



Lija Kaleps-Clark
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Newark, OH 43058-4970

Via Electronic Filing

December 20, 2017

Mr. Patrick Donlon
Executive Director
Ohio Power Siting Board
180 East Broad Street, 6th Floor
Columbus, OH 43215

Re: Re: NGO Transmission, Inc. Construction Notice for Pipeline Replacement Project
(Line 3-E), Licking Township, Licking County, Ohio, Case No. 17-1476-GA-BNR

Dear Mr. Donlon:

On September 25, 2017, the Ohio Power Siting Board ("OPSB") Staff issued a Report of Investigation approving the above-referenced Project subject to the condition that NGO Transmission, Inc. ("NGOT"), prior to the commencement of construction activities, obtain and comply with permits or authorizations required by federal or state laws and regulations and provide copies of permits and authorizations to the OPSB Staff.

In compliance with this Staff Report Condition, which NGOT adopts as part of its Application, attached is a copy of the Ohio Department of Transportation Permit and Extension of Permit (Attachment A).

If you have any questions, please contact me at the number listed above.

Sincerely,
NGO TRANSMISSION, INC.

Lija Kaleps-Clark, Esq. (0086445)
Director of Land and Legal Services

cc: Ashton Holderbaum

MR-509



STATE OF OHIO
DEPARTMENT OF TRANSPORTATION
PERMIT

County: Licking
Route: 70 Section: 131.82 / 131.82
Lat: 39.94514 Long: -82.42796
Permit Number: 05-155-17
Permit Date: 6/13/2017

Subject to all terms, conditions, and restrictions printed, written below, and on the reverse side hereof, or attached,
National Gas & Oil Cooperative
120 O'Neil Drive
Hebron OH 43025
Contact: Greg Wilson (740) 348-1254

is hereby granted a permit under Section 5515.01 and 5515.02 of Ohio Revised Code, and permission to perform work necessary in the manner described and at the location indicated in the following or as attached to this permit.

Install a 10" gas main across Interstate Route 70 by directional boring under the roadway without disturbing the pavement and abandon existing 10" gas main in place. The gas main shall be installed a minimum of 10 foot below the highway and ditch bottoms as shown on attachments (as marked by ODOT) submitted by National Gas & Oil and installed in accordance with the current edition of both the Construction Material Specifications and Construction Inspection Manual of Procedures, and any Notes that are listed and/or attached.

THIS GAS MAIN INSTALLATION MUST MEET ALL RULES, REGULATIONS AND GAS MAIN INSPECTION CRITERIA CONTAINED IN 49 CFR 192 AND/OR 49 CFR 195.

NO EQUIPMENT OR VEHICLES TO BE WORKING OR PARKED ALONG THE ROADWAY OR IN THE LIMITED ACCESS RIGHT OF WAY OF INTERSTATE ROUTE 70. BORE PITS SHALL BE LOCATED OUTSIDE THE ROAD RIGHT OF WAY. NO UTILITY APPURTENANCES SHALL BE INSTALLED INSIDE THE ROAD RIGHT OF WAY. NON-METALLIC UNDERGROUND LINES SHALL BE ACCOMPANIED BY A TRACE WIRE, METALLIC TAPE OR OTHER METHOD TO LOCATE AND MARK THE UNDERGROUND FACILITY. PERMANENT MARKERS SHALL BE PLACED ON BOTH SIDES OF THE ROADWAY AT THE RIGHT OF WAY FENCE TO IDENTIFY THE LOCATION OF THE LINE BEING INSTALLED.

Along Interstate Route 70 in Licking County, approximately 1187' west of the Licking Trails Road overpass.

CONTINUED ON ATTACHED PAGES. The following notes apply: General Provisions, Bury / Bore Specifications

WORK DONE UNDER THIS PERMIT SHALL BE PERFORMED ONLY DURING THE STATE WORKING HOURS, UNLESS PRIOR APPROVAL IS GRANTED BY THE COUNTY MANAGER.

This permit shall be in the possession of employees on site at all times who are in charge of the work and shall be shown, upon request, to any employee of the Department of Transportation.

No work authorized by this permit shall begin until the permittee has contacted and received instructions from Jeff Hill at 740-323-5230.

NOTE: Any work performed by the permittee may be stopped if the above requirements are not met.

To the extent applicable, this permit shall be void if the work described herein does not comply with the conditions, terms, and requirements applicable to this permit, and if the work is not completed by 12/13/2017.

All work requiring persons or vehicles within ODOT right of way shall comply with all applicable requirements of the Ohio Manual of Uniform Traffic Control Devices and Item 614 (Maintaining Traffic) of the Construction and Material Specifications, latest editions. Failure to comply with these requirements will be cause for immediate revocation or suspension of the permit until the proper traffic control devices have been provided.

The permittee accepts the conditions, terms, and requirements printed, written on, or attached to this permit and understands that failure to comply fully with those conditions, terms, and requirements or any change in the use of this permit inconsistent with its terms and conditions will be considered a violation and cause for suspension, revocation, or annulment of the permit thereby rendering the permit illegal and subject to appropriate Department action, up to and including removal of the installation, if applicable, at the permittee's expense.

☐ Performance Bond Req'd Surety Company: _____ Bond Amount: _____
Bond Effective Date: _____ Bond Expiration Date: _____

Permittee / Date

Jerry Wray

Jerry Wray
Director

BB By: Laura Philabaum
District Real Estate Administrator

**General Provisions Applicable to All Permits
(Sections 5515.01 and 5515.02 of O.R.C.)**

- [1] This permit is not a substitute for satisfying the rights or obligations of any other party who may have an interest in the underlying fee interest.
- [2] The granting of this permit does not convey to the permittee or to the property served any rights, title, or interest in state highway rights of way or in the design or operation of the state highway; or in any way abridge the right of the Director of the Department of Transportation in his jurisdiction over state highways. If, in the process of any future work or for the benefit of the traveling public, it becomes necessary, in the opinion of the Director of Transportation to order the removal, reconstruction, relocation, or repair of any of the fixtures, or work performed under this permit, said removal, reconstruction, relocation, or repair shall be wholly at the expense of the owners thereof or the permittee and be made as directed by the Director of Transportation. Such changes in the state highway design or operation, necessary for improved safety and operation or for the benefit of the traveling public, shall not require a permit modification since the permit confers no private rights to the permittee over the control of the state highway.
- [3] The District Deputy Director acts for and on behalf of the Director in issuing and carrying out the provisions of all permits. The District Deputy Director has full authority to ensure that all provisions of the permit are met and to reject any materials, design, and workmanship that do not meet applicable Department standards. The District Deputy Director, at his/her discretion, may require a performance bond or certified check as a prerequisite to the issuance of a permit.
- [4] Failure on the part of the permittee to comply fully with the provisions and conditions of the permit will be cause for suspension, revocation, or annulment of the permit thereby rendering the permit illegal and subject to appropriate Departmental action. By accepting the permit, the permittee agrees to comply with all conditions, terms, and restrictions printed or written on or attached to the permit. If the permittee performs any work contrary to the conditions of the permit or to the instructions of the District Deputy Director and, after due notice, fails to correct the problem, the Department of Transportation may, with or without notice, correct such work and the permittee shall reimburse the Department for the costs.
- [5] The permittee shall indemnify and hold harmless the State of Ohio, Department of Transportation, its officers, representatives and assigns, from any and all loss, liability, damages, litigation costs, and claims for injury or death to any person, property, or business caused by or resulting from any act, omission, event, consequence, or occurrence, negligent or otherwise of the permittee, his employees, or assigns as a result of the issuance of this permit.
- [6] All work authorized under the permit shall be performed to the Department's satisfaction, and the entire expense shall be borne by the permittee. No work shall be performed until the permittee has contacted the Department's appointed representative named on the permit and received instructions. The Department's representative may inspect all work covered by the permit, or the Department reserves the right, during the time any or all of the work is being performed, to appoint an inspector over the work who shall represent the interest of the State on the work and any compensation arranged for shall be paid wholly by the permit holder. Work not in compliance shall be halted and the District Deputy Director shall be notified of the cause. The permittee shall be notified of the Department's action and its causes, and given an opportunity to correct the problem.
- [7] Failure to complete all work within the time specified on the permit shall void the permit, thereby making the permit illegal and subject to appropriate Departmental action. The permittee may request an extension in writing from the District Office, explaining why the extension is necessary and when the work is expected to be completed.
- [8] All work infringing on the pavement or shoulders shall comply with applicable standards and requirements regarding traffic control devices. Failure to comply will be cause for revocation or suspension of the permit. Any closure of lanes or shoulders shall be described in terms of location, duration, time of day, etc. Such work shall not begin until all traffic control devices are in place.
- [9] If any grading, sidewalk, or other work allowed by a permit interferes with the drainage of the highway in any way, such catch basins and outlets as necessary shall be constructed to take proper care of said drainage.
- [10] Upon completion of the work, the permittee shall leave the highway clean of all rubbish, excess materials, temporary structures and equipment, and all parts of the highway shall be left in a condition acceptable to the Department. Upon satisfactory completion of the work authorized by the permit, the Department's appointed representative shall complete the Permit Inspection Certificate, Form No. MR 678 certifying that the permittee has complied with the terms of the permit.
- [11] Except as herein authorized, no excavation shall be made or obstacle placed within the limits of the highway so as to interfere with the travel over the road.
- [12] All pole lines are to be built in accordance with Rule 4901:3-1-08 of Ohio Administrative Code promulgated and enforced by the Public Utilities Commission of Ohio.
- [13] The permittee shall comply with the Air Pollution requirements of Rule 3745-17-08 of the Ohio Administrative Code promulgated and enforced by the Ohio Environmental Protection Agency.
- [14] The permittee certifies that he or she is fully authorized to sign this permit. This permit shall apply to and be binding upon the permittee and his/her successors in interest. No change in ownership of the underlying property or of the facility owned by permittee shall in any way alter the permittee's obligations under this permit.
- [15] The permittee(s) for herself/himself/themselves/itself, her/his/their/its personal representatives, and her/his/their/its successors in interest and assigns, as a part of the consideration hereof, do/does hereby covenant and agree that:
- (1) No person on the grounds of race, color, national origin, sex, age, or disability shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of the above described property.
 - (2) In the construction of any improvements on, over, or under the above described property and the furnishing of services thereon, no person on the grounds of race, color, national origin, sex, age, or disability shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination.
 - (3) The above described property shall be used in a manner that at all times is in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. DOT, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. DOT – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.
 - (4) In the event that this instrument grants a lease, license, or permit and any of the above nondiscrimination covenants is breached, then the State of Ohio, Department of Transportation, shall have the unfettered right to terminate the lease, license or permit and to re-enter and repossess the above-described property and hold the same as if said lease, license or permit had never been made or issued.
 - (5) In the event that this instrument grants a fee or easement interest and any of the above nondiscrimination covenants is breached, the State of Ohio, Department of Transportation, shall have the unfettered right to re-enter the above described property, and said property will thereupon revert to and vest in and become the absolute property of the State of Ohio and its successors and assigns for the use and benefit of the Department of Transportation.
 - (6) In the event that this instrument grants a lease, fee or easement interest, all of the foregoing nondiscrimination covenants shall be and are covenants running with the land.
- [16] By the issuance of this permit by ODOT it does not relieve the permittee from the responsibility of obtaining any other required permits from other agencies having jurisdiction over this work.

Name:	National Gas & Oil Cooperative
Date:	6/13/2017
Permit #:	05-155-17

Bury / Bore 1

All work shall be performed at no cost to the State of Ohio or the Federal Highway Administration.

Loading or unloading of equipment and material from the roadway pavement will not be permitted.

Storage of material on the pavement, berms, median and/or State right-of-way will not be permitted without prior approval from the District Permit Office.

All work requiring men or vehicles on the pavement or shoulders shall comply with all of the requirements of the Ohio Manual of Uniform Traffic Control Devices and Item 614 (Maintaining Traffic) of the Ohio Department of Transportation Construction and Material Specifications. Failure to comply with this requirement will be cause for immediate suspension of the permit until the proper traffic controls have been provided.

Restoration of all areas disturbed shall be completed immediately after installation is completed, comparable to that of the surrounding area and to the satisfaction of the Ohio Department of Transportation County Manager or representative thereof.

All walks, steps, driveways, drains, mail boxes, traffic signs, guardrail, poles, fences, etc. that are disturbed must be restored to their original condition or better.

All traffic shall be maintained in accordance with the Ohio Manual of Uniform Traffic Control Devices for Construction and Maintenance Operations.

Local traffic, facilities for pedestrian and vehicular ingress and egress, shall be provided at all times for the property adjacent to the work.

Two-way traffic shall be maintained at all times and all equipment used on pavement shall be rubber tired.

No vehicles, equipment, or personnel, including personal automobiles, will be permitted to park on or operate from the roadway pavement, berms, or median.

Any mud or debris that accumulates or that is dragged onto the highway as a result of this project must be removed immediately. Failure to comply with this requirement will be cause for immediate suspension of the permit and all work in state right of way will be stopped until the condition is corrected to the Department's satisfaction.

In the event of conflicts with traffic signal or highway lighting equipment during the installation(s), the Contractor and/or Permittee shall notify the O.D.O.T. District 5 Signal Electrician Supervisor at 740-323-4400. Seven working days notice will be required to inspect and correct the equipment problem. If the problem is too complex, an electrical contractor who is prequalified by O.D.O.T. must be hired to perform the work. All repairs in such cases are to be made to the satisfaction of the District Traffic Engineer, or the appointed representative, and at the expense of the Company or Permittee.

Disturbance of any existing traffic signal or highway lighting equipment during the installation or re-arrangements of facilities shall be the responsibility of the Company or the Permittee.

All excavated material not removed from the area shall be placed between the trench or pit and right-of-way line until needed for backfill or excess to be disposed of.

All backfill shall be performed in accordance with the provisions set forth under the Construction Materials and Specifications Book (current edition), and piling of earth over trench for future settlement will not be permitted.

Backfilling shall follow completion of all work as closely as possible each day. The backfill shall be to level and slope of the adjacent surface and maintained in this manner until the final restoration.

The sides of all excavations shall be protected from caving by providing suitable sheeting and bracing. All sheeting and bracing shall be carefully removed as the backfilling of the trench progresses. Backfilling shall follow completion of the work as closely as possible. After the backfilling has been completed, the Contractor shall immediately remove all surplus material, dirt and rubbish from the site.

The proposed facilities (mains, cable, conduit, etc.) must be installed under or around all structures and pipes having 6' or less of ground cover, unless otherwise noted on the accepted/and or stamped plans.

All ditch areas and slopes disturbed must be reshaped to drain properly and seeded or sodded to the satisfaction of the Ohio Department of Transportation County Manager or representative thereof.

Name:	National Gas & Oil Cooperative
Date:	6/13/2017
Permit #:	05-155-17

Bury / Bore 2

Proper roadside drainage shall be maintained at all times.

All pits left open during non working hours must be backfilled or plated for safety.

The minimum depth for any installation under a highway or ditch bottom shall be 48", and 60" under all major waterways, drainage structures and footers.

Longitudinal underground utility facilities are prohibited within the area designated for the placement of highway signs and mailboxes unless the utility facility is constructed with material which will withstand penetration by support posts and installed with a minimum cover of 60".

Stop signs shall not be disturbed. If it becomes necessary to remove a stop sign, a portable stop sign shall be erected before the permanent sign is removed. The permanent sign shall be re-erected immediately after the installation is complete.

All Ohio Department of Transportation's guide signs shall be re-erected the same day as removed or as directed by the Ohio Department of Transportation County Manager or representative thereof in accordance with the Manual of Uniform Traffic Control Devices.

Rough grading of all ditch areas and slopes disturbed shall be reshaped to drain properly immediately following pipe installation. In the event that pipe installation exceeds 500' beyond the grading, pipe installation shall be suspended until proper grading is performed.

If installation is within 10' of an existing strain pole, permanent or temporary anchoring may be required. The Permittee shall notify the District 5 Traffic Department at 740-323-4400, two working days prior to the installation within the area of strain pole.

Any settlement of the patches and/or street surface will be considered conclusive evidence of defective backfilling and/or pavement restoration and must be corrected at once.

The bore pits shall be located a minimum of 10' from the edge of pavement and shall not be moved either right or left of the designated plan site without permission being granted by the Ohio Department of Transportation County Manager or representative thereof.

The permittee shall be responsible for any roadway pavement or berm failure occurring within eighteen (18) months of completion of this installation.

The distance augered ahead of the casing shall be kept as short as possible, and at no time shall the distance exceed 12". Under no circumstances will water jetting be permitted from excavation of material ahead of the casing or for the removal of spoil from the casing.

The length of the bore or push shall be the width of the pavement plus 10' on each side of the roadway, unless otherwise noted on the accepted and/or stamped plans.

No headwalls shall be constructed on the inlet or outlet ends of any pipe installed on State right-of-way.

The driveway shall slope down and away from the through pavement edge at the same rate of slope as the highway shoulder slope; and, shall be so constructed that no surface water will be drained onto the highway pavement. The driveway approach shall be flush with the through edge of the through pavement.

No parking, servicing of vehicles, erection of lights, signs, or other advertising devices will be permitted on highway right-of-way, and no device or structure will be permitted to overhang highway right-of-way.

No utilities in ODOT'S right of way shall be relocated without prior approval from ODOT.

The utility owner shall place permanent markers identifying the location of the underground utilities to avoid damage to the facility during seasonal maintenance (i.e. fluorescent markers, fluorescent pedestals).

Non-metallic underground lines shall be accompanied by a trace wire, metallic tape or other method to locate and mark the underground facility.

In the event of ice, snow or rain, all work shall be suspended as directed by the Ohio Department of Transportation County Manager or representative thereof and shall remain suspended until notified to resume work.

MR 505

App No _____

State of Ohio
Department of Transportation
Permit Application
See Reverse side for additional requirements

Office Use Only

County/

Jurisdiction _____

Rte _____ LogPt _____

AccCat _____

[1] This form must be completed by the property owner or agents working for a utility company (if applicable). Application by contractor is unacceptable.

Name National Gas & Oil CooperativeAddress 120 O'Neill Drive City Hebrom State OhioZip 43025 Phone (740) 348-1254 Other (Fax, E-mail) gwilson@theenergycoop.com, 740-348-1131

[2] Type of Permit requested: _____ Commercial (See other side) _____ Residential _____ Field _____ Parcel # _____
 _____ Beautification (See other side) _____ Spraying, trimming, tree removal _____ Other ☒ Utility _____ Drainage _____

[3] Briefly describe work to be performed (Maximum 3 lines of information). (Attach plans and see Instructions.)

to install a 10" coated steel gas main across Interstate 70. Note: This installation will replace the existing 10" gas main that crosses Interstate 70. Gas main will be directional bored under Interstate 70, traffic control will not be necessary.

Traffic Plan _____

[4] Location where work is to be performed. Give sufficient detail to locate the site accurately, such as the distance in miles or feet from a mile post or from some geographical feature such as an intersecting highway.

In Licking County (along, across) State Route _____, _____ miles or 1080 feetNorth _____ East ☒ West ☒ South _____ of Licking Trails overpass on the North ☒ East _____ West _____ South ☒ side of the road.Work to commence on June 5 2017 and will require 2 working days to complete

[5] Does the property owner own or have any interests in any adjacent property? _____ Yes ☒ No
 If yes, please describe. _____

[6] Prior to any excavation in the highway right-of-way, the Ohio Utilities Protection Service (OUPS) must be contacted in accordance with ORC Section 3781.25 to 3781.32. OUPS can be reached at 1-800-362-2764. A call must be made to OGPUPS at 1-800-925-0988.

[7] Open cutting of pavement shall not be permitted unless no reasonable alternate method is available. Written approval of the Ohio Department of Transportation District Office must be obtained.

[8] All work requiring men or vehicles within ODOT right of way shall comply with all applicable requirements of the Ohio Manual of Traffic Control Devices and Item 614 (Maintaining Traffic) of the Construction and Material Specifications, latest editions. Failure to comply with these requirements will be cause for immediate revocation or suspension of the permit until the proper traffic control devices have been provided.

[9] I have received a copy of the policies and regulations pertaining to the permit for which I have applied. If a permit is subsequently issued to me by the Ohio Department of Transportation, I understand that the permit will state the terms and conditions for its use, and I agree to comply with all conditions and regulations stipulated on or attached to the permit. I also understand and agree that failure to comply fully with all conditions and regulations of the permit or any change in the use of the permit inconsistent with its terms and conditions will be considered a violation and cause for suspension, revocation, or annulment of the permit thereby rendering the permit illegal and subject to appropriate Department action, up to an including removal of the installation at the permittee's expense.

National Gas & Oil Cooperative

Please Type or Print Property Owner or Agent for Owner

SIGN HERE

Greg Wilson

Signature of Property Owner or Agent for Owner

Date 05-01-17Day time Phone 740-348-1254

Office use only

Date Received _____

By _____

Date Accepted _____

By _____

BUCKEYE
LAKE

PROPOSED 10" COATED STEEL GAS MAIN
ROAD CROSSING IS TO BE INSTALLED
APPROXIMATELY 1080' WEST OF THE
LICKING TRAILS OVERPASS OF INTERSTATE
70.

EXISTING GAS MAIN ROAD CROSSING
THAT IS TO BE REPLACED.

LICKING
I-70

1080'

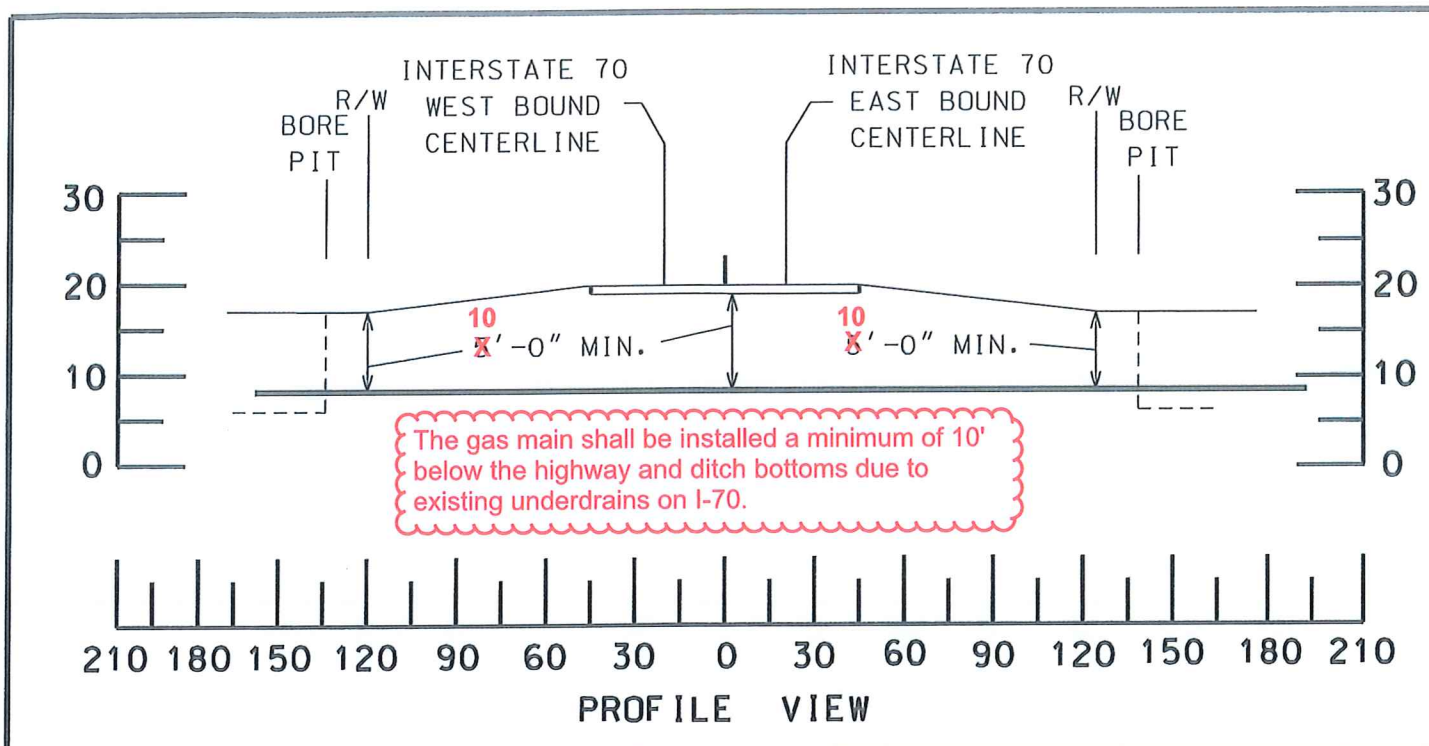
LICKING TRAIL RD ST

3-E

3-D

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX,
Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Nor



6. PIPE SPECIFICATIONS: 10 3/4" x .375" W., API5L, GRADE B, COATED STEEL PIPE
5. MAXIMUM OPERATING PRESSURE 275 PSIG.
4. GAS PIPELINE TO BE BURIED A MINIMUM OF 60" BELOW GRADE IN ROAD RIGHT-OF-WAY.
3. ALL ROAD RIGHT-OF-WAY TO BE RESTORED AS NEAR ORIGINAL CONDITION AS POSSIBLE.
2. EXACT LOCATION OF GAS PIPELINE TO BE DETERMINED AT TIME OF CONSTRUCTION DUE TO EXISTING UTILITIES.
1. TWO WORKING DAYS BEFORE YOU DIG CALL OHIO UTILITIES PROTECTION SERVICE TOLL FREE AT 1-800-362-2764 TO LOCATE EXISTING UTILITIES.



TITLE PROPOSED 10" COATED STEEL GAS MAIN ROAD CROSSING
INTERSTATE 70

COUNTY

LICKING

TOWNSHIP

LICKING

SEC./LOT

NORTH



SCALE: 1" = 40'

APPROVED BY

DATE

DESIGNED BY

DATE

DRAWN BY

G. WILSON

DATE

05-01-17

DRAWING NUMBER

P-2339-3

MR-509



STATE OF OHIO
DEPARTMENT OF TRANSPORTATION
PERMIT

County: Licking
Route: 70 Section: 131.82 / 131.82
Lat 39.94514 Long: -82.42796
Permit Number: 05-155-17
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Subject to all terms, conditions, and restrictions printed, written below, and on the reverse side hereof, or attached,
National Gas & Oil Cooperative
120 O'Neil Drive
Hebron OH 43025
Contact: Greg Wilson (740) 348-1254

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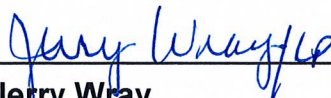
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☐ Performance Bond Req'd Surety Company: _____ Bond Amount: _____
Bond Effective Date: _____ Bond Expiration Date: _____

Permittee/Date



Jerry Wray
Director

By: **Laura Philabaum**
District Deputy Director, District 5

**General Provisions Applicable to All Permits
(Sections 5515.01 and 5515.02 of O.R.C.)**

- [1] This permit is not a substitute for satisfying the rights or obligations of any other party who may have an interest in the underlying fee interest.
- [2] The granting of this permit does not convey to the permittee or to the property served any rights, title, or interest in state highway rights of way or in the design or operation of the state highway; or in any way abridge the right of the Director of the Department of Transportation in his jurisdiction over state highways. If, in the process of any future work or for the benefit of the traveling public, it becomes necessary, in the opinion of the Director of Transportation to order the removal, reconstruction, relocation, or repair of any of the fixtures, or work performed under this permit, said removal, reconstruction, relocation, or repair shall be wholly at the expense of the owners thereof or the permittee and be made as directed by the Director of Transportation. Such changes in the state highway design or operation, necessary for improved safety and operation or for the benefit of the traveling public, shall not require a permit modification since the permit confers no private rights to the permittee over the control of the state highway.
- [3] The District Deputy Director acts for and on behalf of the Director in issuing and carrying out the provisions of all permits. The District Deputy Director has full authority to ensure that all provisions of the permit are met and to reject any materials, design, and workmanship that do not meet applicable Department standards. The District Deputy Director, at his/her discretion, may require a performance bond or certified check as a prerequisite to the issuance of a permit.
- [4] Failure on the part of the permittee to comply fully with the provisions and conditions of the permit will be cause for suspension, revocation, or annulment of the permit thereby rendering the permit illegal and subject to appropriate Departmental action. By accepting the permit, the permittee agrees to comply with all conditions, terms, and restrictions printed or written on or attached to the permit. If the permittee performs any work contrary to the conditions of the permit or to the instructions of the District Deputy Director and, after due notice, fails to correct the problem, the Department of Transportation may, with or without notice, correct such work and the permittee shall reimburse the Department for the costs.
- [5] The permittee shall indemnify and hold harmless the State of Ohio, Department of Transportation, its officers, representatives and assigns, from any and all loss, liability, damages, litigation costs, and claims for injury or death to any person, property, or business caused by or resulting from any act, omission, event, consequence, or occurrence, negligent or otherwise of the permittee, his employees, or assigns as a result of the issuance of this permit.
- [6] All work authorized under the permit shall be performed to the Department's satisfaction, and the entire expense shall be borne by the permittee. No work shall be performed until the permittee has contacted the Department's appointed representative named on the permit and received instructions. The Department's representative may inspect all work covered by the permit, or the Department reserves the right, during the time any or all of the work is being performed, to appoint an inspector over the work who shall represent the interest of the State on the work and any compensation arranged for shall be paid wholly by the permit holder. Work not in compliance shall be halted and the District Deputy Director shall be notified of the cause. The permittee shall be notified of the Department's action and its causes, and given an opportunity to correct the problem.
- [7] Failure to complete all work within the time specified on the permit shall void the permit, thereby making the permit illegal and subject to appropriate Departmental action. The permittee may request an extension in writing from the District Office, explaining why the extension is necessary and when the work is expected to be completed.
- [8] All work infringing on the pavement or shoulders shall comply with applicable standards and requirements regarding traffic control devices. Failure to comply will be cause for revocation or suspension of the permit. Any closure of lanes or shoulders shall be described in terms of location, duration, time of day, etc. Such work shall not begin until all traffic control devices are in place.
- [9] If any grading, sidewalk, or other work allowed by a permit interferes with the drainage of the highway in any way, such catch basins and outlets as necessary shall be constructed to take proper care of said drainage.
- [10] Upon completion of the work, the permittee shall leave the highway clean of all rubbish, excess materials, temporary structures and equipment, and all parts of the highway shall be left in a condition acceptable to the Department. Upon satisfactory completion of the work authorized by the permit, the Department's appointed representative shall complete the Permit Inspection Certificate, Form No. MR 678 certifying that the permittee has complied with the terms of the permit.
- [11] Except as herein authorized, no excavation shall be made or obstacle placed within the limits of the highway so as to interfere with the travel over the road.
- [12] All pole lines are to be built in accordance with Rule 4901:3-1-08 of Ohio Administrative Code promulgated and enforced by the Public Utilities Commission of Ohio.
- [13] The permittee shall comply with the Air Pollution requirements of Rule 3745-17-08 of the Ohio Administrative Code promulgated and enforced by the Ohio Environmental Protection Agency.
- [14] The permittee certifies that he or she is fully authorized to sign this permit. This permit shall apply to and be binding upon the permittee and his/her successors in interest. No change in ownership of the underlying property or of the facility owned by permittee shall in any way alter the permittee's obligations under this permit.
- [15] The permittee(s) for herself/himself/themselves/itself, her/his/their/its personal representatives, and her/his/their/its successors in interest and assigns, as a part of the consideration hereof, do/does hereby covenant and agree that:
- (1) No person on the grounds of race, color, national origin, sex, age, or disability shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of the above described property.
 - (2) In the construction of any improvements on, over, or under the above described property and the furnishing of services thereon, no person on the grounds of race, color, national origin, sex, age, or disability shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination.
 - (3) The above described property shall be used in a manner that at all times is in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. DOT, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. DOT – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.
 - (4) In the event that this instrument grants a lease, license, or permit and any of the above nondiscrimination covenants is breached, then the State of Ohio, Department of Transportation, shall have the unfettered right to terminate the lease, license or permit and to re-enter and repossess the above-described property and hold the same as if said lease, license or permit had never been made or issued.
 - (5) In the event that this instrument grants a fee or easement interest and any of the above nondiscrimination covenants is breached, the State of Ohio, Department of Transportation, shall have the unfettered right to re-enter the above described property, and said property will thereupon revert to and vest in and become the absolute property of the State of Ohio and its successors and assigns for the use and benefit of the Department of Transportation.
 - (6) In the event that this instrument grants a lease, fee or easement interest, all of the foregoing nondiscrimination covenants shall be and are covenants running with the land.
- [16] By the issuance of this permit by ODOT it does not relieve the permittee from the responsibility of obtaining any other required permits from other agencies having jurisdiction over this work.

State of Ohio
Department of Transportation
District 5
Permit Extension Request

This form must be completed by the property owner or agents working for a utility (if applicable). Application by contractor is unacceptable.

Name National Gas & Oil Cooperative

Address 120 O'Neill Drive, Hoboken, Ohio

Zip 43025 Phone (740) 348-1254 (Fax) _____

Applicant requests extension of Permit # 05-155-17, dated 6-13-17

For Location (County, Route, and Log Point, as listed on the Permit) Licking, 70, 39.94 S 14, -82.42796

Has work started at this location Yes ☒ No ☐ If Yes, when did you start work? _____

What work has been accomplished to date: None

Please provide an explanation as to why the work at this location has not been completed: _____

work has not been started at this location due to
permits need from the Ohio Power Citing Board

(attach another sheet if necessary)

Please provide a date you expect the work at this location to be complete and ready for final inspection: _____

Has any work changed since the initial permit was issued: No ☒ Yes ☐ (If yes, please attach an additional sheet with an explanation of work).

I have received a copy of the policies and regulations pertaining to the permit for which I have applied. I understand that this permit issued to me by the Ohio Department of Transportation states the terms and conditions for its use, and I agree to comply with all conditions and regulations stipulated on or attached to the permit. I also understand and agree that failure to comply fully with all conditions and regulations of the permit or any change in the use of the permit inconsistent with its terms and conditions will be considered a violation and cause of suspension, revocation or annulment of the permit thereby rendering the permit illegal and subject to appropriate Department action, up to and including removal of the installation at the permittee's expense.

Signature of Applicant Rhag Wilson
Signature of Property Owner or Agent for Owner _____

Print Name of Applicant National Gas & Oil Coop Day time Phone 740-348-1254

Permit Office Use only: Date Received 12-13-17 By: R Hite

Date Accepted: 12-18-17 By: R Hite

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

12/20/2017 5:28:26 PM

in

Case No(s). 17-1476-GA-BNR

Summary: Notice of Compliance with Staff Condition electronically filed by Ms. Lija Kaleps-Clark on behalf of NGO Transmission, Inc.