

FOR IMMEDIATE RELEASE

More information: Nassau Supervisor Dave Fleming, 265-5793

Twitter: dfleming16

Facebook: Friends of David Fleming

NASSAU TO FERC: NO PIPELINE DISCHARGE OF CONTAMINATED WATER INTO WATERSHEDS

Proposed NED Pipeline Project Will Require Pressure Test Discharges Into Waterways and Aquifers

Nassau, NY - [January 17, 2016](#) - In a firmly stated letter to the Federal Energy Regulatory Commission (FERC), Nassau Supervisor David Fleming demanded that any discharge of potentially contaminated water from pressure testing of Kinder Morgan's proposed Northeast Energy Direct Pipeline (NED) be treated and filtered before it is allowed to be discharged into uncontaminated waterways and aquifers which supply the bulk of the drinking water for Rensselaer County.

"Residents of Nassau and Rensselaer County rely on diverse and fragile aquifers for their drinking water. It is imperative that these water resources are protected and all necessary steps are taken to guarantee clean drinking water for our residents," said Supervisor David Fleming. "The quality of our lakes and streams are also vital for recreation and economic development and all necessary steps must be taken to protect these waters and the people that live around them from invasive species and contaminants," stated Fleming.

Documents filed with FERC indicate that if this project is approved, the high pressure gas pipeline will be pressure tested with water from potentially contaminated areas and then discharged into ecologically sensitive waterways and wetlands. Potentially contaminated areas include the Hudson River and the Valatie Kill, a stream contaminated from discharge by the Dewey Loeffel Toxic Landfill Federal Superfund Site.

The use of water potentially containing invasive species and chemical contaminants would permanently impact the water of Burden Lake, Tsatsawassa Lake, the Kinderhook Creek, Tsatsawassa Creek, adjacent aquifers and numerous wetlands and smaller streams.

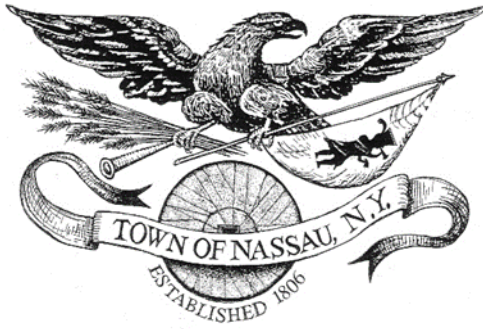
"Clean water is a basic right and one that must be protected," said Fleming. "At the very least FERC must guarantee that any water discharged from this massive industrial project is filtered and treated to prevent contamination of the aquifers necessary to support our communities," stated Fleming.

The Tennessee Gas Pipeline Company, a subsidiary of Kinder Morgan has proposed this industrial gas pipeline to cross Rensselaer County as part of the Northeast Energy Direct Pipeline Project.

In addition to the pipeline, a gas compressor station is also proposed in the Burden Lake area of Rensselaer County. If constructed, at full build-out, this would be the second largest compressor station on the east coast and would place a massive industrial operation in this residential area.

The proposed pipeline provides no gas service for Rensselaer County and may rely on eminent domain to seize property where private landowners are unwilling to sell.

David F. Fleming, Jr., Supervisor
Town of Nassau
P.O. Box 587
Nassau, New York 12123
518.766.3559 ext. 2
www.townofnassau.org



Office of the Town Supervisor
David F. Fleming, Jr.

January 17, 2016

VIA E-MAIL AND REGULAR MAIL

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE; Room 1A
Washington, D.C. 20426

RE: Northeast Energy Direct Project FERC Docket CP16-21-000

Dear Secretary Bose:

The Town of Nassau has previously filed information with the Commission regarding numerous technical concerns related to the above-referenced project. To date, many of these issues have not been addressed. In particular, I ask you to please note that it is imperative that this proposed project not be allowed to impact aquifers and surface waters of the Town and Rensselaer County in general. These areas contain numerous sensitive areas that are the primary source of drinking water for majority of our residents.

The Northeast Energy Direct draft filing with FERC proposes to discharge untreated and potentially contaminated waters into uncontaminated Town of Nassau waterways and aquifer recharge areas. Such a move is unwarranted and is a direct attack on the safety of potable drinking water for the residents of our community.

At the very least, we call on FERC to require that all pipeline water discharges from hydrostatic testing of the proposed pipeline go back into the waterway from which it was drawn and that all discharges be required to be filtered and treated to prevent contamination.

Our residents rely on diverse and fragile aquifers for their drinking water. It is imperative that these water resources are protected and all necessary steps are taken to guarantee clean drinking water for our residents. Additionally, the quality of our lakes and streams are vital to community recreation and economic development and all necessary steps must be taken to protect these waters and the people that live around them from invasive species and contaminants.

As FERC staff is aware, the fabrication of the pipeline itself may produce additional contaminants which could then be flushed into the local environment. These potential pathways of contamination must be eliminated. Mitigation by filtration and treatment is a necessary requirement to protect public health.

Hon. Kimberly D. Bose

January 17, 2016

Page 2

Thank you for your prompt consideration and action on these concerns and your anticipated efforts to address this matter in your review of this project.

Please feel free to have your staff contact me should they require any additional information.

Very truly yours,

//SIGNATURE//

David F. Fleming, Jr.
Nassau Town Supervisor

CC: United States Senator Charles Schumer
United States Senator Kirsten Gillibrand
Congressman Chris Gibson
New York State Senator Kathy Marchione
New York State Assemblyman Steve McLaughlin
Rensselaer County Executive Kathy Jimino
Nassau Town Board