

DEPARTMENT OF THE ARMY PERMIT

Permittee Mountain Valley Pipeline

Permit Nos. LRH-2015-592, LRP-2015-798, and NAO-2015-898

Issuing Office Huntington District (LRH), Pittsburgh District (LRP), and Norfolk District (NAO)

NOTE: The term “you” and its derivatives, as used in this permit, means the permittee or any future transferee. The term “this office” refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer. This Department of the Army permit was processed under the expedited authority of Section 324 of the Fiscal Responsibility Act of 2023.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: You are authorized to permanently discharge dredged and/or fill material into 1,145 linear feet of streams and 0.422 acre of wetlands, to temporarily discharge dredged and/or fill material into 35,554 linear feet of streams and 13.39 acres of wetlands, to temporarily discharge dredged and/or fill material into 3.6965 acres of palustrine forested (PFO) and palustrine shrub-scrub (PSS) wetlands resulting in the permanent conversion of 2.43 acres of PFO and 1.27 acres of PSS wetlands to palustrine emergent wetlands, and work and/or structures in or under five (5) navigable waters of the U.S., as detailed in Special Condition 1, associated with construction, restoration and maintenance of the Mountain Valley Pipeline project. You are authorized to install a trenchless pipeline crossings beneath the Gauley River, the Elk River, the Greenbrier River and the Roanoke River, as described in Table 6 of Special Condition 1.

Project Location: Activities subject to Section 404 of the Clean Water Act regulation within the Huntington District’s regulatory boundary will occur in streams and wetlands within watersheds of the Ohio, Little Kanawha, Elk, Gauley, Greenbrier, and New Rivers. Proposed activities subject to Section 10 of the Rivers and Harbors of 1899 regulation within the Huntington District’s regulatory boundary will occur within the Elk, Gauley, and Greenbrier Rivers. The project is located at latitude 38.289650°, longitude -80.685753° as shown on the Figure 1 – Project Overview Map Individual Permit Application.

Activities subject to Section 404 of the Clean Water Act regulation within the Pittsburgh District’s regulatory boundary will occur in streams and wetlands within watersheds of the Ohio and Monongahela Rivers. The project is located at latitude 39.340881°, longitude -80.513629° as shown on the Figure 1 – Project Overview Map Individual Permit Application

Activities subject to Section 404 of the Clean Water Act regulation within the Norfolk District’s regulatory boundary will occur in streams and wetlands within watersheds of the New, James, Roanoke, and Banister Rivers. Proposed activities subject to Section 10 regulation within the Norfolk District’s regulatory boundary will occur within the Roanoke and Blackwater Rivers. The project is located at latitude 37.091495°, longitude -79.988903° as shown on the Figure 1 – Project Overview Map Individual Permit Application.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on December 31, 2028. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state

coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions: Special conditions are found on the attached sheet titled "SPECIAL CONDITIONS FOR THE DEPARTMENT OF THE ARMY SECTION 404 CLEAN WATER ACT AND SECTION 10 OF RIVERS AND HARBORS ACT OF 1899 PERMIT LRH-2015-592, LRP-2015-798 AND NAO-2015-898 MOUNTAIN VALLEY PIPELINE, LLC MOUNTAIN VALLEY PIPELINE PROJECT."

Further Information:

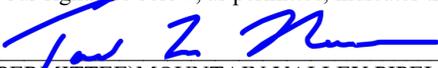
1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
 - (X) Section 324 of the Fiscal Responsibility Act of 2023.
 - (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
 - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
 - () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization:
 - a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal project.
3. Limits of Federal Liability: In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

- 5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
 - a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

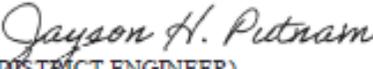
Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

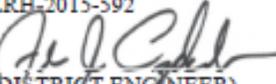
- 6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

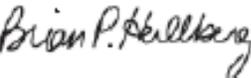
Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

 June 23, 2023
 (PERMITTEE) MOUNTAIN VALLEY PIPELINE, LLC (DATE)
 by and through its operator, EQM Gathering Opco, LLC

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

 23 June 2023
 (DISTRICT ENGINEER) (DATE)
 Jayson H. Putnam
 Colonel, Corps of Engineers
 Huntington District
 LRH-2015-592

 23 June 2023
 (DISTRICT ENGINEER) (DATE)
 Adam J. Czekanski
 Colonel, Corps of Engineers
 Pittsburgh District
 LRP-2015-798

 23 June 2023
 (DISTRICT ENGINEER) (DATE)
 Brian P. Hallberg
 Colonel, Corps of Engineers
 Norfolk District
 NAO-2015-898

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

 (TRANSFEEE) (DATE)