



COMMONWEALTH of VIRGINIA

Department of Health

PO BOX 2448
RICHMOND, VA 23218

TTY 7-1-1 OR
1-800-828-1120

May 1, 2018

Suzanne J. Keller
3014 Landria Drive (sjkeller.ma@gmail.com)
Richmond, Virginia 23225

VIA EMAIL

Dear Ms. Keller:

Thank you for speaking with me yesterday about your request for copies of records under the Virginia Freedom of Information Act (Code of Virginia § 2.2-3700 et seq.). This correspondence acknowledges receipt of your request dated April 27, 2018, which I received via email on that same day. You requested "...any correspondence, memos, recommendations, email, meeting agendas and minutes, records of conversations with DEQ or the Secretary of Natural Resources regarding the protection, evaluation, interpretation of water quality statutes or assessment of water quality during the permitting and compliance phases of the Atlantic Coast or Mountain Valley pipelines between December 9, 2016 and April 26, 2018."

The Virginia Department of Health (VDH) has determined the charge for producing responsive records will likely exceed \$200.00. Pursuant to §2.2-3704(H) of the Code of Virginia, if you wish to pursue this request, VDH requests a deposit by check for \$630.00, payable to VDH. Please submit the check to my attention at VDH.

Pursuant to §2.2-3704(H) of the Code of Virginia, the time period within which VDH must respond to your request is tolled, and VDH will not perform any additional work with respect to your request pending your response to this advance deposit request. VDH will credit your advance deposit toward the final cost of identifying and providing the requested records.

During our telephone conversation yesterday you informed me that you wish to modify your request to include only VDH's final recommendation to DEQ concerning the distance from the pipeline for surveying private wells and other private water systems. In response, I have attached the October 19, 2017, memorandum from Dr. Hughes Melton, Chief Deputy Commissioner, to David Paylor, DEQ Director. There is no charge for this electronic document.

Please let me know if you have any questions or wish to discuss the scope of your FOIA request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Allen L. Knapp".

Allen L. Knapp, Director
Office of Environmental Health Services



COMMONWEALTH of VIRGINIA

Marissa J. Levine, MD, MPH, FAAFP
State Health Commissioner

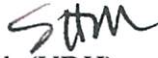
Department of Health

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October 19, 2017

To: David Paylor, Director, Department of Environmental Quality (DEQ)

From: Hughes Melton, MD, MBA, FAAFP, FABAM 
Chief Deputy Commissioner, Virginia Department of Health (VDH)

Re: Federal Energy Regulatory Commission (FERC) authorization for the Atlantic Coast Pipeline (ACP) and Mountain Valley Pipeline (MVP) projects on October 13, 2017

VDH reviewed FERC's recent authorization of the ACP and MVP projects and wanted to share follow-up recommendations in light of the State Water Control Board's pending consideration of the Section 401 Certification to establish additional conditions along the route of the proposed pipeline.

Out of an abundance of caution, VDH recommends that a survey in karst topography, by property owner request and with permission for access, be performed within 1,000 feet of the construction activity. The survey should comprehensively identify wells, cisterns, springs, and other surface water, and also provide water quality evaluations for wells and springs within 1,000 feet. VDH believes the 1,000-foot survey as described above could be done before the pipeline is placed into operation, not necessarily prior to construction activities.

Each local health department in the project area can make its hard copy and electronic records available upon request. Additionally, VDH concurs that any onsite sewage system impacted by the ACP and MVP projects should be relocated. Again, the local health department can assist with locating appropriate records and permitting needs.

Should you have additional questions, please feel free to contact me at Hughs.Melton@vdh.virginia.gov.