

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY PROJECTS

In Reply Refer To:

OEP/DG2E/Gas 4
Rover Pipeline, LLC
Rover Pipeline Project
Docket No. CP15-93-000
§ 375.308(x)

June 1, 2017

Joey Mahmoud
Senior Vice President
Rover Pipeline LLC
1300 Main Street
Houston, TX 77002

Re: Tuscarawas River Horizontal Directional Drill - Drilling Fluid Composition

Dear Mr. Mahmoud:

On May 10, 2017, the Federal Energy Regulatory Commission (FERC or Commission) suspended further horizontal directional drill (HDD) activity on the Rover Pipeline Project following an inadvertent return of approximately 2 million gallons of drilling fluid during completion of the HDD of the Tuscarawas River (approximate milepost 42 of Mainlines A and B, Stark County, Ohio). Commission staff continue to investigate the underlying reasons for this occurrence, environmental impacts, and Rover Pipeline LLC's (Rover) environmental compliance oversight.

On May 26, 2017, the Ohio Environmental Protection Agency (Ohio EPA) notified FERC staff and Rover of the presence of petroleum hydrocarbon constituents, commonly found in diesel fuel, in samples of drilling fluid from various locations near the HDD of the Tuscarawas River. While the Ohio EPA has concluded that the diesel fuel contamination does not constitute an imminent threat to human health and the environment, there are nevertheless still concerns regarding the potential long-term environmental impacts resulting from the presence of the diesel fuel.

The confirmed presence of petroleum hydrocarbons in the samples taken by Ohio EPA also suggests a violation of Environmental Condition No. 1 of the Commission's February 2, 2017 *Order Issuing Certificates* (Order) in the above referenced docket. This condition requires Rover to adhere to construction procedures as described in its application and identified in the Commission's Environmental Impact Statement (EIS).

As stated in Rover's application and discussed in the EIS (see section 4.2.3.5), Rover committed to use drilling fluid composed only of a "slurry made of nontoxic/non-hazardous bentonite clay and water." Based on this representation, the EIS thus concluded that due to the non-toxic contents of the drilling fluid, inadvertent releases would likely result in minimal environmental impacts.

Based on the results of the sampling conducted by Ohio EPA, the Commission's Office of Enforcement will immediately initiate an investigation to determine the underlying facts that led to the presence of petroleum hydrocarbons in the drilling fluid. Rover is reminded of the data preservation directive in Commission staff's May 10 letter, which includes the requirement that Rover preserve and maintain all documents and information related to the composition, acquisition, preparation, and disposal of the drilling fluid used at Rover's HDD of the Tuscarawas River. We also expect Rover's full and immediate cooperation with the Commission's Office of Enforcement regarding this investigation.

Commission staff will continue to coordinate with Ohio EPA to identify appropriate testing, remediation, and monitoring steps to ensure protection of the environment consistent with the Commission's Order. As stipulated in Environmental Condition No. 2 of the Commission's Order, the Director of OEP has delegated authority to take additional actions as necessary to ensure that Rover complies with all environmental conditions of its certificate, including additional measures to mitigate adverse environmental impacts resulting from project construction and operation.

If you have any questions, please contact Rich McGuire, Director, Division of Gas-Environment & Engineering, at (202) 502-6177.

Sincerely,

Terry L. Turpin
Director
Office of Energy Projects

cc: Public File, Docket No. CP15-93-000