

FILE

16-253-CA-BTX

7

From: Schmerler, David (schmerda) [mailto:schmerda@ucmail.uc.edu]  
Sent: Tuesday, June 07, 2016 11:15 AM  
To: Puco ContactOPSB <contactopsb@puco.ohio.gov>  
Subject: Duke energy Hamilton county pipeline

Dear Ohio Power Sitting Board,

The idea that you might conceivably approve a gas pipeline of the nature proposed and through residential areas in the Cincinnati.com article is reprehensible and would seriously raise concerns of whether new leadership is needed at a state level.

Please vote against this pipeline!

Check out this article from The Cincinnati Enquirer:  
Gas pipeline controversy erupts in Hamilton County

<http://cin.ci/1t4Dicw>

Sincerely,

David Schmerler, D.O.  
Department of Neurology  
University of Cincinnati

16-253-CA-BTX  
2016 JUN -7 PM 1:07  
PUCO

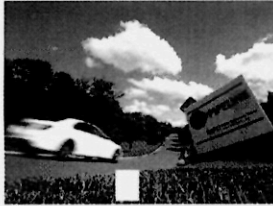
This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.  
Technician DM Date Processed JUN 07 2016

# Gas pipeline controversy erupts in Hamilton County



Carrie Blackmore Smith, [csmith@enquirer.com](mailto:csmith@enquirer.com)

10:51 a.m. EDT June 7, 2016



(Photo: The Enquirer/Kareem Elgazzar)

The largest high-pressure natural gas pipeline ever constructed in Hamilton County could be coming to a neighborhood near you.

Duke Energy has proposed three possible routes through the northern suburbs, passing by hundreds of homes and businesses, as well as many schools, parks, public buildings, religious centers and hospitals. Even Kenwood Towne Center.

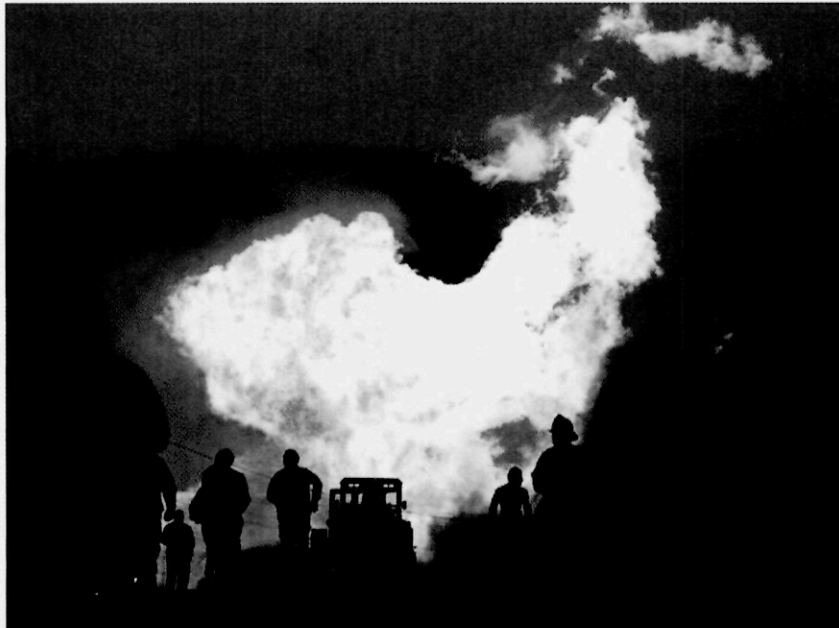
Duke officials say a pipeline of this size can and will be built and operated safely.

But the mere idea has sent many residents into a frenzy over the potential dangers of burying a 30-inch pipeline just 3 feet underground in such developed areas.

Local politicians are also lining up to condemn the idea, expressing frustration over not being consulted earlier in this process.

"This is not a 'not in my backyard' issue," says Elizabeth Rueve-Miller, a Blue Ash resident, who has joined a grassroots group formed to oppose the project. "This is a 'not in *anyone's* backyard' issue."

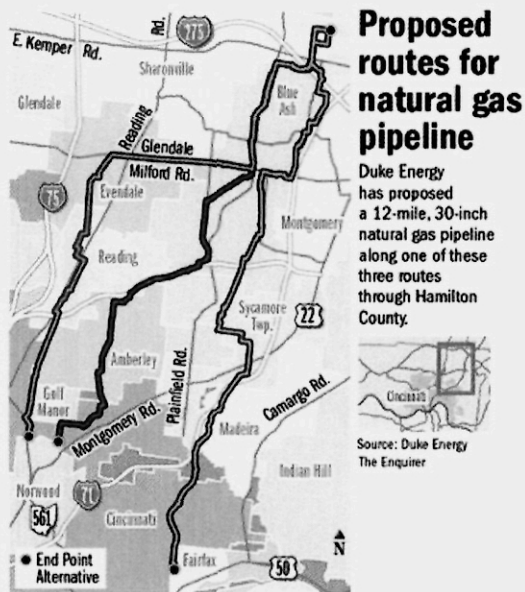
Rueve-Miller and many others have seen the devastation that pressurized pipelines of this size can exert.



In this 2010 file photo, a massive fire roars through a neighborhood in San Bruno, California. U.S. officials moved in March to strengthen natural gas pipeline safety rules after the incident that killed 8 people and injured more than 50. But that doesn't stem the fears some in Hamilton County communities where a pipeline is planned. (Photo: AP file/Paul Sakuma)

In San Bruno, California, a pipeline of this size exploded in 2010. Caused by faulty seams, the blast and ensuing fire killed eight people, injured 50 and destroyed many homes. Then, just this past April, a pipeline exploded in a rural part of Salem Township, Pennsylvania. Witnesses a half a mile away from the fireball that scorched 40 acres said they could feel heat on their faces from the inferno.

Depending on the route, the pipeline could traverse Norwood, Golf Manor, Amberley Village, Reading, Evendale, Blue Ash, Sycamore Township, Montgomery, Madeira, Fairfax and some Cincinnati neighborhoods.



. (Photo: Mike Nyerges)

The decision on where to put the pipe, while months away, does not require any local approval. A state board has final say.

But opposition is mounting.

## Duke: The pipeline is necessary

The first letter from Duke Energy sent to Rueve-Miller's Bluewing Terrace home in Blue Ash, got overlooked in the mail.

"It looked like any other piece of junk mail," Rueve-Miller said.

Buy Photo



Blue Ash resident Elizabeth Rueve-Miller shows where a possible natural gas pipeline might run through a wooded area behind her home. Rueve-Miller said that she and others in the community believe the pipeline should be constructed outside of populated areas, regardless of socio-economic status. (Photo: The Enquirer/Kareem Elgazzar)

Then a neighbor knocked on her door, asking if she'd heard about the proposed project.

This is not just any natural gas line, she said. It's much bigger.

She and a group of concerned neighbors attended open houses held in March and organized into a group they call NOPE – Neighbors Opposing Pipeline Extension (<https://nopecincy.org/>).

Duke officials say the company is following the rules for proposing such a project and must construct it, if their customers want the company to keep up with future demands for natural gas.

"This is about us being able to reliably meet the needs of our gas customers in Southwest Ohio," said Duke Spokeswoman Sally Thelen.

She contends that Duke has plenty of experience building and operating large diameter pipelines, operating hundreds of miles 16 inches and bigger, including those that are pressurized 400 pounds per square inch or more.

The proposal on the table is for a 12-mile, 30-inch pipeline pressurized between 500-650 psi.

Duke currently operates one other 30-inch line, a smaller segment of a longer line in Cincinnati's West End neighborhood. It is just 35 psi, twice the pressure of a football. Four hundred psi is roughly 12½ times that in a car tire.

The proposed section is required to meet future demands of natural gas and avoid energy brownouts (<http://www.yourenergyblog.com/faq-whats-the-difference-between-a-blackout-and-a-brownout/>).

Duke analyzed thousands of routes, Thelen said, and discerned that these three are "optimal" when considering cost, public safety concerns and environmental impacts.

"Safety," Thelen said, "is our top priority."

However, "there's no foolproof way to keep third parties from damaging the system," Thelen said, though the pipeline would be clearly marked.

This is not okay, says Ronna Lucas, an attorney who has joined the NOPE cause.

"You've got an unprecedented project that has failed in other areas being put 100 feet from an elementary school," Lucas said. "If the natural gas is released, there will be no evacuation."

Raw: At Least 1 Injured in Pa. Gas Explosion



There are also environmental concerns, because natural spaces will need to be dug up for the pipeline, and devaluation of properties all along the line, Lucas said.

Duke has asked people who live on the route to grant them an easement to build the pipeline.

If owners refuse, Duke could attempt to take the properties by eminent domain.

Thelen said "we don't have a solid answer" as to whether the company would go that route.

"Ultimately, we want to be a partner in the community," Thelen said. "But we know what we need to do to provide reliable services of electricity and gas."

## **No local control, but state senator says that's OK**

A state representative, Hamilton County commissioner and many government officials from the affected communities are against the proposed routes and have said so (<http://dis.puc.state.oh.us/CaseRecord.aspx?Caseno=16-0253&link=COM>) in letters of opposition.

So have school district leaders, heads of religious institutions and businesses.

Ultimately, though, no one locally has veto power over this project.

That may be frustrating but as it should be, said Ohio Sen. Bill Seitz, of Green Township, who represents nearly all of the communities on the proposed routes.

"If it was all decided at the local level, things would never get built," said Seitz, who is a non-voting member of the Ohio Power Siting Board (<http://www.opsb.ohio.gov/opsb/>), which ultimately approves or rejects major utility facility applications – like natural gas pipelines larger than 9 inches in diameter – in the state.

"On my time on the board ... the staff does a very thorough job and conducts public hearings and looks at things from every conceivable angle," Seitz said. "They take public safety very seriously."

The seven voting members have never deviated from the staff's recommendation, to Seitz's memory. Those members include heads of the Ohio departments of public utilities, agriculture, environmental protection, health, natural resources and development and a member of the public, who is an engineer by trade.

The senator asks that folks of his district respect and participate in the process. He said projects are generally approved but have often been altered from their original proposal.

For his part, Seitz has asked how many pipelines of this size and pressure exist in urbanized areas around Ohio, to try to understand whether this proposal is unusual.

He is still waiting for an answer, though he was told that applications like these will likely increase now that natural gas is being extracted in larger quantities with hydraulic fracking in northeastern parts of the state.

"I am waiting, rather impatiently" for the information, Seitz said.

He acknowledged that accidents can always happen.

"A woman called me about that," Seitz said, "and I told her, 'Ma'am, I cannot guarantee you this will not blow up just as much as I can't guarantee that a Delta Airline plane doesn't falls on your head today.' "

## **County leader feels left in the dark**

Some, including Hamilton County Commissioner Todd Portune, have a hard time understanding why he and the other top elected officials in Hamilton County only just learned of this project.

And it wasn't from Duke.

Portune got an email about three weeks ago from a leader at NOPE.

"This sure sounded like something there needed to be a whole lot more community input into," Portune said. "I don't think that a 30-inch diameter pipeline has any business running through densely populated communities adjacent to schools, businesses."

Duke's Thelen does not agree with criticism that the company has not been transparent and is fast-tracking the process, which she says just began last summer. Duke's first notice letter to property owners on the route went out in February, followed by another in March. They've posted notices in The Enquirer, as required, she said.

Portune is pushing for Duke to inform more people, any property owner within 2,000 feet or about a half mile from the pipeline. This is roughly the "blast zone" for a pipe of this size, outlined by a nonprofit organization known as the Pipeline Association for Public Awareness.

Thelen said it is too soon for the company to address any potential blast zone, without knowing the route. Engaging local emergency response organizations would be "premature and confusing" at this point, Thelen said.

But Perry Leitner, another Blue Ash resident, believes public safety officials should have been involved from the start and just doesn't understand why this pipe needs to be so big.

Buy Photo



Blue Ash resident Perry Leitner outlines key areas and landmarks that a proposed pipeline might run through. Residents are concerned about the possible hazardous effects of pipeline should something go wrong. (Photo: The Enquirer/Kareem Elgazzar)

"This is unprecedented," said Leitner, who is skeptical it will benefit Hamilton County residents at all. "Duke lies. The true purpose is to take it (gas) to the Gulf of Mexico for export."

Thelen denies that claim: "The purpose of this line is not to benefit the shale gas industry, it's being designed as we've explained to improve our reliability and flexibility of our system as well as enable us to retire aging infrastructure."

Portune is doubtful.

"How can you deny this is not also about how to get those gas deposits to market?" Portune said. "Publicly, they have stated ignorance to that issue ... that is fueling an awful lot of skepticism."

## Local leaders step up

Local leaders may not have a vote, but that doesn't mean they can't keep the pressure on, Portune said.

Duke's application process is just beginning and includes an "investigation" by the Ohio Power Siting Board and more opportunities for public input, Portune pointed out.

He thinks opponents may also have the law on their side.

The Ohio Power Siting Board relies on a section of Ohio law ([Ohio Revised Code 4906.10](http://codes.ohio.gov/orc/4906.10) (<http://codes.ohio.gov/orc/4906.10>)) that defines what they take into account in granting permission for these and other energy infrastructure to be built.

Portune and opponents are beginning to pull together information about population density, public safety concerns like schools, parks and hospitals and crucial amenities along the routes.

The commissioner has asked for a report on legal recourse from the Hamilton County Prosecutor's Office and a report of all the natural waterways and other environmental impacts of these lines.

"I'm glad there is going to be a lot more to this," Portune said. "Duke has now called for another meeting on the 15th and I'm hopeful they will be completely open and all the questions people have will be answered."

**Learn more or have your say:**

Two meetings are planned in coming weeks:

- Town Hall Meeting organized by Neighbors Opposing Pipeline Extension, 7 p.m. Thursday at Golf Manor Community Building, 6450 Wiehe Road, Cincinnati, OH 45237
- Informal Open House held by Duke Energy, 5-8 p.m. June 15 at Cooper Creek Event Center, 4040 Cooper Road, Blue Ash, Ohio 45241

Letters expressing an opinion to the Ohio Power Siting Board (<http://www.opsb.ohio.gov/opsb/index.cfm/siting-case-breakdown/16-0253-ga-btx-duke-central-corridor-extension-gas-pipeline-hamilton-county/>) should be sent to:

- Email: [contactOPSB@puc.state.oh.us](mailto:contactOPSB@puc.state.oh.us) (<mailto:contactOPSB@puc.state.oh.us>)
- Mail: Ohio Power Siting Board, 180 E. Broad Street, Columbus Ohio 43215

**Websites:**

- NOPECincy: [www.nopecincy.org](https://nopecincy.org/) (<https://nopecincy.org/>)
- Duke's Central Corridor: [www.duke-energy.com/centralcorridor](http://www.duke-energy.com/centralcorridor) (<http://www.duke-energy.com/centralcorridor>)

**Ohio Power Siting Board members**

- Asim Z. Haque, chairman of the Public Utilities Commission of Ohio
- David Daniels, director of the Ohio Department of Agriculture
- David Goodman, director of the Ohio Development Services Agency
- Craig Butler, director of the Ohio Environmental Protection Agency
- Richard Hodges, director of the Ohio Department of Health
- James Zehringer, director of the Ohio Department of Natural Resources
- Jeffrey J. Lechak, public member