

Congress of the United States

Washington, DC 20515

December 1, 2025

The Honorable Laura Swett
Chairwoman
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

Ms. Debbie-Anne Reese
Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

RE: Environmental Assessments for Mountain Valley Pipeline Southgate (Docket No. CP25-60-000) and Southeast Supply Enhancement Project (Docket No. CP25-10-000)

Dear Chairwoman Swett and Secretary Reese,

We write to you regarding FERC's current review of the proposed Southeast Supply Enhancement Project (SSEP) and Mountain Valley Pipeline Southgate (Southgate) project. We are concerned that FERC has not adequately reviewed all possible risks associated with the massive capacity expansion and resulting infrastructure of SSEP, the proposed changes to the Southgate project, the history of the developers' compliance, and the colocation of these two projects. On behalf of communities in Virginia and North Carolina, we urge the Commission to prepare an Environmental Impact Statement (EIS) for both projects before considering them further. If FERC is unwilling to do so, we urge the Commission to deny the certification of both projects to ensure that the surrounding communities are not placed at undue risk.

SSEP is one of the largest natural gas capacity expansions proposed in decades, but FERC found no significant impact on human health or the environment despite only preparing an environmental assessment (EA) for its review. Under every metric, this is factually incorrect, including project footprint, horsepower upgrades to compressor stations, and capacity increase. This massive project will have significant environmental impacts that demand a thorough review and a complete EIS. Further, not conducting an EIS for SSEP would be a dramatic departure from past FERC policy and practice for projects of this magnitude. The Commission has consistently completed EISs for projects much smaller in size than SSEP.

On June 18, 2020, FERC issued a final Environmental Impact Statement (FEIS) for the Southgate project. The FEIS determined that the project would create air and noise pollution detrimental to surrounding communities, cause long-term cumulative effects on wetlands and uplands, and result in a variety of other environmental impacts.¹ Guided by the FEIS, FERC issued a Certificate of Public Convenience and Necessity authorizing Southgate to transport 375,000 dekatherms of natural gas per day (Dth/d) based on the project's design at the time. Mountain Valley Pipeline, LLC, the developer of the Southgate project, has since significantly changed the project's scope and operations in its amended application. These changes include, but are not limited to, increasing the pipe's diameter from 16- and 24-inches to 30-inches,

¹ <https://www.ferc.gov/sites/default/files/2020-05/02-14-20-FEIS.pdf>

modifying the project's route, and raising the project's operational capacity to 550,000 Dth/d. Despite these major changes, FERC's EA of the amended project recommended a finding of no significant impact which does not require a new EIS be prepared.² There are several faults within FERC staff's rationale in issuing this recommendation.

The EA relies heavily on the assumption that Mountain Valley Pipeline, LLC will adhere to the construction and mitigation protocols that the company enumerated in its application. Since construction began on the Mountain Valley Pipeline mainline project, the developer has shown an unwillingness to comply with environmental and safety regulations. In 2018, the Office of the Attorney General of Virginia alleged 375 violations, including hundreds of water quality protection violations.³ The violations include unpermitted discharges into waterways, failure to maintain and repair erosion and sediment controls, violations related to road crossings over streams, and violations related to water diversions and drains. That matter was resolved with a negotiated consent decree, or settlement, which required Mountain Valley Pipeline, LLC to pay a \$2.15 million penalty and pay for third-party environmental auditing.⁴ Since the consent decree was entered in 2019, the Virginia Department of Environmental Quality has cited Mountain Valley Pipeline, LLC for additional violations.⁵ The West Virginia Department of Environmental Protection has also issued more than 50 violation notices to the developer.⁶

Mountain Valley Pipeline, LLC also allegedly terminated one of its inspectors for reporting safety violations.⁷ If that is true, this should also be considered in FERC's assessment as this action is a clear sign that the developer is willing to act against reporting violations and avoid taking necessary steps to address situations as they arise. It should also be noted that the Transcontinental Gas Pipe Line Company (Transco), the developer of the SSEP, has a similar history of environmental and safety violations which should be considered in evaluating the SSEP.⁸

The recommendation also does not adequately consider the cumulative impacts, including water quality and public safety impacts, that may occur due to the colocation of portions of the SSEP

² <https://elibrary.ferc.gov/eLibrary/filedownload?fileid=940AAF54-FEBE-C425-975C-99AA21A00000>

³ Circuit Court of Henrico County, Paylor and State Water Control Board v. Mountain Valley Pipeline, LLC. 07 December 2018. https://drive.google.com/file/d/1TNzIN1S-_fAkqReed9ZWdGeKH_sa5PLQ/view

⁴ Circuit Court of Henrico County, Paylor et al. v. Mountain Valley Pipeline, LLC. Consent Decree. 23 October 2019. <https://drive.google.com/file/d/1aL0bCFpqCBKNvARibXdcWOhZvawbSk4D/view>

⁵ Hammack, Laurence. "A Pipeline Runs through It: Stream Crossings by the Mountain Valley Pipeline." Roanoke Times. 11 December 2021. https://roanoke.com/news/local/a-pipeline-runs-through-its-stream-crossings-by-the-mountain-valley-pipeline/article_524c40f0-5934-11ec-b0bc-bf0fc3b2e93f.html; Roxy Todd, *Virginia fines MVP for environmental violations*. WVTF (March 28, 2024), <https://www.wvtf.org/news/2024-03-28/virginia-fines-mvp-for-environmental-violations>.

⁶ Mike Tony, *Mountain Valley Pipeline Faces \$303,000 State Fine for Continued Erosion, but Pipeline Opponents Call for Bigger Penalty*, Charleston Gazette-Mail (Feb. 5, 2021), https://www.wvgazette.com/news/energy_and_environment/mountain-valley-pipeline-faces-303-000-state-fine-for-continued-erosion-but-pipeline-opponents-call/article_d7e1d317-834d-5a22-9747-41ece2de8e36.html; Curtis Tate, *Mountain Valley Pipeline Receives More Violations In W.Va.*, West Virginia Public Broadcasting (Oct. 22, 2025), <https://wvpublic.org/story/energy-environment/mountain-valley-pipeline-receives-more-violations-in-w-va>.

⁷ https://roanoke.com/news/local/business/article_720bb1fb-6d4b-43be-b215-ffefad939126.html

⁸ Good Jobs First, *Violation Tracker Current Parent Company Summary, Williams Companies*, available at https://violationtracker.goodjobsfirst.org/?parent=williams-companies&order=primary_offense&sort=.

and the Southgate project. Approximately 95 percent of the SSEP's proposed Eden Loop is within a quarter mile of Southgate, and multiple waterways would be impacted by both projects.⁹ The potential for permanent cumulative impacts from individual pipeline crossings is compounded when there are multiple crossings of a waterway or in a watershed.¹⁰ The colocation of two high-pressure, large diameter pipelines is of significant concern for local residents. Multiple local governments and other elected officials have expressed concerns about the safety and health impacts of these proposed pipelines.^{11,12,13}

We urge you to prepare Environmental Impact Statements for the Southeast Supply Enhancement Project and the amended Mountain Valley Pipeline Southgate project before moving forward in reviewing these projects. If FERC is unwilling to do so, we urge the Commission to deny the Certificates of Public Convenience and Necessity for both projects.

Thank you for your time and attention to this matter.

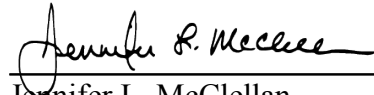
Sincerely,



Robert C. "Bobby" Scott
Member of Congress



Valerie P. Foushee
Member of Congress



Jennifer L. McClellan
Member of Congress

⁹Miller Cochran, Southgate and SSEP Cumulative Impacts 1-3 (May 27, 2025)

¹⁰2-5. 133 See, e.g., SSEP 401 Application, at 91, 92. 134 SSEP 401 Application, 93-104. 135 RDE report, at 1. 136 See also Lévesque, L.M. & Dubé, M.G., Review of the effects on in-stream pipeline crossing construction on aquatic ecosystems and examination of Canadian methodologies for impact assessment, 132 ENVTL. MONITORING & ASSESSMENT 406-07 (2007)

¹¹<https://drive.google.com/file/d/1F7S1eYZNOHPJjaO8LbV0eBCrEPvg8ihJ/view?usp=sharing>

¹²https://drive.google.com/file/d/1A3p18SyRCvjEj76UZb4asXMa_hyXO5C/view?usp=drive_link

¹³https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20250310-5237&optimized=false&sid=0eea0acc-bf7c-484f-ada1-1d96f98b812a