

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

In the Matter of the Expedited Letter of Notification)
Application of Dominion Energy Ohio for the PIR #751) **Case No. 17-2502-GA-BLN**
12-Inch High Pressure Distribution Line Replacement)
Project)

Members of the Board:

Chairman, Public Utilities Commission	Ohio House of Representatives
Director, Development Services Agency	Ohio Senate
Director, Department of Health	
Director, Department of Agriculture	
Director, Environmental Protection Agency	
Director, Department of Natural Resources	
Public Member	

To the Honorable Power Siting Board:

Please review the attached Staff Report of Investigation, which has been filed in accordance with Ohio Power Siting Board (Board) rules. The accelerated certificate application in this case is subject to an automatic approval process as required by Ohio Revised Code (R.C.) 4906.03 and Ohio Administrative Code 4906-6.

Staff recommends the application for automatic approval on January 18, 2018, unless suspended by the Board, an administrative law judge, or the chairperson or executive director of the board for good cause shown. If suspended, the Board must render a decision on the application within 90 days from the date of suspension.

Please present any concerns you or your designee may have with this case to my office at least four business days prior to January 18, 2018, which is the recommended automatic approval date.

Sincerely,



Tammy Turkenton
Director, Rates and Analysis,
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215
614) 466-1825
ContactOPSB@puc.state.oh.us

OPSB STAFF REPORT OF INVESTIGATION

Case No.: 17-2502-GA-BLN
Project Name: PIR #751 Replacement Project
Project Location: Stark County
Applicant: Dominion Energy Ohio
Application Filing Date: December 20, 2017
Filing Type: Expedited Letter of Notification
Inspection Date: January 9, 2018
Report Date: January 11, 2018
Recommended Automatic Approval Date: January 18, 2018
Applicant's Waiver Requests: none
Staff Assigned: A. Holderbaum, A. Conway

Summary of Staff Recommendations (see discussion below):

Application: ☐ Approval ☐ Disapproval ☒ Approval with Conditions

Waiver: ☐ Approval ☐ Disapproval ☒ Not Applicable

Project Description

Dominion Energy Ohio (Applicant) proposes to replace approximately 0.96 mile of the existing 10-inch diameter pipeline with 1.18 miles of 12-inch diameter pipeline. The replacement pipeline would have a maximum allowable operating pressure of 160 pounds per square inch gauge (PSIG). The pipeline would be installed with a wall thickness of 0.375 inches and would have a minimum yield strength of 42,000 PSIG.

The Applicant would primarily utilize open cut trench construction methods, but would bore under two railroads and a stream, and utilize horizontal directional drilling (HDD) in environmentally-sensitive areas. The existing pipeline would be abandoned in place. The Applicant proposes to begin construction in March 2018 and place the line in-service by September 2018. The Applicant estimates the total cost of the project at \$1.2 million.

Site Description

The proposed route of the replacement pipeline begins on the west side of Waynesburg Drive, travels north 1,800 feet to the intersection of 17th Street, follows along the south side of 17th Street until it reaches the intersection of Marietta Avenue, and finally travels 1,400 feet along the west side of Marietta Avenue where it would tie into the existing pipeline. Surrounding land use is a mix of moderately populated, residential, commercial, industrial, and wooded properties. The entire length of the replacement pipeline would be located within public road right-of-way and newly acquired easements owned by the Applicant. The Applicant is in the process of acquiring

the remaining necessary easements along 17th Street. Temporary easements may be required from adjacent property owners for an access road and laydown areas.

Basis of Need

The existing pipeline currently is a major natural gas supply feed for the Dominion Energy Ohio's (DEO) southern distribution pipeline systems and hence a significant number of end-use customers. The Applicant indicates that proposed pipeline replacement project would allow it to continue to meet the current demand of natural gas from its customers. The Applicant proposed a slightly larger pipeline diameter for this project, because the 10-inch diameter pipes are no longer standard use for DEO and the 12-inch diameter pipe is the next closest standard sized used by DEO today. The Applicant states that there are no safety issues with the existing pipeline segment; it has been identified and qualifies as a higher priority segment within its Pipeline Infrastructure Replacement program due to the age of the pipe (Installed in 1946). The Applicants also indicates that replacing the line would enhance the service reliability and reduce operations and maintenance costs of the area's natural gas supply system.

Nature of Impacts

Socioeconomic Impacts

The replacement pipeline would cross under three roads and several residential and commercial driveways. The Applicant proposes to open cut trench each road crossing and driveway. The Applicant stated that it will restore all driveways and roads to their prior status. Staff recommends that in situations where concrete driveways or parking areas are crossed by the pipeline route, that full panels be replaced to alleviate cracking and mismatched concrete along the right-of-way. The Applicant stated that it will submit construction plans to Canton Township for the appropriate road crossing and temporary driveway construction-related permits and will coordinate temporary road closures, if required, with the Township. The proposed pipeline would cross under two railroad right-of-ways using a case bore. The Applicant is currently coordinating with the Wheeling Lake Erie Railroad to acquire the necessary permits prior to construction in these areas.

The Applicant sent notification about the project to area public officials and affected property owners. Existing public roadways, private roadways, and the existing right-of-way would provide the required equipment access during construction. Laydown areas would be determined by the contractor awarded the project, and the Applicant stated that it will file in this docket their locations as late-filed information. The Applicant stated that it will ensure that all property owners and tenants have access to their residences and/or property during construction.

Cultural Resources

The Applicant completed a cultural resources literature review for the area of potential effects for the project. The review identified one previously recorded Phase 1 Survey Area adjacent to the northern portion of the project area. The previous Phase 1 Survey identified 21 archaeological sites, however none of the sites meet the criteria to be eligible for nomination to the National Register of Historic Places and none of the 21 sites are within or immediately adjacent to the project area. No impacts to cultural resources are anticipated.

Surface Waters

The survey area contains two perennial streams. The Applicant would utilize HDD to cross beneath both streams in order to avoid impacts to the resource.

The survey area contains two Category 2 wetlands (Wetlands A and C), and one Category 1 wetland (Wetland B). Wetlands B and C are located outside of the project area and would not be impacted. The Applicant stated that it will utilize horizontal directional drilling to cross beneath Wetland A in order to avoid impacts to the resource. No impacts to wetlands are anticipated.

The HDD process has a risk of an inadvertent return of drilling lubricant, or frac-out. An inadvertent return occurs when the drilling lubricant, typically a non-toxic, fine clay bentonite slurry, is forced through cracks in bedrock and surface soils. Staff recommends that, prior to construction, the Applicant provide a frac-out contingency plan detailing monitoring, environmental specialist presence, containment measures, clean-up, and restoration in the event of an inadvertent return.

The project crosses into the Federal Emergency Management Agency Special Flood Hazard Area associated with Streams 1 and 2. The Applicant submitted an application to the Stark County Building Development for a Floodplain Development Permit on July 25, 2017. A permit was issued to the Applicant on July 27, 2017.

The Applicant prepared and submit a Storm Water Pollution Prevention Plan for the project to the Stark County Soil and Water Conservation District (SWCD) on July 25, 2017 and received approval from the Stark County SWCD on August 7, 2017. The Applicant has submitted a Notice of Intent for coverage under the Ohio Environmental Protection Agency General National Pollutant Discharge Elimination System Permit. The Ohio Environmental Protection Agency authorized the permit on July 28, 2017. Hydrostatic testing would be necessary for this project. The Applicant stated that it will submit to the OEPA for a Hydrostatic Test Water Discharge Notice of Intent one month prior to conducting hydrostatic testing, and will submit the approved permit to Staff once received.

Threatened and Endangered Species

The state and federal listed species and/or their suitable habitat that may be found in the project area include the state and federal endangered Indiana bat (*Myotis sodalis*) and the federal threatened northern long-eared bat (*Myotis septentrionalis*). Potential habitat trees are present within the project area. The Applicant states tree clearing will be necessary during construction of the proposed pipeline. The U.S. Fish and Wildlife Service (USFWS) and the Ohio Department of Natural Resources (ODNR) recommend that removal of any trees greater than three inches in diameter only occur from October 1 through March 31, unless coordination with the ODNR and the USFWS allows a different course of action.

The project is within the range of the state endangered long-solid (*Fusconaia maculate maculate*) and the state endangered Iowa darter (*Etheostoma exile*). Due to the location, and that there is no in-water work proposed in a perennial stream, no impacts to these species are anticipated.

The project is within the range of the state threatened spotted turtle (*Clemmys guttata*). This species prefers fens, bogs and marshes, but also is known to inhabit wet prairies, meadows, pond edges, wet woods, and the shallow sluggish waters of small streams and ditches. Wetland A may provide suitable habitat for this species. Although wetland A is not proposed to be impacted, uplands adjacent to wetlands are utilized by the turtle during its active season, especially for nesting. The Applicant states that construction work would need to occur outside of the species inactive season between November 1 and March 31. The ODNR Division of Wildlife (DOW) recommends that a

habitat suitability survey be conducted by a DOW approved herpetologist to determine if suitable habitat exists for the spotted turtle. If suitable habitat is determined to be present, the DOW recommends that a presence/absence survey be conducted. The Applicant states it will conduct a presence/absence survey. Staff recommends the applicant submit to the DOW and to Staff the results of the survey and continue coordination efforts with the DOW.

The project is within the range of the black bear (*Ursus americanus*), a state endangered species. Due to the mobility of this species, this project is not likely to impact this species.

Conclusion

Staff's review of the application included consideration of the requirements listed in R.C. 4906.10. Based on Staff's review, the application meets the necessary criteria for granting a certificate. Staff recommends automatic approval of this application on January 18, 2018, provided that the following conditions are satisfied:

Conditions:

- (1) Prior to the commencement of construction activities in areas that require permits or authorizations by federal or state laws and regulations, the Applicant shall obtain and comply with such permits or authorizations. The Applicant shall provide copies of permits and authorizations, including all supporting documentation, to Staff within seven days of issuance or receipt by the Applicant.
- (2) The Applicant shall adhere to seasonal cutting dates of October 1 through March 31 for removal of any trees greater than three inches in diameter, unless coordination with the Ohio Department of Natural Resources (ODNR) and the U.S. Fish and Wildlife Service allows a different course of action.
- (3) Prior to construction, the Applicant shall submit to Staff, for review and confirmation that it complies with this condition, a project construction plan that provides the specific locations of its laydown areas and is responsive to ODNR concerns about state listed species and ecological areas of significance. If the specific laydown locations chosen appear to have additional adverse impacts, the Applicant shall either propose different specific locations without such impacts, or refile its application.
- (4) Damage to lawns, driveways, and parking areas as a result of this project shall be restored to original conditions upon completion of construction, and subsequently monitored for settling, cracking and sinking during operation of the facility. Unless otherwise directed by the property owner, concrete panels (if applicable) shall be replaced in their entirety rather than cut and patched.
- (5) The Applicant shall maintain traffic along public roadways and shall maintain access for adjacent land uses during construction.
- (6) Prior to construction the Applicant shall provide to Staff for review a frac-out contingency plan detailing monitoring, environmental specialist presence, containment measures, clean-up, and restoration.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

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in

Case No(s). 17-2502-GA-BLN

Summary: Staff Report of Investigation electronically filed by Mr. Matt Butler on behalf of Staff of OPSB