> <li>• Who is the government department responsible for handling this public input outside the scope of your responsibility?</li> <li>• Who is the elected official responsible for that input?</li> <li>• If there is a loss of property value, how would residents be compensated?</li> </ul>
Hargreaves	Dave	Resident, Pendleton, New York	<ul style="list-style-type: none"> <li>• Emission concerns - Nitrogen Dioxide Gas. Since there are two compressors going in place for this proposal, that is equivalent emissions to 10,600 furnaces.</li> </ul>
Lemieux	Kim	Speaking on behalf of Betty Ridgeway	<ul style="list-style-type: none"> <li>• Emissions - Have you measured the emissions that are already in the air in Pendleton?</li> </ul>
Pinto	Lynn	Speaking on behalf of Michael Pinto; Resident, Pendleton, New York	<ul style="list-style-type: none"> <li>• Air Sampling Costs - Al Carlacci at the DEC office in Buffalo said air sampling is expensive and rarely done. The DEC uses computer modeling now to monitor all the emissions.</li> <li>• Emission regulation violations - How will we be notified if there are violations?</li> <li>• Emergency Preparedness - Will Wendelville Fire Department be prepared to handle a situation?</li> </ul>

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Lemieux	Victor (nickname Deke)	Individual	<ul style="list-style-type: none"> <li>Noise concerns - needs to go to a heavy industrial area.</li> </ul>
Cacicia	Jeffrey	Starpoint School District Teacher	<ul style="list-style-type: none"> <li>What are the ramifications for students and kids 30, 40 years down the road? Concerns for health long term.</li> </ul>
Brubaker	Howard	Resident, Pendleton, New York	<ul style="list-style-type: none"> <li>Questions regarding "minimum standards" on fliers. Emissions</li> </ul>
Briggs	Kaori	Speaking on behalf of Kristin Lane	<ul style="list-style-type: none"> <li>How can FERC be independent when it is paid for by the very companies it is supposed to regulate? FERC uses the same environmental consulting company, Natural Resource Group, NRG, as the gas company does. How can the consultants be fair and unbiased when they are working for both sides of the table?</li> </ul>
Slote	Karen	Resident, Pendleton, New York	<ul style="list-style-type: none"> <li>Initial construction would disturb wildlife habitat in the area. Bright lighting combined with the huge expansive fencing and constant noise would negatively impact the survival and reproduction of a variety of species. Formally requesting a new habitat study be completed by the DEC before any permits are grants.</li> <li>Proposed area is situated on designated wetlands which are afforded special protections by the state and federal governments.</li> <li>Quality of life concerns.</li> </ul>
	Kevin	Resident, Pendleton, New York	<ul style="list-style-type: none"> <li>What are the benefits to the Starpoint School District?</li> <li>Location of Project</li> </ul>
Helwig	Larry	Councilman, Town of Wheatfield	<ul style="list-style-type: none"> <li>Notification – were Town of Wheatfield. residents notified?</li> <li>Environmental Review - endorsing that a full environmental impact study be done.</li> </ul>
Fronmuller	Tobias	Resident, Pendleton, New York	<ul style="list-style-type: none"> <li>Concerns over eminent domain.</li> </ul>
Siracuse	Sara	Speaking on behalf of Linda and Eric Knuutila; residents, Pendleton, New York	<ul style="list-style-type: none"> <li>Notification - - first scoping meeting 'sneaked in under the cover of Christmas'.</li> <li>Fear of Natural Gas Explosion - Heat house with oil due to fear of gas explosion.</li> <li>Eminent Domain - Upset that Fronmuller's nursery has been threatened with the seizure through eminent domain.</li> <li>Property Values - Retirement tied up in the equity of their homes and do not want to see it destroyed.</li> <li>Wildlife, ecology of the area and health concerns.</li> </ul>
Gareau	David	Resident, Pendleton, New York	<ul style="list-style-type: none"> <li>Environmental concerns.</li> </ul>
Forster	Mike	Resident, Pendleton, New York	<ul style="list-style-type: none"> <li>Concerns over unmanned station.</li> <li>Safety issues.</li> </ul>
Siracuse	Sara	Resident, Pendleton, New York	<ul style="list-style-type: none"> <li>Wildlife concerns.</li> <li>Alternative Site - No correspondence offered on any alternative sites.</li> <li>Notification - Only a select few residents received notifications. Why are you not more forthcoming with information?</li> </ul>

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Newberry	Rebecca	Clean Air Coalition of WNY.	<ul style="list-style-type: none"> <li>• Emissions.</li> <li>• Notification - process that FERC and National Fuel engaged with residents - particularly around the scoping session. People did not receive timeframes of when the scoping session was supposed to happen. Some notified by neighbors and not in an official manner.</li> </ul>
Abramo	Linda	Resident, Pendleton, New York	Property value will be destroyed.
Fischer	David	Councilman, Town of Pendleton	Against the proposed compressor station.
O'Neil	Nancy	Resident, Town of Pendleton	Toxins