

Natural Resource Damage Assessment and Restoration Kinder Morgan Jet Fuel Release

History

On January 22, 2016, 75,222 gallons of jet fuel A was released into the secondary containment surrounding Tank No. 6 at the South Hill Terminal located in Chesapeake, VA. The release was the result of the transfer of fuel to the incorrect tank which resulted in the over-filling of Tank No. 6. This release impacted natural resources under the jurisdiction of the United States and the Commonwealth of Virginia. These agencies used the Natural Resource and Damage Assessment process to document the amount of harm caused by the release and the appropriate restitution from the responsible party to restore natural resources harmed by the spill.

Natural Resource Damage Assessment and Restoration (NRDAR)

The Virginia Department of Environmental Quality and the U.S. Fish and Wildlife Service (collectively, the Natural Resource Trustees) worked cooperatively with Kinder Morgan to review site-specific data and evaluate a reasonable range of restoration alternatives to compensate for injuries to natural resources and lost services to reach a cost-effective resolution of the NRDAR process.

Settlement

The Trustees reached a settlement for natural resource damages in conjunction with Kinder Morgan that addresses provisions for certain restoration projects and compensation. The NRD settlement provides funding to the Trustees to conduct natural resource restoration and reimburses agencies for assessment and restoration costs. The [settlement agreement](#) was finalized April 3, 2018.

Restoration Implementation

The [Damage Assessment and Restoration Plan \(DARP\)](#) was finalized April 18, 2017 following a 30-day public comment period. The DARP outlines restoration options to compensate the public for the natural resource injuries and associated losses in ecological services. Rehabilitation of waterfowl impoundments at the Department of the Interior's Back Bay National Wildlife Refuge (BBNWR) was chosen as the most appropriate restoration option for the natural resource injured and services lost. BBNWR is an important resting and feeding area for migratory birds and is located on the Atlantic Flyway in Virginia Beach, VA. The 900-acre freshwater impoundment complex provides needed habitat for migratory birds. Restoration of this impoundment will improve approximately 225 feet of eroded shoreline. By way of the wildlife observation, photography, hiking, and interpretation opportunities associated with this area for over 70,000 visitors annually, this project helps support the DOI's goal of Expanding Outdoor Recreation and Access - Enhancing public satisfaction at DOI sites.

After securing all permits for the work, Ducks Unlimited broke ground May 13, 2019. The project completion date is estimated as end of summer 2019.