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Oil Spill Enforcement: Virginia Department of Environmental Quality and Pipeline Operator Enter into Order by Consent

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The Virginia Department of Environmental Quality ("VDEQ") and Products (SE) Pipe Line Corporation ("PPL") entered into a August 26th Order by Consent ("Order") addressing an alleged violation of Va. Code § 62.1-44.34:18.A. See PC No. 2026-3094.

PPL is stated to operate a pipeline near Herndon, Virginia.

The pipeline is described as running adjacent to and crossing Highway 28 and services Dulles International Airport.

PPL is stated to have discovered a discharge of Jet A fuel, a petroleum/oil product, near a road crossing pipe casing housing from the pipeline on February 18th and immediately:

- Initiated emergency response procedures.
- Contacted VDEQ.

Emergency response actions are stated to have been implemented under a Unified Command structure involving PPL, VDEQ, and the Metropolitan Washington Airports Authority.

The Order provides that approximately 16,170 gallons of Jet A fuel were reported discharged. 7,350 gallons reportedly reached roadside ditches, a stormwater management pond, and unnamed tributaries within the Horsepen Run and Dead Run watersheds – described as surface waters.

A petroleum sheen is stated to have been observed up to approximately 1,500 feet downgradient of the discharge location.

An investigation is described in regard to the discharge point and root cause of the discharge. The finding was determined to be a stray current which caused through-wall external corrosion.

VDEQ issued a Notice of Violation to PPL on March 11th for discharge of oil to land or state waters in violation of Va. Code § 62.1-44.34:18.A. PPL responded to the Notice of Violation.

The Order describes PPL activities in terms of:

- An initial abatement report.
- Petroleum contact water recovery.
- Confirmatory soil samples.
- Entering into an operation and maintenance phase.

- Preparation of site characterization report.
- Surface water sampling.

PPL and VDEQ staff are stated to have agreed to a Schedule of Compliance which is incorporated as Appendix A of the Order.

The Order assesses a civil penalty of \$70,877.

A copy of the Order can be found [here](#).