



COLUMBUS | CLEVELAND
CINCINNATI-DAYTON
MARIETTA

BRICKER & ECKLER LLP
100 South Third Street
Columbus, OH 43215-4291
MAIN: 614.227.2300
FAX: 614.227.2390

www.bricker.com
info@bricker.com

Sally W. Bloomfield
614.227.2368
sbloomfield@bricker.com

April 16, 2015

Via Electronic Filing

Ms. Barcy McNeal
Administration/Docketing
Public Utilities Commission of Ohio
180 East Broad Street, 11th Floor
Columbus, OH 43215-3793

**Re: Dominion East Ohio Matalco Inc., MLX – Pipeline Project,
OPSB Case No. 15-488-GA-BLN**

Dear Ms. McNeal:

On April 13, 2015, the Ohio Power Siting Board (“OPSB”) Staff issued a Report of Investigation approving the Letter of Notification subject to a number of conditions.

Within this set of conditions, **Condition No. 1** requires Dominion East Ohio (“DEO”) to obtain and comply with all applicable permits and authorizations as required by federal and state entities for any activities where such permit or authorization is required. In compliance with Condition No. 1, attached for filing is a copy of the U.S Army Corps of Engineers Nationwide Permit (Attachment 1) and the Ohio EPA NPDES Construction Storm Water General Permit (Attachment 2).

Please do not hesitate to contact me if you have any questions.

Sincerely,

Sally W. Bloomfield

Attachments

Cc: Ed Steele (w/Attachments)



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
PITTSBURGH DISTRICT, CORPS OF ENGINEERS
WILLIAM S. MOORHEAD FEDERAL BUILDING
1000 LIBERTY AVENUE
PITTSBURGH, PA 15222-4186

April 13, 2015

Operations Division
Regulatory Branch
LRP 2015-375

East Ohio Gas Company
Attn: Ms. Tara Miletti
320 Springdale Drive, Suite 320
Akron, Ohio 44333

Dear Ms. Miletti:

I refer to your Department of Army Permit application for the construction of the Matalco MLX gas pipeline in Lordstown, Trumbull County, Ohio received in this office on March 5, 2015. The proposed project involves the construction of a natural gas pipeline from an existing pipeline along Tait Road northeast of the crossing of Little Duck Creek to the Matalco MLX facility west of Tod Avenue SW (Ohio Route 45). The pipeline will be installed adjacent to Tait Road and Tod Avenue SW. The approximately 1.7 mile pipeline will be installed within and adjacent to the existing Tait Road and Tod Avenue SW roadway right-of-way. According to the permit application the project will require one open cut stream crossing of Little Duck Creek and an abutting wetland resulting in 51 linear feet of temporary stream impacts and 0.014 acre of palustrine emergent wetland summarized on Table 1 and 2 (enclosed).

Activities associated with projects of this type are authorized by Nationwide Permit No. 12 Utility Line Activities (see enclosure), previously issued by the Corps of Engineers, for purposes of Section 404 of the Clean Water Act as published in the February 21, 2012 issue of the Federal Register.

Enclosed is a list of conditions which must be followed for the Nationwide Permit to be valid. Adherence to these conditions will permit you to proceed with the proposed project. **Please Note**, the enclosed Compliance Certification Form must be signed and returned to this office upon completion of the proposed work.

As **SPECIAL CONDITIONS**:

1. According to the permit application and a review of the aerial mapping the project will not result in any tree removal within proximity to the stream/wetland crossing. If the plans change and it is determined that trees must be cut you must contact this office prior to any tree removal.
2. All temporary stream and wetland construction entrances must be removed immediately upon project completion.

3. All stream banks, riparian areas, and wetlands disturbed as a result of this project must be replaced at pre-project contours, stabilized, and re-seeded with a wetland seed mix immediately upon project completion at each crossing.
4. One month after the authorized work is completed, and again at the end of the first full growing season (no later than October 31) after the authorized work has been completed you shall inspect all authorized stream and wetland crossings sites that had been temporarily impacted in order to verify that excess fill material has been removed, and that the site has been restored to pre-existing conditions and contours. These monitoring events shall be summarized in a report containing:
 - a. A statement of whether all excess fill has been removed.
 - b. A description of the status of vegetative growth in the impacted wetlands/ stream banks, a description of substrate and grade, and the stability of the impacted resource with reference to the prevention of erosion and sedimentation entering receiving waters. These reports shall be submitted to this office within two weeks of completion, referencing project number **(2015-375)**.

The verification of this Nationwide Permit is valid until March 18, 2017 unless the Nationwide Permits are modified, suspended, or revoked. If project specifications are changed or work has not been initiated before March 18, 2017, please contact this office for further approval.

The issuance of this Nationwide Permit will not relieve you of the responsibility to obtain any other required state, local, or Federal authorizations.

If you have any questions, please contact Matt Mason at (412) 395-7129 or via email at Matthew.R.Mason@usace.army.mil. Please reference Project No. 2015-375 in all future correspondence with this office regarding this decision. Please complete our customer survey online and provide us with feedback at http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.

Sincerely,

SIGNED

Nancy Mullen
Chief, Northern Section
Regulatory Branch

Enclosure

Copy furnished (letter only via email)
Rachel Taulbee, OEPA

Compliance Certification Form

PERMIT NO: **LRP 2015-375 East Ohio Gas Company Matalco Inc. MLX Gas Pipeline**

NAME OF PERMITTEE: **East Ohio Gas Company – Ms. Tara Maletti**

DATE OF ISSUANCE: **April 13, 2015**

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

U.S. Army Corps of Engineers
Pittsburgh District
Regulatory Branch, Room 2200
William S. Moorhead Federal Building
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Please note that your permitted activity is subject to compliance inspection by a U.S. Army Corps of Engineers Representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

- Temporary or permanent impacts to category 1 and 2 wetlands are less than 1/2 acre. No impacts greater than 1/10 acre will occur to any individual water of the U.S.
- No permanent filling of wetlands or water bodies will occur for any part of the project (including access roads), and no permanent impacts will result.

Table 1. Wetland Impact Analysis Table.

<i>Wetland</i>	<i>Cowardin Classification</i>	<i>ORAM Category</i>	<i>Within Review Area</i>	<i>Within 20 to 50-Foot Wide Construction Corridor</i>		
			<i>Area (ac)</i>	<i>Impact¹ Area (ac)</i>	<i>Trench Crossing Length (lf)</i>	<i>Amount of Discharge (cu yd)²</i>
A	PEM	1	0.018	0.014	36	26.7
B	PEM	Mod 2	0.018	0.000	0	0.0
C	PEM	Mod 2	0.062	0.000	0	0.0
D	PEM	Mod 2	0.012	0.000	0	0.0
Total	--	--	0.110	0.014	36	26.7

¹ All impacts will be temporary and all grades will be restored to pre-construction contours.

² Discharge associated with trench excavation.

Table 2. Stream Impact Analysis Table.

<i>Stream</i>	<i>Flow Regime</i>	<i>OHWM Width (ft)</i>	<i>Within Review Area</i>		<i>Within 20 to 50-Foot Wide Construction Corridor</i>			
			<i>Length (lf)</i>	<i>Area (ac)</i>	<i>Upstream to Downstream Length (lf)</i>	<i>Trench Crossing Length (lf)</i>	<i>Trench Impact Area (ac)¹</i>	<i>Amount of Discharge (cu yd)²</i>
1 (Little Duck Creek)	Perennial	5	62.0	0.007	51	5	0.0005	3.7
Total	--	--	62.0	0.007	51	5	0.0005	3.7

¹ All impacts will be temporary and all grades will be restored to pre-construction contours.

² Discharge associated with trench excavation.



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

March 27, 2015

EAST OHIO GAS CO
TARA MILETTI
320 SPRINGSIDE DR-STE 320
AKRON OH 44333

Re: Approval Under Ohio EPA National Pollutant Discharge Elimination System (NPDES) Construction Site Storm Water General Permit _OHC000004_ (the permit)

Dear Applicant:

Your NPDES Notice of Intent (NOI) application is approved for the following facility/site. Please use your Ohio EPA Facility Permit Number in all future correspondence.

Facility Name: MATALCO INC MLX
Facility Location: TAIT RD, TOD AVE SW (SR 45) & 8TH ST
City: LORDSTOWN **Township:**
County: Trumbull
Ohio EPA Facility Permit Number 3GC07824*AG

Please read and review the permit carefully. The permit contains requirements and prohibitions with which you must comply. Coverage under this permit will remain in effect until a renewal of the permit is issued by the Ohio EPA. If more than one operator (defined in the permit) will be engaged at the site, each operator shall seek coverage under the general permit. Additional operator(s) shall submit a Co-Permittee NOI to be covered under this facility permit number. There is no fee associated with the Co-Permittee NOI form.

Please be aware that this letter only authorizes discharges in accordance with the above referenced NPDES CGP. The placement of fill into regulated waters of the state may require a 401 Water Quality Certification and/or Isolated Wetlands Permit from Ohio EPA. Also, a Permit-To-Install (PTI) is required for the construction of sanitary or industrial wastewater collection, conveyance, storage, treatment, or disposal facility; unless a specific exemption by rule exists. Failure to obtain the required permits in advance is a violation of Ohio Revised Code 6111 and potentially subjects you to enforcement and civil penalties.

You may obtain additional information, copies of the general permit and current forms/instructions from our website at <http://epa.ohio.gov/dsw/storm/index.aspx>. If you have questions, please call 614-644-2001.

Ohio EPA has developed a customer service survey to get feedback from regulated entities that have contacted Ohio EPA for regulatory assistance, or worked with the Agency to obtain a permit, license or other authorization. Ohio EPA's goal is to provide our customers with the best possible customer service, and your feedback is important to us in meeting this goal. Please take a few minutes to complete this survey and share your experience with us at <http://www.surveymonkey.com/s/ohioepacustomersurvey>

Sincerely,

Craig W. Butler
Director

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

4/16/2015 3:07:43 PM

in

Case No(s). 15-0488-GA-BLN

Summary: Correspondence of Dominion East Ohio in Compliance with Staff Report Condition No. 1 electronically filed by Teresa Orahod on behalf of Sally Bloomfield