



national fuel

Kenneth E. Webster
Attorney

(716) 857-7067

October 30, 2015

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

Re: National Fuel Gas Supply Corporation and Empire Pipeline, Inc.
Northern Access 2016 Project
Docket No. CP15-115-000

Dear Ms. Bose:

National Fuel Gas Supply Corporation and Empire Pipeline, Inc. (collectively, “National Fuel”) hereby submit their responses to comments submitted from August 14, 2015 to September 13, 2015. Similar to National Fuel’s July 15, 2014 Scoping Comment Response, and National Fuel’s August 13, 2015 and September 18, 2015 Comment Responses, National Fuel reviewed each comment submitted during the aforementioned comment period, similar comments were grouped together and comment summaries were developed with respect to new and previously unaddressed substantive issues/concerns.

National Fuel responds to each of these comment summaries in the attached document in comment/response format. National Fuel’s responses are based on the pipeline route and facilities in National Fuel’s March 17, 2015 certificate application, as updated by National Fuel’s August 31, 2015 supplemental environmental data request response concerning above-ground facilities, and agency responses, field work and plan development completed as of this time.

Please contact the undersigned if you have questions concerning this filing.

Very truly yours,

/s/ Kenneth Webster

Kenneth Webster
Attorney
National Fuel Gas Supply Corporation and
Empire Pipeline, Inc.

Enc.

cc: Christine Allen

CERTIFICATE OF SERVICE

I hereby certify that I have this day served, in accordance with the provisions of Rule 2010 of the Commission's Rules of Practice and Procedure, the foregoing document upon each person designated on the official service list compiled by the Secretary of the Commission in this proceeding.

Dated at Williamsville, New York this 30th day of October , 2015.

/s/ Matthew J. Luzzi

Matthew J. Luzzi

National Fuel Gas Supply Corp.

6363 Main Street

Williamsville, New York 14221

Telephone No. (716) 857-7813

Comments / Responses

August 14, 2015 to September 13, 2015

1. Concern that the proposed Pendleton Compressor Station site is located six (6) miles from the Lockport Junction Compressor Station, and statement that this is less than the minimum allowable distance between compressor stations.

Response: There is no defined “minimum allowable distance” between compressor stations. However, the existing Lockport Compressor Station (Cambria) and the proposed Pendleton Compressor Station will be owned by completely different entities, and will not be connected to the same pipeline system. Put another way, these compressor stations will be operationally, hydraulically and economically independent.

The Lockport Station is part of the Niagara Spur Loop Line system which is operated by Tennessee Gas Pipeline. National Fuel Gas Supply Corporation, a completely separate and distinct FERC-regulated interstate pipeline from Empire, has a partial ownership interest in this system. Empire does not have any equity interest in the Niagara Spur Loop Line system, including the Lockport Compressor Station.

The Pendleton Station, on the other hand, will be connected to Empire’s Line EMP-03, which is part of the Empire pipeline system. Line EMP-03 connects to the Empire Mainline at its northern end.

2. Statement that the site selected for the project is in a flood plain. Concern regarding flood prevention at the site.

Response: The proposed Killian Road site is neither in a floodplain nor in a regulated wetland.

3. Concern that particulate matter emitted from the proposed Pendleton Compressor Station will harm a local topsoil company located near the site.

Response: Concerns regarding particulate matter were addressed in a prior response. Please see responses 1, 5 and 13 in *Response to Comments Received from 07-15-15 to 08-13-15 of National Fuel Gas Supply Corporation and Empire Pipeline, Inc.* under CP15-115, accession number 20150918-5147.

4. Concern about the level of noise that the proposed Pendleton Compressor Station will generate and the effect that it may have on surrounding areas.

Response: Similar to the noise study prepared for the Aiken Road site, Empire will complete and file with FERC a noise study for the updated Pendleton Compressor Station site adjacent to Killian Road. This study is in process and the anticipated filing date is November 13, 2015.

5. Concern as to the safety of individuals that use the abandoned railroad tracks near the property of the proposed Pendleton Compressor Station.

Response: The proposed Killian Road site is not contiguous with the abandoned railroad grade, and therefore there will be no incremental safety issues related to recreational use of the former rail grade as a result of the Pendleton Compressor Station.

6. Concern that the proposed Pendleton Compressor Station is a heavy industrial facility and statement that the proposed project site is zoned for light industrial facilities.

Response: The proposed Pendleton Compressor Station is not a “heavy industrial facility.”

- The facility would be part of critical energy infrastructure necessary for the transportation of natural gas through the Empire pipeline system, which transports gas to interconnections with local natural gas utilities in Western and Upstate New York, and bears no resemblance to heavy industry.
- There is no processing of natural gas or any other product on the site.
- The only emissions from the site are the products of combustion of natural gas – the same result as the burning of natural gas in the furnaces of homes in the surrounding area.

Additionally, through a significant commitment by Empire to implement low emission technologies, including SoLoNox, oxidizing catalysts and vent gas recovery, the facility is expected to qualify as a minor source under the applicable New York State Department of Environmental Conservations (NYS DEC) air quality permitting regulations.

7. Concern about the levels of methane gas emissions from the Niagara county portion of the Northern Access 2016 Project.

Response: In order to further reduce emissions below applicable U.S. Environmental Protection Agency and NYS DEC regulations, Empire has committed to install unit vent gas recycling at the Pendleton Compressor Station. Additionally, Empire will implement a leak detection and repair program to minimize “fugitive emissions.”

8. Concern as to Radon concentrations in natural gas and related health impacts.

Response: The Federal Energy Regulatory Commission (FERC) has previously addressed concerns related to radon in Marcellus Shale natural gas for a FERC regulated Texas Eastern Transmission, LP and Algonquin Gas Transmission, LLC project. Based on the findings of an independent study evaluating radon concentrations in transmission pipeline natural gas, historical studies of radon concentrations in natural gas in production wells, and supplemental information provided by the project applicants, FERC concluded that the transportation of natural gas sourced from Marcellus Shale would not pose a health hazard to end-users. (See *Order Denying Requests for Rehearing, Reconsideration, Stay, and Late Intervention*, Federal Energy Regulatory Commission, Accession No. 20121018-3011 for Docket No.CP11-56-001, October 18, 2012.)

9. Concern as to the alternative of building the proposed compressor station in Cambria, New York.

Response: National Fuel and Tennessee Gas Pipeline jointly own the Lockport Compressor Station, which is located in Cambria, New York. Lockport Station is not sited along Line XM-10, but rather it connects to a jointly-owned pipeline known as the Niagara Spur Loop Line, on which there is no available firm capacity. Accordingly, as discussed in National Fuel's July 14, 2015 Response to Scoping Comments (see page 28 of 43), and its August 13, 2015 Response to Comments (see page 8 of 9), use of this compressor station site would require Empire to replace all 3.05 miles of XM-10 (from Line X to the proposed compressor station site) with 24-inch pipe, and the construction of an additional approximately 8.1 miles of 16-inch and 24-inch transmission pipeline, all on a minimum of 100 feet wide construction right-of-way. Based on these significant additional landowner and environmental impacts, an alternative using the Cambria, New York site is not viable. Empire will submit an alternative study regarding the Cambria, New York site as part of its Amended FERC Application for the Northern Access 2016 Project.

10. Statement that a proposed residential development will be 500 feet from the proposed Pendleton Compressor station.

Response: In connection with the updated Pendleton Compressor Station location, Empire will submit a noise study to FERC, which includes several noise sensitive areas (NSA) within a 1 mile radius surrounding the proposed station. The closest NSA to the proposed station is approximately 1300 feet. Empire has committed that the Pendleton Compressor Station will result in no to minimal predicted increase in ambient noise levels at the closest NSAs.

11. Concern as to removing trees from the project site. Statement that such removal is prohibited because the site is within an area identified as being infested with the Emerald Ash Borer.

Response: This project falls within a Emerald Ash Borer (EAB) quarantine boundary. During clearing of all woody species, the timber/brush on the landowners' property remains within the owners' property boundaries. The tree limbs/brush may be chipped and scattered or brush piled along the limits of disturbance (LOD) and timber stacked along the edge of the LOD for use by the landowner. As per applicable regulations, ash chips or chips indistinguishable from ash chips, regardless of size, are regulated articles only during the period commencing on April 15 and continuing to and including May 15. Empire intends to maintain all tree buffers at the Pendleton Compressor Station site.

12. Concern about the communication technology between the proposed Pendleton Compressor Station and National Fuel's Gas Control Operations Center. Concern as to communication between these facilities in the event of an emergency and National Fuel's communication protocols.

Response: The station control systems have several layers of overlap. The first layer is the compressor unit and station control panels which continuously monitor hundreds of station parameters effecting efficient and safe operation of the facility. Immediate action is taken by these systems if any of these parameters are out of acceptable limits. This action is taken without any outside intervention required, consequently neither the lack of commercial power nor telecommunication links interrupts the capability of the system to perform.

In addition the critical devices within the station are "fail safe" meaning that with the loss of power or signal to the device itself the device will fail in a safe mode. On top of these layers are remote 24-7 monitoring and shutdown capability by our gas dispatch center in West Seneca, New York. Finally, manual intervention can shut down individual units or the entire station. Manual intervention is also required to reset a station shutdown.

13. Concern that National Fuel's abandonment of the Aiken Road odorant station will leave hazardous chemicals and will be unsightly to its surroundings. General concern about what measures National Fuel will take to remove old structures, and to clean and restore the site.

Response: National Fuel's removal of the Aiken Road Station will include the removal all of the existing facilities associated with the operation of the station followed by a site inspection by qualified personnel to determine if there is a presence of hazardous material. When the site is determined to be free of hazardous material, the site will be returned to a condition (normally graded back to existing contours, seeded, and mulched) approved by the landowner.

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14. Concern that the proposed Pendleton Compressor Station will have an adverse effect on surrounding wetlands.

Response: There are no delineated wetlands on the proposed Killian Road site. Additionally, Empire will develop a site specific stormwater and pollution prevention plan in accordance with applicable New York State DEC requirements prior to construction of the proposed facilities.

15. Statement that the residents of Pendleton received a “Fast Facts: Northern Access 2016 Project” mailer that was different than the one filed with FERC.

Response: A slightly revised version of the referenced “Fast Facts” mailer was mailed to Pendleton landowners than that which was provided to FERC. However, both versions of the mailer included identical information, albeit in a revised format.