



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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August 1, 2017

The Honorable Sam Rasoul
P.O. Box 13842
Roanoke, Virginia 24037

Dear Delegate Rasoul:

Thank you for your letter dated July 18, 2017, regarding "Comments on Mountain Valley Pipeline Additional 401 Water Quality Conditions." Your letter included a number of technical comments and concerns. To ensure that those comments and concerns are appropriately considered, I have asked DEQ staff to include your letter in the official public comment record, so that the information and concerns you identified will be given full consideration through the current review process and before DEQ makes its recommendation to the State Water Control Board.

In the letter you also requested that the comment period be suspended. Numerous programs are administered by DEQ under regulations adopted by the State Water Control Board and generally all the programs endorse a concept of timely action by DEQ on applications. Timely action is a long-standing concept in the State Water Control Law and there are similar concepts for making case decisions in the Administrative Process Act. The Board's regulations include requirements for public comment opportunities and final decisions to move forward in a timely manner.

DEQ has been involved with and been reviewing material relative to this project for many months. As a result, in addition to the other regulatory tools being used to protect water quality, draft additional 401 conditions were developed and these draft conditions are now the subject of an official public comment period, including public hearings. Under the existing processes, the Board must now proceed within established time frames to take certain actions which does not allow for delaying the current public comment process.

The Honorable Sam Rasoul
August 1, 2017

I hope that you find this information to be helpful. I appreciate your interest in this project and DEQ's activities, and I hope that you will continue to reach out to me at any time if something is unclear or you have additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "David K. Paylor". The signature is fluid and cursive, with a large initial "D" and "P".

David K. Paylor

DKP:ewf