Pipeline Proposed by Valero and Plains
Puts Black Communities, Memphis’ Drinking Water at Risk of Contamination

Concerned citizen groups alert federal agency that risky crude oil pipeline does not satisfy conditions required by a nationwide permit

MEMPHIS, Tenn. – The Southern Environmental Law Center (SELC), Protect Our Aquifer, Tennessee Chapter of the Sierra Club, and Memphis Community Against the Pipeline are urging the U.S. Army Corps of Engineers to deny a federal permit for a pipeline proposed by Valero Energy and Plains All American Pipeline that would cut through several Black communities and the municipal wellfield that provides their drinking water, which is drawn from the Memphis Sand Aquifer.

“We’re alarmed that so far no local, state or federal agency is looking out for the groundwater that serves as Memphis’s drinking water,” said George Nolan, SELC Senior Attorney. “The nationwide permit the companies have applied for under the Clean Water Act states in very plain language that this type of permit does not allow for the construction of pipelines near drinking water intakes, like the municipal wellfield it will run through. If this oil pipeline leaks or spills, as many have done before, it could have devastating effects on the residents that live in southwest Memphis and their drinking water source.”

Neighbors in southwest Memphis have been organizing against the proposed project in collaboration with Protect Our Aquifer, including a group of young neighborhood activists who recently formed Memphis Community Against the Pipeline.

The route would cut through several Black communities in southwest Memphis, including the Boxtown community, which got its name after formerly enslaved people used scraps of materials and wood from train boxcars to build homes there in the late 19th century.

"This resilient community, where many of our loved ones live and our ancestor’s bones rest, is being treated this way because of economic racism and environmental racism," said Justin J. Pearson, a lead organizer of Memphis Community Against the Pipeline. "We care about the water that we drink, the land we live on, and the air we breathe, but too often our lives are deemed expendable by our own elected officials and company's insatiable quest to profit off our very lives."

Boxtown is already burdened by dozens of industrial facilities, including a Valero Energy oil refinery and TVA’s Allen facility, which includes a recently retired coal plant with extensive coal ash contamination.
and an active gas plant. A spokesperson for the pipeline company recently offended community members by stating that the company chose to build the pipeline along “the path of least resistance.”

Because the crude oil pipeline proposed by Valero and Plains will cross certain wetlands and streams, it must proceed pursuant to a permit issued by the Corps under the Clean Water Act. The pipeline company is attempting to use the Corps’ Nationwide Permit 12 to satisfy its obligations under Clean Water Act protections. However, this type of permit does not allow for a pipeline to cross in proximity to a drinking water intake source. The pipeline route by Valero and Plains would cut through a drinking water well field in southwest Memphis (operated by Memphis Light, Gas and Water). These wells draw from the Memphis Sand Aquifer and supply drinking water to the surrounding communities comprising primarily of Black residents along with several nearby industrial businesses.

“We think the Corps should consider the risks to our drinking water plus the environmental injustices this pipeline poses to residents,” said Jim Kovarik, Executive Director of Protect Our Aquifer. “This area of the Memphis Sand Aquifer is known to be vulnerable to contamination due to holes in its protective clay layer. In fact, there is a known breach in the Davis Well Field, near the pumping station. On top of that, the route is also near an earthquake fault line known as the New Madrid Seismic Zone. This is the wrong place for a pipeline.”

“By putting this pipeline in proximity of the Davis Well Field it threatens the Memphis Sand Aquifer and the communities that rely on this drinking water source,” said Scott Banbury, Conservation Coordinator for the Tennessee Chapter of the Sierra Club. “This unique geological formation has trapped massive amounts of fresh, particularly pure water underground, totaling as much as 100 trillion gallons that stretch under seven states. We should be asking ourselves how we can take better care of this natural resource, not running an oil pipeline across it.”

Memphis is the largest metro area in the U.S. that relies completely on groundwater as its primary source for drinking water.

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Southern Environmental Law Center

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