



*Commonwealth of Virginia*

**VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY**

1111 E. Main Street, Suite 1400, Richmond, Virginia 23219

P.O. Box 1105, Richmond, Virginia 23218

(800) 592-5482 FAX (804) 698-4178

[www.deq.virginia.gov](http://www.deq.virginia.gov)

Ann F. Jennings  
Secretary of Natural and Historic Resources

David K. Paylor  
Director  
(804) 698-4000

December 20, 2021

Mr. Robert J. Cooper  
Mountain Valley Pipeline, LLC  
2200 Energy Drive  
Canonsburg, PA 15317

**SENT VIA E-MAIL: [rcooper@equitransmidstream.com](mailto:rcooper@equitransmidstream.com)**  
**RECEIPT CONFIRMATION REQUESTED**

Re: Virginia Water Protection (VWP) Individual Permit No. 21-0416  
Mountain Valley Pipeline Project - Giles, Craig, Montgomery, Roanoke, Franklin, and  
Pittsylvania Counties, Virginia  
Final VWP Individual Permit and Section 401 Water Quality Certification

Dear Mr. Cooper:

Pursuant to § 62.1-44.15:21 J of the Code of Virginia, an individual Virginia Water Protection Permit shall be required for impacts to state waters for the construction of any natural gas transmission pipeline greater than 36 inches inside diameter pursuant to a certificate of public convenience and necessity under § 7c of the federal Natural Gas Act (15 U.S.C. § 717f(c)). Pursuant to the Virginia Water Protection (VWP) Permit Program Regulation 9VAC25-210 of the Virginia Administrative Code and § 401 of the Clean Water Act (33 U.S.C. § 1341), the Virginia Department of Environmental Quality (DEQ) is providing the enclosed VWP individual permit for the above-referenced project, including all conditions deemed necessary or desirable with respect to the authorized activities or discharges. DEQ will provide under separate cover this VWP Individual Permit to the U.S. Army Corps of Engineers (USACE) as its Section 401 Water Quality Certification of any Section 404 permit that may be issued for the above-referenced project.

In compliance with § 401 of the Clean Water Act (33 USC § 1341) and the State Water Control Law and regulations adopted pursuant thereto, the State Water Control Board has determined that there is a reasonable assurance that project activities and discharges authorized by this VWP individual permit and its conditions, if complied with, i) will protect instream beneficial uses; ii) will not violate, and will comply with, applicable water quality standards under Virginia Administrative Code 9VAC25-260 *et seq.*, and Sections 301, 302, 303, 306 and 307 of the CWA; and iii) will not, together with other existing or proposed impacts to surface waters, cause or contribute to significant impairment of state waters or fish and wildlife resources.

Mr. Robert Cooper  
Mountain Valley Pipeline, LLC  
VWP Individual Permit No. 21-0416  
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This permit is valid for 10 years from the date of issuance. A new permit or an extension may be necessary if any portion of the authorized activities or any permit requirement (including compensatory mitigation provisions) is not complete by the end of the 10 year permit term. Non-compliance with Title 62.1 of the Code of Virginia, including the State Water Control Law or with Virginia Water Protection Permit Program regulations, or otherwise violating Virginia state water quality standards, may result in civil penalties.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have **30 calendar days** from the date of service (the date you actually received this decision or the date it was e-mailed to you, whichever occurred first) within which to file with the Director, Department of Environmental Quality, a notice of appeal in accordance with the Rules of the Supreme Court of Virginia. In the event that this decision is served on you by mail, three days are added to that period. Refer to Part 2A of the Rules of the Supreme Court of Virginia for additional requirements governing appeals from administrative agencies.

Alternatively, an owner may request a formal hearing for the formal taking of evidence upon relevant fact issues under Section 2.2-4020 of the Administrative Process Act. A petition for a formal hearing must meet the requirements set forth in Procedural Rule No. 1 - Public and Formal Hearing Procedures (9VAC25-230 *et seq.*). In cases involving actions of the board, such petition must be filed within **30 calendar days** after notice of such decision is sent to such owner by certified mail.

Please contact me by email at [steven.hardwick@deq.virginia.gov](mailto:steven.hardwick@deq.virginia.gov) or by phone at 804-698-4168 if you have any questions.

Respectfully,

  
Steve Hardwick  
VWP Permit and Compliance Coordinator

Enclosures: Permit Cover Page, Part I - Special Conditions, Part II - General Conditions, Appendix 1- Impact Tables, Appendix 2-TOYR, Attachment 1 - *VWP Permit Construction Status Update Form*, Attachment 2 - *Monthly VWP Permit Inspection Checklist*, Final Fact Sheet with Attachment 1-Impact Locations

cc: Clay Roesler, Tetra Tech, Inc.  
Todd Normane, EQM Gathering Opco, LLC  
Matthew Hoover, Equitrans Midstream Corp.  
Cory Chalmers, Equitrans Midstream Corp.  
Christie Blevins, Wetland Studies and Solutions, Inc.  
Vincent Pero, U.S. Army Corps of Engineers-Norfolk District  
Adam Fannin, U.S. Army Corps of Engineers-Huntingdon District  
Jared Pritts, U.S. Army Corps of Engineers-Pittsburgh District  
Randy Owen, Virginia Marine Resources Commission  
Brian Bridgewater, West Virginia Department of Environmental Protection