

Myersville Citizens for a Rural Community Inc.

Monthly Newsletter

April 4, 2013

LAWSUITS

DTI v. Maryland Department of the Environment

As you know, DTI filed suit against Secretary Summers and MDE on February 1, 2013, in the US Court of Appeals for the District of Columbia. MCRC has decided to participate in this suit and will be submitting a brief on April 5. We believe that we have a strong argument in this case. Links to the brief will be made available on the MCRC homepage.

I would note that our wonderful attorney, Carolyn Elefant, has agreed to perform this work [pro bono](#).

Additionally, the Interstate Natural Gas Association of America (INGAA), an industry group representing interstate natural gas pipeline companies, has submitted an amicus petition in this case. An amicus, or friend of the court, brief may be filed by a person or group with a strong interest in or views on the subject matter of an action who is not a party to the action.

Mediation will not be pursued in this case. MCRC has held that mediation would not be useful, as DTI wants MDE to accept the FERC certificate as a proxy for Town approval. Fortunately, as the parties were not receptive, the Mediator decided to cancel.

Oral arguments will be held in US Court of Appeals in Washington DC on May 14. MCRC plans to attend although there will be no time for public comment. Consider attending to show your support to MDE.

DTI v. Town of Myersville

DTI submitted a motion in opposition of MCRC Inc. participation stating our interests are represented by the Town. We replied that our interests are beyond the town and the zoning and include property values, historic sites, and the broader Myersville area.

MCRC continues to support the Town against DTI and has provided research to the Town about Federal Preemption as well as information regarding compliance failures by DTI at its facilities in Leesburg.

OUTREACH

Leesburg/Cove Point

MCRC has contacted and supported Leesburg, Virginia citizens in their opposition to Dominion's PF12-16 project (Dominion's proposal to increase the Leesburg gas compressor station from 160,000hp to 48,000hp to support exportation of Liquefied Natural Gas via Cove Point). The Myersville gas compressor station is being oversized to support that project. MCRC Inc. believes that DTI and FERC incorrectly segmented these projects. We have provided research and contact information to the citizens of Leesburg, who have in turn provided their own research including information regarding numerous compliance failures by Dominion in operating the Leesburg Compressor Station.

Specifically, these citizens, through a Freedom of Information Act, reviewed approximately 793 documents related to Dominion and its mandatory reporting on Continuous Emissions Monitoring Systems (CEMS) and other compliance-related information including Letters of Warning issued by the DEQ. They related an incident where a brick-shaped chunk of clay with C4 stamped on it was attached to a 1000-gallon tank of ammonia at the compressor station, leading to a full emergency response including a recommendation from the HAZMAT team to evacuate a ½-mile radius of the site. It was later revealed that the package had been on the Dominion property for nearly two years, UNNOTICED, having been placed there by teenagers who, without authorization, filmed a movie on the property.

Another individual noted that her property had been "sprayed with oil" four times due to unscheduled blowdowns and that she has "endured many sleepless nights because of increase (sic) noise from the recent expansion of one of these facilities."

LEGISLATIVE

MCRC continues to support various legislative bills that would affect the building of infrastructure such as the Myersville Compressor Station.

MCRC as well as representatives from Chesapeake Climate Action Network, Citizen Shale and Clean Water Action met with Senators Zirkin and Young in Annapolis. We are happy to note that Senator Young, who represents parts of Frederick County, was supportive of our efforts, particularly with respect to the Fracking Moratorium Bill. Sen. Zirkin continues to follow the activity in Myersville and has been a strong proponent of state's and citizen's rights.

Sen. Zirkin introduced several bills in Annapolis related to pipelines and pipeline safety. MCRC submitted written testimony on behalf of those bills. We also provided oral testimony in support of the pipeline nuisance bill, which was ultimately withdrawn due to federal preemption issues.

Although the fracking moratorium fell one short vote of making it out of committee in the Senate, this is the first year that the moratorium had any sponsors in the Senate.

An article on the bill may be found here:

http://www.chesapeakeclimate.org/index.php?option=com_k2&view=item&id=3642%3Afracking-moratorium-comes-one-vote-shy-of-passing-in-md-senate-committee&Itemid=23

We would particularly like to thank Citizen Shale for the work they have done; they have been tireless in connecting the dots and bringing the issue of pipelines and pipeline safety to the forefront. Please find their information here:

<http://citizenshale.org/>

MDE: PUBLIC INFORMATION ACT

MCRC Inc. made several visits to the Baltimore offices of MDE with regard to the Public Information Act in order to make copies of air, water, and soil permits as well as compliance reports.

ADVERTISING

MCRC is on the Town webpage!

Please see our add here:

http://www.myersvillemd.govoffice2.com/index.asp?SEC=4DFA83B5-8CD8-4EF8-99C2-5970683CBB6F&DE=541BFD3E-0AB6-4E68-8AAF-40FE366F351B&Type=B_BASIC

MCRC also placed an ad in The Citizen in January of 2013.

All advertising is paid for by generous donations from MCRC Board Members, not using any of the funds donated by the citizens for the legal fund.

WFMD

MCRC is potentially booking a half-hour segment on WFMD in order to reach a broader audience. The cost would run approximately \$175.

Again, this is paid for by generous donations from MCRC Board Members, not using any of the funds donated by the citizens for the legal fund.

TAXES

MCRC Inc. will be submitting taxes with the help of a local CPA

DONATIONS

As you can see, MCRC has been very busy working on behalf of the citizens of Myersville. Numerous hours are spent traveling, writing letters, contacting our state and federal representatives and other groups, operating and updating the webpage, and working with our lawyer. The costs incurred in these activities have been supported by the Board Members themselves, unless a donation has been made for a specific purpose (for example, one citizen generously donated money for a mailing last year).

Carolyn Elefant has also graciously provided pro bono legal representation in the MDE case.

We believe in this cause and we believe we have a chance. ***But we can't do it without your support.*** Who would have thought when we started this and DTI said you can't stop us, that we would be where we are now? But we still need your help.

Please, consider making a donation to MCRC.

You may specify that your donation be used solely for the legal fund.

MCRC Inc.
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STAY IN TOUCH!

Please, remember to check our webpage: <http://mrcrmd.org/>

And our Facebook page:

<https://www.facebook.com/MyersvilleCitizensForARuralCommunity>

Thanks for your support!