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August 25, 2021

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

RE: Mountain Valley Pipeline, LLC
Docket No. CP16-10-000
Response to Comments of Maury Johnson

Dear Secretary Bose:

Mountain Valley Pipeline, LLC has received a copy of the comments filed with the Federal Energy Regulatory Commission on August 11, 2021 (Accession No. 20210811-5111) and August 13, 2021 (Accession No. 20210813-5068) by Maury Johnson in the above-captioned docket.¹

Mountain Valley acknowledges the right of any party to lawfully object to the project and to participate in the regulatory process. However, when project opponents mischaracterize facts and make unsubstantiated claims to support their position, it undermines the regulatory process and wastes the limited resources of the respective state and federal agencies who must investigate the veracity of the claims. Mountain Valley provides this response to correct the record and address the claims made by Mr. Johnson. The facts demonstrate that Mr. Johnson's claims set forth in the above referenced letters are without merit.

1. Since 2018, Mr. Johnson has submitted approximately 50 letters to FERC, more than 200 complaints to the West Virginia Department of Environmental Protection, and a host of internet postings, publications, and videos detailing his opposition to the Project. Yet, as he readily admits, not once has Mr. Johnson claimed or even mentioned water supply impacts.² Now, almost 3 years later, Mr. Johnson asserts in a public letter that Project construction activities damaged his water supply beginning in March 2018 and that he has been unable to use his water for drinking, cooking, or cleaning. The fact that this claim has only now surfaced after all the above referenced public statements creates a reasonable dose of skepticism.
2. The facts surrounding Mr. Johnson's interactions with Mountain Valley since 2018 do not support his claims either. The facts demonstrate that despite multiple opportunities to do so, Mr. Johnson has never identified a water supply source on his property to Mountain Valley

¹ Mr. Johnson also filed comments regarding the pipe coating on August 18, 2021 (Accession No. 20210818-5079) but Mountain Valley has previously responded to such concerns. See July 21, 2021 Response to Preserve Bent Mountain (Accession No. 20210721-5100).

² See August 11, 2021 Letter (Accession No. 20210811-5111).

or to the regulatory agencies. Further, there is no reference to any water supply, impacts to any water supply, or request to conduct water sampling of the purported water supply in real estate and related documents negotiated by him. There is no support for Mr. Johnson's assertions that Mountain Valley's construction activities have had any impact on his water supply since 2018.

3. Mountain Valley is aware that project opponents are singularly focused on the Project as the sole source of any real or perceived harms and often ignore other obvious causal factors if they are inconsistent with their opposition. For example, the recent claims made by Mr. Johnson fail to disclose or even acknowledge other likely sources of impacts to natural resources on his property. Mr. Johnson's water impairment claims are particularly suspect given the fact that, earlier this month, Mountain Valley documented a vehicle on Mr. Johnson's property that was parked in a stream channel and appeared to be leaking oil or hydraulic fluid into the channel: To be clear, this vehicle is not owned, operated or otherwise connected to Mountain Valley. Mountain Valley is not aware of the purpose or related construction activities associated with the vehicle as such activities were not addressed in the recent letters.





This stream channel feeds water into an adjacent pond off Mr. Johnson's property that he previously alleged, albeit wrongfully, that Mountain Valley had contaminated.³

4. Mr. Johnson's false claims regarding Mountain Valley's crossing of State Route 122 after construction also fail under the same scrutiny.⁴ Mountain Valley completed the installation of the pipeline under State Route 122 and reopened the road for two-way traffic on August 13, 2021. A picture showing the road crossing on August 14, 2021, after the road plate and barriers were removed, is provided below:

³ See, e.g., Accession No. 20200713-5028, -5174).

⁴ See also Accession No. 20210805-5129 (Mountain Valley's response to Mr. Johnson's and Preserve Monroe's false and unsafe allegations about the State Route 122 crossing).

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The road crossing was completed safely, with no environmental incidents, no impact on first responders, and minimal disruption to the public. The only remaining activity is to pave the road surface, which is scheduled to occur next week. To date, Mr. Johnson has not corrected his misstatements.

Mountain Valley takes these claims of impacts to any natural resource seriously and remains willing to have a productive dialogue with the claimant to address his perceived concerns. Mountain Valley appreciates the opportunity to submit this information to clarify the issues raised by Mr. Johnson. Should you have any further questions please do not hesitate to contact me.

Respectfully submitted,
MOUNTAIN VALLEY PIPELINE, LLC
by and through its operator,
EQM Gathering Opco, LLC

By: 

Matthew Eggerding
Assistant General Counsel