ACCEPTED FOR PROCESSING - 2021 June 11 4:23 PM - SCPSC - 2020-247-A - Page 1 of 13

Blue Ridge Environmental Defense League

www.BREDL.org PO Box 88 Glendale Springs, North Carolina 28629 BREDL@skybest.com (336) 982-2691

June 11, 2021

Jocelyn G. Boyd, Esquire
Chief Clerk & Administrator
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210
contact@psc.sc.gov

RE: Docket No. 2020-247-A
Public Service Commission Review of Regulations Chapter 103
Pursuant to S.C. Code Ann. Section 1-23-120(J)

Dear Administrator Boyd:

Pursuant to the "Notice and Request for Comments Regarding Proposed New Pipeline Regulation" filed April 23, 2021, in the above referenced docket, I submit these comments on behalf of the Blue Ridge Environmental Defense League and its members in South Carolina. These remarks will supplement my written comments of April 6 and oral comments of April 16, 2021.

General Comments

In a peer reviewed study published in May 2021 by NC State University, the authors released their nationwide investigation of natural gas gathering and transmission pipelines. It revealed a disturbing correlation between the level of pipeline development and negative social impacts.[1] The NCSU study considers racial composition, age distribution and socioeconomic factors in a "social vulnerability index" (SVI), a measure of a community's ability to cope with pollution, accidents and other hazards.

SVI is widely accepted. The US Centers for Disease Control and Prevention uses SVI to determine a community's resilience to respond to human and financial losses.

> Social vulnerability refers to the potential negative effects on communities caused by external stresses on human health. Such stresses include natural or human-caused disasters, or disease outbreaks. Reducing social vulnerability can decrease both human suffering and economic loss.[2]

The study determined that SVI would be a reliable way to measure social impacts resulting from industrial projects such as pipelines.

[1] Ryan E. Emanuel, Martina Angela Caretta, Louie Rivers, Pavithra Vasudevan. "Natural Gas Gathering and Transmission Pipelines and Social Vulnerability in the United States" *GeoHealth*, 2021; DOI: 10.1029/2021GH000442
[2] CDC/ATSDR Social Vulnerability Index, https://www.atsdr.cdc.gov/placeandhealth/svi/index.html

ACCEPTED FOR PROCESSING - 2021 June 11 4:23 PM - SCPSC - 2020-247-A - Page 2 of 13

Geospatial factors were compiled to correlate with the social vulnerability index. The study developed a pipeline density factor, based on US Dept of Energy data and measured in kilometers of pipeline per 100 square kilometers of land area.

The result of the study was that communities with the most vulnerable populations are those with the highest pipeline density. Pipeline density is significantly greater in communities with the highest social vulnerability. And the correlation indicates the greater the density, the greater the vulnerability. The study concludes:

> The correlation between pipeline density and social vulnerability is a previously undocumented characteristic of the US natural gas gathering and transmission pipeline network. Relationships between [pipeline density] and SVI suggest that nationally, negative impacts associated with natural gas pipelines, including air and water pollution, public health and safety concerns, and other burdens, fall disproportionately on communities with already limited capacities to deal with challenges created by these impacts.

The study identifies 36 fatal accidents, 164 injuries and $2.5 billion in costs (including property damage) from *natural gas gathering and transmission pipelines* during the 20-year period between 2001 and 2020. Gas gathering and transmission pipelines are considered "midstream infrastructure," which does not include upstream infrastructure, such as hydraulic fracturing and directional drilling, and downstream infrastructure, such as refineries and end uses. Intrastate pipelines, such as the proposed Riverneck-Kingsburg project, are midstream infrastructure.

BREDL reviewed SVI data compiled by CDC for Florence County, SC which indicate that there already are moderate to high levels of social vulnerability in the census tracts in the Pamplico area of Florence County. An existing pipeline of 8-inch diameter traces the route of the 16-inch line proposed by Dominion Energy.

Census Tract[3]	Social Vulnerability Index[4]	Relative Level
16.02	0.7041	Moderate to High
17	0.7094	Moderate to High
18	0.8477	High
19	0.8194	High

SVI values range from 0.0000 (least vulnerable) to 1.0000 (most vulnerable).

The NCSU study posits that the demonstrated inequitable distribution of pipeline infrastructure may be an "emergent property of an inherently complex system of governance." In other words, "overt discrimination and malicious intent are not prerequisites for discriminatory outcomes" (as posed by Dr. Robert Bullard and others). Nevertheless, the legacy of past practices and the prospect of current proposals may

[3] US Census Data: https://www2.census.gov/geo/maps/DC2020/PL20/st45_sc/censustract_maps/c45041_florence/DC20CT_C45041.pdf
[4] SVI Interactive Map, https://svi.cdc.gov/map.html

ACCEPTED FOR PROCESSING - 2021 June 11 4:23 PM - SCPSC - 2020-247-A - Page 3 of 13

already have caused disruption of the Pamplico community. The study recommends consideration of this environmental justice question:

> Is it in the public interest to preserve or exacerbate existing patterns that disproportionately burden vulnerable populations with negative impacts from natural gas pipelines?

The Public Service Commission has a defined responsibility and authority, yet it is part of the complex system of governance which now faces an emergent problem. We hereby request that the Commission exercise its broad jurisdiction over matters pertaining to the investor owned electric and gas utility companies and take steps to protect the people faced with devastating disruption of their communities by climate-killing natural gas pipelines in Pamplico and elsewhere.

Specific Comments

I have attached to this letter the seven pages of residents, family members and landowners who signed their names to the petition stating: "Pamplico Stop the Pipeline." One hundred and eighteen people signed the petition.

Theresa Hyman also sent an email detailing her reasons for opposing the pipeline. She states:

> Our early contact was regarding a Right of Way that they had acquired by way of an agreement from 1963 that gave them permission to implement some piping. This so called agreement gave them Lifetime rights to do just that even though Mrs Rosa Hyman had long ago passed away. We received a proposal and Affidavit for both parcels of land seeking permission as well to remain on the land forever. Moreover, they presented an so called agreement dated 1965 that included Mrs. Rosa Hyman and her children signatures even though they did not present a deed of joint tenancy to the Fleming Town property. This proposal included consideration of $625.00 to remain on both parcels of land forever including the Davis Town property. Dominion Energy project was conveyed first as a Right Of Way then an Easement and now a Pipeline. We've been told it was for PUBLIC USE. Nevertheless, this use would not be beneficial to any of the land owners this pipeline would cross. This pipeline could sour the land as well as the drinking reservoirs of the communities that are present. While many use the Pee Dee river for fishing that too could diminish as a result of, a gas pipeline.
>
> I conclude, that No pipeline crossing any parcels of land would benefit anyone in Davis Town or Fleming Town therefore, public use is not present in Dominion Energy pipeline project. By contemplating eminent domain which will devalue Properties this corporation has not made an offer that the 5th

ACCEPTED FOR PROCESSING - 2021 June 11 4:23 PM - SCPSC - 2020-247-A - Page 4 of 13

Amendment and 14th Amendment stated as a right that should be adhered to should they go forth with this project.

Respectful, I am

Mrs Theresa Hyman

As you know, the Fifth and Fourteenth Amendments to the Constitution, cited here by Theresa Hyman, state in relevant part "nor shall private property be taken for public use, without just compensation" and "nor shall any State deprive any person of life, liberty, or property, without due process of law." Our members are confronted with a proposed 14-mile natural gas pipeline in the Pamplico community of Florence County. The transition of the United States policy from energy independence to energy dominance as articulated in 2019 has erased any remaining pretense for eminent domain for energy projects.

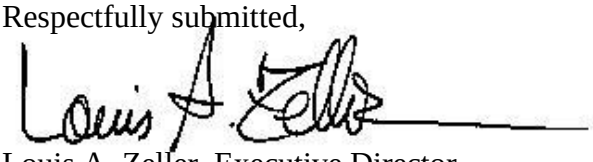
In her petition to stop the pipeline currently circulating in Pamplico, Rev. Reatha L. Jefferson wrote: "They are using the terminology 'eminent domain' to secure the rights to invade your property, and say it is for the good of the community. This is not true; it is not for the good of the community." She is correct.

Conclusion

The NCSU study determined that: "For the 2,261 US counties containing natural gas pipelines, we found a positive correlation between county-level pipeline density and an index of social vulnerability." As the Commission considers the current regulations in its formal review under this docket, we ask that it implement changes to rebalance the system which no longer works for the good of the community. The experience of Rev. Jefferson was a bellwether; now 117 people have signed in support of her petition.

We call for an end to the Riverneck-Kingsburg pipeline based on its clearly disproportionate impacts on health and welfare. We call for adoption and timely implementation of the rules drafted by Southern Environmental Law Center: Subarticle 9, New Pipelines §103-495 Construction of Pipeline in An Area Where the Gas Utility Does not Currently Have a Pipeline. We call for a landowner bill of rights.

Respectfully submitted,



Louis A. Zeller, Executive Director
Blue Ridge Environmental Defense League

Attachment: Petition

Blue Ridge Environmental Defense League
www.BREDL.org PO Box 88 Glendale Springs, North Carolina 28629 BREDL@skybest.com (336) 982-2691

MAR 20 2021

To the Residents of Pamplico S.C.

As descendants of Slaves; We the heirs of Mr. Andrew Hyman are calling upon all of you; to stand with us to protect the community we all love.

Some of you are descendants, Some heirs of property, and Some of you are property owners. But all of us will be affected by the proposal of the "River Neck to Kingsburg 16" Gas Main Line.

You probably have received some type of notification by now that Dominion Energy is planning to run pipelines to pump their gas throughout our families land. They are using the terminology "Eminent Domain" to secure the rights to invade your property, and say it is for the "good of the Community" This is not true, it is not for the good of the Community,.. Because most of you use electricity for your appliances. They will offer you money, (a few hundred dollars to run these pipelines throughout the Community,

ACCEPTED FOR PROCESSING - 2021 June 11 4:23 PM - SCPSC - 2020-247-A - Page 5 of 13

ACCEPTED FOR PROCESSING - 2021 June 11 4:23 PM - SCPSC - 2020-247-A - Page 6 of 13

up and down your roads, ~~but~~ what they won't tell you, is how they will build access Roads, and tear up your Property While doing so, They will also install Pumping Stations, Running for 7 days a week and 24 hours a day!

Ask yourself:

1.) How safe are these Pipelines?

2.) What damage will be done to my Property

3.) How thick are the Pipelines and will they hold up after heavy Traffic

4.) How will these Pipelines affect my health and that of my family?

Please Sign the petition to Stop the Pipeline

ACCEPTED FOR PROCESSING - 2021 June 11 4:23 PM - SCPSC - 2020-247-A - Page 7 of 13

Pamplico Stop the Pipeline
Petition

1. Rev Reatha L. Hyman Jefferson (Andrew Hyman Family)
2. Willie Mae Rogers
3. Larry L. Jefferson I
4. Christopher E. Covington
5. Denise Rogers
6. Leon Rogers
7. Joan Davis
8. Andrea Mumford
9. Kenny Lee
10. Ella Comfard
11. Michelle Parker
12. Brianna Cain
13. Tony Davis
14. Laurence Davis
15. Deborah Lee
16. Azalee Smith
17. Annie M. Johnson
18. Lillie M. Melvin
19. Marsha Smith
20. Wilbert Goodmae
21. Alisa Thompson
22. Gladys Johnson
23. James Brown
24. Monroe Dowdy
25. Jimmy Todd
26. Judy McDonald
27. [illegible]
28. Patricia Todd
29. Alan Todd
30. Barbie Todd
31. Barry Todd
32. [illegible]

ACCEPTED FOR PROCESSING - 2021 June 11 4:23 PM - SCPSC - 2020-247-A - Page 8 of 13

Pamplico Stop the Pipeline Petition

1 Robert. Edwards
2 William Hope
3 [illegible]
4 Nick Lachee
5 Cathi Lachee
6 Austin Davis
7 [illegible]
8 [illegible]
9 Jonathan Faulcett
10 [illegible]
11 Rhonda Hutt
12 Edwin Hamble
13 Eartha Ham
14 Harry Green
15 Mont Johnson
16 Sarah Green
17 John White
18 Edith Weaver
19 Allean Thomas
20 Genene Frazier
21 Ellen Harvey
22 Betty Fulton
23 Wayne Fryar
24
25
26
27
28
29
30

ACCEPTED FOR PROCESSING - 2021 June 11 4:23 PM - SCPSC - 2020-247-A - Page 9 of 13

Pamplico Stop the Pipeline
Petition

1 Shirley [illegible] Wilson
2 Timothy M. [illegible]
3 [illegible] Williams Jr.
4 Olivia J. Williams
5 Dorothy M Williams
6 Ginny Lane
7 Charlie Lang
8 [illegible]
9 Helena Lang
10 Doris A Abraham
11 Natasha D. Abraham
12 Yolanda Johnson
13 Janet L Johnson
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

ACCEPTED FOR PROCESSING - 2021 June 11 4:23 PM - SCPSC - 2020-247-A - Page 10 of 13

Pamplico Stop the Pipeline Petition

1 Lara L Grules
2 June Waters-Barnes
3
4
5
6 Denise Grule
7 Rosa Mayoh
8 Kathy A
9
10 John A Grules
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

ACCEPTED FOR PROCESSING - 2021 June 11 4:23 PM - SCPSC - 2020-247-A - Page 11 of 13

Pamplico Stop the Pipeline Petition

1	Glenn Hyman	
2	Meggan Hyman	
3	Glen Talbott	permission
4	Rose McCree	permission
5	Teresa Hyman	
6	Mitchell Hyman	permission
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		

ACCEPTED FOR PROCESSING - 2021 June 11 4:23 PM - SCPSC - 2020-247-A - Page 12 of 13

Pamplico Stop the Pipeline Petition

1 Linda DeBerry
2 Mary Ann Wells
3 Robert Kelum
4 Laura Miles
5 Wendy Smith
6 [illegible] Collins
7
8 Roger Judge
9 Betty J Judge
10 Katrina Woods
11 Roselyn Goodrum
12 Gene Perkins
13 Frances Perkins
14
15 Maxine Moore
16 Eric Moore
17
18 Wendy Moore
19 Dianne Pinkney
20 Roland Jenkney
21 [illegible] Washington
22 [illegible] Davis
23 [illegible]
24 Murlie B
25 Loenda B
26 Andreguis Jacobs
27 Bobby B
28 Muire B
29 Lemise B
30 Kevin B
31 Alonza [illegible]
32 Sylvester Davis
33 Georgia Davis

Carlene Simmons

ACCEPTED FOR PROCESSING - 2021 June 11 4:23 PM - SCPSC - 2020-247-A - Page 13 of 13