

United States Senate

November 6, 2020

The Honorable Neil Chatterjee
Chairman
Federal Energy Regulatory Commission
888 First Street, SE
Washington, DC 20426

Dear Chairman Chatterjee:

We write in support of a request for a rehearing on and rescission of the Federal Energy Regulatory Commission (FERC) Office of Energy Projects (OEP) In-Service Authorization issued for the natural gas compressor station in Weymouth, Massachusetts on September 24, 2020.¹ Two recent emergency shutdowns—which included large unplanned releases of natural gas—and the ongoing health crisis caused by the COVID-19 pandemic justify cancelling the station’s authorization. As outlined in a Request for Rehearing submitted to FERC on October 23, 2020, these developments rise to the level of a change in core circumstances, warranting FERC’s reopening of the record, reassessing the public safety and environmental impacts of the compressor station, and rescinding its in-service authorization.

Since FERC authorized construction of the Weymouth compressor station on January 25, 2017, significant changes in the core circumstances surrounding the project have occurred. First, the station experienced two recent emergency shutdowns, demonstrating that the project poses a threat to public safety. On September 11, 2020, a gasket failure on a sump tank necessitated the first emergency shutdown, after the release of 35 pounds of volatile organic compounds (VOCs) and 169,000 standard cubic feet of natural gas, some of which was vented at ground level.² On September 30, 2020, a second emergency shutdown occurred after the unexplained release of approximately 275,000 cubic feet of natural gas into the atmosphere.³ On October 1, 2020, the Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a Corrective Action Order, launched an investigation into the cause of that release, and prohibited station operations until the cause is identified and remedied. PHMSA will also need to approve a restart plan before the station can resume operations. FERC should consider these two unplanned emergency shutdowns and the forthcoming restart plan to be changes in core circumstances that require it to reopen the record and review and cancel its earlier authorization.

¹ In-Service Authorization from Rich McGuire, Dir., Div. of Gas – Environment and Engineering at FERC, to Chris Harvey, Regulatory Dir., Algonquin Gas Transmission, LLC (Sept. 24, 2020).

² Letter from William T. Yardley, Exec V.P., Enbridge, Inc., to Senators Edward J. Markey and Elizabeth Warren (Sept. 23, 2020).

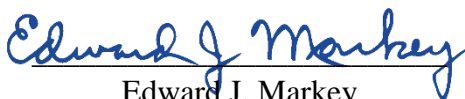
³ Letter from Howard R. Elliot, Admin., PHMSA, to Senator Edward J. Markey (Oct. 9, 2020).

Second, the COVID-19 pandemic has also changed the project's core circumstances. Research confirms a disproportionate rate of coronavirus deaths in areas with poor air quality.⁴ And according to a report by the Office of Massachusetts Attorney General Maura Healy—*COVID-19's Unequal Effects in Massachusetts*—COVID-19 has had a disproportionate effect on communities of color in Massachusetts' largest municipalities.⁵

The Weymouth compressor station is located within a half mile of Quincy Point and Germantown, “environmental justice communities” that suffer persistent environmental health disparities due to socioeconomic and other factors. The station has already released dangerous VOCs and air pollution near those communities. It will likely continue to do so if PHMSA allows it to resume operations.⁶ When FERC issued the original construction authorization for the compressor station in January 2017, it could not possibly have foreseen the COVID-19 crisis and its disproportionate impact on environmental justice communities and communities suffering from pollution. Given what we now know about COVID-19 and its effects on these communities, this respiratory health crisis further warrants FERC's reassessment of its in-service authorization for the Weymouth compressor station.

We therefore respectfully ask FERC to rule in support of the petition requesting a rehearing on and rescission of FERC's OEP In-Service Authorization issued on September 24, 2020. FERC should invoke its authority under 18 CFR § 385.716 to reopen the record, complete a situational assessment of the newly heightened public safety and environmental impacts of natural gas infrastructure. Given the Weymouth compressor station's two recent emergency releases of natural gas and VOCs, and the ongoing respiratory health crisis, FERC should rescind its in-service authorization.

Sincerely,



Edward J. Markey
United States Senator



Elizabeth Warren
United States Senator

⁴ Antono Frontera et al., *Severe air pollution links to higher mortality in COVID-19 patients: The “double-hit” hypothesis*, J Infect. (Aug. 2020), published online May 21, 2020, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7240268/>.

⁵ Office of Massachusetts Attorney General Maura Healey, *COVID-19's Unequal Effects in Massachusetts* (2020), <https://www.mass.gov/doc/covid-19s-unequal-effects-in-massachusetts/download#:~:text=COVID%2D19%20is%20disproportionately%20impacting,residents%20are%20people%20of%20color.>

⁶ Barbara Moran, *Agency Head Voices Opposition To Proposed Weymouth Compressor Station*, WBUR (Feb. 7, 2019), <https://www.wbur.org/news/2019/02/07/weymouth-compressor-mapc-gbpsr>.