

FILE

Columbia Proposed Rule Changes
Chapter 4901:1-16 Pipeline Safety Rules

4901:1-16-04 Records, maps, inspections, and leak classifications.

(A) Each operator and gas gathering/processing plant pipeline operator shall establish and maintain all plans, records, reports, information, and maps necessary to ensure compliance with applicable sections of the pipeline safety code, and keep such plans, records, reports, information, and maps in Ohio at the operator's headquarters or appropriate company office(s) readily available for inspection, examination, and copying by the commission, its staff, or its authorized representative(s). The plans, records, reports, information and maps showing or detailing utility infrastructure are presumed confidential.

....

(I) Upon discovery of the corresponding leak(s) from above, each operator shall take the following actions:

(1) Take immediate and continuous action on leaks classified as grade one to protect life and property until the condition is no longer hazardous. Continuous action is defined as having personnel at the scene of the leak with leak detection equipment attempting to locate the source of the leak and taking action to prevent migration into structures, sewers, etc. If the hazardous condition associated with the leaks classified as grade one is eliminated, such as by venting, temporary repair, etc., but the possibility of the hazardous condition returning exists, the condition must be monitored as frequently as necessary, but at least once every eight hours, to protect life and property until the possibility of the hazardous condition returning no longer exists.

Leaks classified as grade one may be reclassified by performing a physical action to the pipeline (clamp, replacement, tape wrap, etc.) or pipeline facility. Reclassification must be in accordance with the criteria in paragraph (H) of this rule and by an individual who is qualified to classify leaks under the company's operator qualification plan. Venting, holes, aerators, or soil purging of a leak are not considered physical actions to the pipeline. If a leak is reclassified after performing a physical action, the timeframe for any required repair(s) and/or reevaluation(s) at the resulting classification will be calculated from the date the leak was reclassified. All below grade grade one leaks repaired or reclassified, other than by the replacement of the affected section of pipe, must be reevaluated after allowing the soil to vent and stabilize but not more than 30 calendar days after such physical action.

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4901:1-16-06 Construction reports.

(A) Each operator shall submit reports for each important addition of its intrastate gas pipeline facilities. As used in this rule, an "important addition" means construction or alteration of an operator's intrastate gas pipeline facility in a single project which involves an expenditure of either:

- (1) More than one million ~~five hundred thousand~~ dollars.

4901:1-16-08 Service of notices and investigative reports.

(B) The staff shall make service upon an operator or gas gathering/processing plant pipeline operator by certified United States mail, courier service, electronic mail, or personal service. Service is effective upon receipt by any employee, agent of, or person designated by the operator.

19-47-GA-ORD

Comments by Ethan Boger at PUCO workshop to review gas pipeline safety rules.

Columbus, Ohio February 14, 2019

Contact: eboger@belcan.com; Phone: 513 720-0681 (cell)

Good morning. My name is Ethan Boger. I'm a resident of Blue Ash, Ohio. By training I'm a mechanical engineer with over 40 years' experience, primarily as a stress analyst in the aircraft and aircraft engine industries.

The purpose of my comment is to bring to the attention of this workshop the need for stricter regulation of new high capacity natgas pipelines routed through high consequence areas (HCA's).

The safety of natgas pipelines is regulated by section 4906-5-07 of the Ohio Code, which states basically that these facilities must conform to United States department of transportation gas pipeline safety regulations 49 C.F.R. 191, 192 and 199 (4901:1-16-03).

The effectiveness, or more precisely, the ineffectiveness of the federal safety regulations can be gaged by the high number of significant pipeline incidents in the recent past. Data taken from the PHMSA website for the years 2010 – 2016 indicate as follows.

NatGas Distribution Lines (1.2E6 miles, avg MOP=78 psi), 2010- 2016

No. of Inc	Fatalities	Injuries	Evacuees	Property Damage	p*
768	75	381	14,407	\$249 million	1.06E-4

NatGas Transmission Lines (3E5 miles, avg MOP=910 psi), 2010- 2016

No. of Inc	Fatalities	Injuries	Evacuees	Property Damage	p*
841	20	89	8242	\$973 million	4.60E-4

* p refers to the probability of failure in incident per mile per year

Causes of Failure and Number of Incidents – 2010-2016

<u>Cause</u>	<u>Transmission Lines</u>	<u>Distribution Lines</u>
Corrosion	178	16
Equipment failure	232	38
Excavation damage	116	218
Other outside force	53	255
Incorrect operation	43	44
Pipe material failure	102	43
Natural force damage	66	58
Other cause	50	96
Total incidents	841	768

In sum, significant pipeline incidents occurred at a rate of more than one every other day in this period. That is hardly a satisfactory safety record. However, the most compelling need for stricter safety regulations is for those pipes that are both high capacity/high pressure (i.e., have

the characteristics of transmission lines) . . . are situated in densely populated areas (having the characteristics of distribution lines). Noting that 62% of distribution line incidents were due to excavation damage and other outside force damage, increased wall thickness alone cannot protect the high capacity pipe in an urban setting.

Under current code, there is no setback requirement and no requirement to control access to the pipeline. Anybody with an excavator can intentionally or unintentionally breach the pipe. Until adequate safety measures can be implemented, the only way to protect the public is either to control access (i.e., with fencing and 24/7/365 monitoring) or by setback.

While implementing one or the other of these measures will surely raise the cost of construction and/or maintenance, doing otherwise is sure to put human beings at an unacceptable level of risk.

I urge the workshop to consider recommending one of these two measures for new high capacity/high pressure pipeline projects in HCA's.

Thank you for your attention today and to this matter.

19-47-GA-ORD

Comments by Haynes C. Goddard, Ph.D., Professor Emeritus of Economics, University of Cincinnati at PUCO workshop to review gas pipeline safety rules.

Columbus, Ohio February 14, 2019

Haynes.C.Goddard@uc.edu
Contact: Haynes.Goddard@uc.edu

Phones: 513 351-8420, cell: 513 484-2086

Good Morning. I am a citizen from Cincinnati concerned about the approval by the OPSB staff to place a high pressure natural gas transmission line, the Central Corridor Extension Pipeline or C314V, in several Cincinnati urban communities next to residences, places of employment, schools, hospitals, among other locations. The local utility is Duke-Energy Ohio.

My comments today deal with the apparent and absolute lack of concern for public safety on the part of the OPSB and PUCO in the siting of these transmission lines. While my comments today are focused on siting decisions, siting is not independent of construction and maintenance if the site chosen is characterized by chronic adverse conditions, such as high water tables and aged water infrastructure. ~~There is no concern for public safety.~~

I have read through section 4901 of the Ohio Administrative Code and its 16 chapters on gas pipeline safety, searching for language that governs and regulates the laying of high pressure natural gas lines in urbanized areas. I find nothing that requires Duke and the OPSB staff to assess the risks that this siting presents to people in these communities. I conclude that these regulations are outdated and need to be updated to make safety a central concern.

John A. Hill, Jr., Director of Gas Engineering for Duke, gave testimony in October 2015 to the Public Utilities Commission of Ohio (PUCO), about DEO's program to ensure the safety of its gas service lines. (Case No. 14-1622-GA-ALT)

He stated that "Duke Energy Ohio values its customers and its goal is to take all necessary steps to provide safe, natural gas service in all facets of its operations".

But that clearly does not apply to transmission lines, since on its website, Duke provides answers to questions about this 20-inch-high pressure line, such as "How close to my home can a gas line run?" Answer: "We try to stay 25 feet away for convenience of service, but theoretically, we could be only a few inches from your foundation if there was adequate work space on the other side of the line."

Mr. Hill also notes that incidents from excavations are the highest category of gas line incidents – 63%.

I note that excavations in urbanized areas for water mains, water lines to buildings, sewers, and traffic signals are frequent and that the OPSB and Duke have proposed this siting transmission line in exactly the areas of highest density of these utility lines, highest frequency of excavation and therefore highest risk.

For interstate transmission lines, PHMSA in its May 9, 2018 draft of “Pipeline Risk Modeling Overview of Methods and Tools for Improved Implementation”, on page 22 refers explicitly to a model of risk from excavation in Figure II-1. Excavation risks are discussed throughout this document.

PUCO and OPSB should be following the same guidelines – failure to do so means that the State of Ohio and PUCO in particular demonstrate an egregious lack of concern for the safety of its citizens and is failing its taxpayers.

I see nothing in 4901 of the ORC that prevents PUCO from making public safety a prime public goal in pipeline siting and strongly urge them to do so by revising the safety requirements to make this clear.

I look forward to hearing that PUCO has updated its regulations by closing this safety loophole.

Thank you for your attention today and to this matter.

19-47-GA-ORD

Presentation to the PUCO Gas Safety Workshop, February 14, 2019, Columbus, OH

Good morning. My name is Alan Ullman and I am a retired PhD analytical chemist from Blue Ash, OH. I spent over 40-years working with and in proximity to hazardous materials in research laboratories and production facilities.

I understand that the purpose of this workshop is to provide input to PUCO on gas pipeline safety rules, including recommendations on how the rules can be improved, updated, or clarified. I have given much thought to that issue over the past year or two and am pleased to have an opportunity to make this statement.

With the increase in the number and length of gas and oil pipelines running across the United States and Ohio, we are experiencing an increase in the number of pipeline accidents, many of which have resulted in explosions and fires with damage to property, and injury and deaths to people. Just last week in San Francisco, a small, only 4-inch diameter pipeline was ruptured by utility workers installing fiber optic cables. The resulting fire destroyed five buildings and took over two hours to shut off the gas! Less than a month ago, a major transmission pipeline exploded for unknown reasons in Noble County, OH, less than a 2- hour drive from here. That explosion injured one person and destroyed three homes. You are unlikely to have forgotten the explosion that destroyed a Domino's restaurant in December 2016, on West Broad Street, just a few miles from here, when a utility contractor struck a gas line.

The Pipeline and Hazardous Materials Safety Administration (PHMSA) reported 775 Serious Pipeline Incidents over the past 20 years, with over 1200 injuries and almost 300 fatalities! They report almost 12,000 total incidents costing over 300 lives with total financial costs over \$8 billion!

To try to reduce the huge number of incidents and the severity of accidents when they occur, I suggest the following changes be made to Ohio safety regulations. New rules are inexpensive compared to the value of lives saved. These regulations should apply to all high capacity gas pipelines, arbitrarily defined as pipelines of 8-inch diameter or greater or pressure of 200 psig or higher. Some of the regulations should also apply to much smaller pipelines. Please err on the side of saving human lives.

- The pipeline shall not be located closer than 660 feet from any structure. PHMSA, in a Pipeline Safety Stakeholder Communication, suggested local governments use that distance for consultation as planning areas for new building. I suggest the same distance should be used as a setback distance for new pipelines going near established residences, hospitals, and any other occupied structures.
- Pipelines shall not be located in areas replete with other underground utility lines and pipes, as these will all require frequent maintenance, thus significantly increasing the likelihood of a breach in the gas line.
- A new pipeline, and any old one being upgraded, shall have automatic shutoff valves set at intervals of no more than 1 mile when passing near suburban or urban centers. The valves should be able to sense a pressure drop and stop gas flow quickly. In addition, there should be valves with wireless controls that can be activated remotely by the pipeline owner and also by local first responders in the event that the automatic valve fails. It is outrageous to have the gas company searching for a cutoff valve and crews forced to wait 2 hours for the gas to burn off.
- Pipelines should be managed by people with appropriate qualifications as defined by PHMSA or other safety conscious organizations. The technicians involved in maintenance of the pipeline should be similarly qualified. Qualifications should be certified by an outside national agency like ISO, with government approval. All construction managers, pipefitters, welders, etc. should be similarly qualified. (At present there is a nationwide shortage of qualified construction crews; this regulation is to assure that no unqualified personnel are used.)
- Integrity management (IM) rules must be strengthened. IM rules should be developed prior to pipeline approval and must be approved by the safety experts at PUCO. IM rules should include risk assessment and risk mitigation strategies. They should also be revised and approved by PUCO prior to any change to the pipeline, such as higher pressure, replacement of sections, etc. Ongoing inspections must be more frequent

and performed by, or under the supervision of, a third party, not merely by the self-interested pipeline owner. Government oversight must be stricter.

- The pipeline owner/operator shall conduct annual emergency preparedness training with local fire and ambulance departments. This is essential for schools and hospitals close to pipelines. Pipeline pressure shall not be increased above initial levels without approval of the Ohio Power Siting Board and at least 10 days' prior notification of easement holders and other stakeholders, including residents of apartments, lease holders, etc. Over-pressurization of older gas lines had a devastating effect in the Massachusetts gas line disaster in 2018.
-
- New pipeline applications shall include human safety in the criteria used by the OPSB in evaluation of proposals. Local emergency responders shall be included in the approval process.
- The "call before you dig" requirement is insufficient in preventing accidental breaches of pipelines. Pipeline owners must assure that pipeline routes are accurate, be present at construction, and Ohio law should provide that both the pipeline owner and the contractor shall be held financially liable for leaks, fire, and explosion risks.
- In general, pipelines do not receive sufficient oversight from PUCO. Self-regulation frequently means "little regulation." The recent increase in accidents, deaths, and repeated violations demand greater oversight. You will be accountable to the public when weak rules facilitate higher safety risks.
- At present, penalties (fines) are not sufficient to assure that companies comply with safety regulations. Fines must be greatly increased and PUCO rules must declare that penalties must not be borne by ratepayers, even if the pipeline is a local utility. Fines that are too small do not lead to improved behavior by the company. Greater oversight, combined with stiffer penalties, will lead to improved safety for all.

Thank you for listening.

Alan Ullman
ahullman@gmail.net

19-47-GA-ORD

Presentation to the PUCO Gas Safety Workshop, February 14, 2019, Columbus, Ohio

My name is Ann Chisko. I am a retired University of Cincinnati Professor and a resident of the City of Cincinnati and Hamilton County.

I thank you for letting me come before you to discuss natural gas safety issues. I join with the City of Cincinnati and seven other municipalities in Hamilton County asking the State of Ohio to strengthen safety requirements for siting natural gas pipelines and to include public safety criteria as well as setbacks and zoning requirements.

I became very concerned with pipeline safety when, two years ago, Duke Energy proposed a new high-pressure pipeline to run through highly populated areas of Cincinnati and Hamilton County. I was shocked to learn that public safety was not even considered in siting decisions. Perhaps that is because it is highly unusual to site new high-pressure pipelines through such high consequence areas. Most pipelines throughout the country are in rural areas. And for good reason. It seems every week we hear of some accidental pipeline explosion caused by not only pipeline failure, but excavation mishaps. Understandably, no one wants to see one of these high-pressure pipelines constructed through their front yard or past their children's schools.

My concern was overwhelmingly shared by my fellow residents and eight municipalities responded to their citizens' concern by passing these resolutions during the latter half of 2018. I will now read the resolution passed by the City Council of Cincinnati. At the conclusion of my comments, I will submit it to you, for inclusion on the record, along with the other seven resolutions passed by the Cities of Montgomery, Reading, and Blue Ash; the Villages of Golf Manor, Amberley, and Evendale; and Columbia Township.

I hope you will take these requests under consideration as you set pipeline and, yes, human safety criteria. Certainly, the public is an important stakeholder in regard to pipeline safety.

AWG *BBM*

RESOLUTION NO. 41 - 2018

RECOGNIZING the need for the State of Ohio to strengthen requirements for siting natural gas pipelines to include public safety criteria as well as setbacks and zoning requirements; and **ENCOURAGING** the Ohio General Assembly to enact legislation implementing such changes.

WHEREAS, Ohio has a growing economic interest in the natural gas business, and high pressure natural gas pipelines are being installed around Ohio and the region to transmit this gas; and

WHEREAS, high pressure natural gas pipelines, if ruptured or damaged, may pose significant risk to public safety and the environment due to the high operating pressure and the highly flammable, explosive, and toxic properties of the products transported; and

WHEREAS, the National Transportation Safety Board has recognized that third-party damage and pipeline right-of-way encroachment are the biggest threats to pipeline safety; and

WHEREAS, the Council of the City of Cincinnati is on record with its opposition the construction of the high-pressure Duke Energy Central Corridor Pipeline Extension project, a high-pressure natural gas pipeline in the Cincinnati area, due to its close proximity to homes, recreational facilities, schools and daycares, nursing homes, hospitals, churches and other such high-density development; and

WHEREAS, the Council of the City of Cincinnati desires to advocate for policies and regulations intended to reduce the likelihood of accidental damage to pipelines and to help reduce adverse impacts in the event of pipeline failure; and

WHEREAS, the Council of the City of Cincinnati believes that the regulation of the proximity of high-pressure pipelines carrying potentially flammable liquids is desirable to preserve public safety and the environment and wishes to specifically advocate for minimum lot line distance requirements and other reasonable distance requirements based on zoning and building uses; and

WHEREAS, in reviewing applications for a certificate of environmental compatibility and public need to allow for siting of a new gas pipeline, the Ohio Power Siting Board relies on State law that utilizes several criteria, none of which is public safety; now, therefore,

BE IT RESOLVED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the Mayor and Council of the City of Cincinnati recommend to the State of Ohio that legislation be passed consistent with laws in other states and local jurisdictions in

states without home-rule limitations to require setbacks and other zoning and siting requirements as well as to pass legislation that adds public safety to the siting criteria for the Ohio Power Siting Board.

Section 2. That a copy of this resolution be spread upon the minutes of Council.

Passed: June 20, 2018

Attest: [Signature]
Clerk

[Signature]
John Cranley, Mayor

Submitted by Councilmember P.G. Sittenfeld

RESOLUTION NO. 30 , 2018

**A RESOLUTION EXPRESSING CONCERN FOR THE STATE OF OHIO TO
STRENGTHEN REQUIREMENTS FOR SITING NATURAL GAS PIPELINES**

WHEREAS, the City of Montgomery recognizes that the State of Ohio has a growing economic interest in supplying natural gas to businesses and residents throughout the State, and high-pressure natural gas pipelines are being installed throughout Ohio and the region to transmit this gas; and

WHEREAS, high-pressure natural gas pipelines, if ruptured or damaged, can pose significant risk to public safety and the environment due to the high operating pressure and the highly flammable, explosive, and toxic properties of the products being transported within such pipelines; and

WHEREAS, the City of Montgomery believes that the regulation of the location of high-pressure pipelines carrying potentially flammable, explosive liquids is paramount to preserve public safety and the environment, and the City wishes to advocate that the State of Ohio pass legislation, consistent with the laws in other states, to more closely regulate and allow for local input concerning the location of such pipelines within Ohio communities; and

WHEREAS, Duke Energy currently has an application pending with the Ohio Power Siting Board to construct a pressurized pipeline throughout Hamilton County.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Montgomery, Hamilton County, Ohio, that:

SECTION 1. The Council and Administration of the City of Montgomery, Ohio recommend that the State of Ohio enact updated legislation to require appropriate and safe

setbacks, allow local input from impacted jurisdictions, and require its agencies to consider public safety in the siting criteria to be considered when weighing a request to construct pressurized pipelines throughout the State of Ohio.

SECTION 2. Until updated regulations can be enacted to add public safety as a specific criteria, the City asks that the Ohio Power Siting Board weigh public safety and the potential dangers to residents throughout Southwestern Ohio when reviewing the application by Duke Energy for the location of the natural gas pipeline within the Greater Cincinnati community.

SECTION 3. A copy of this Resolution shall be presented by the Clerk of Council to our local State Representatives and Senators and the appropriate State agencies concerning the siting of the current pipeline throughout Hamilton County, Ohio.

SECTION 4. This Resolution shall be in full force and effect from and after its passage.

PASSED: November 7, 2018

ATTEST: Connie M. Gaylor
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi
Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:
Terrence M. Donnellon
Terrence M. Donnellon, Law Director

RECOGNIZING the need for the State of Ohio to strengthen requirements for siting natural gas pipelines to include public safety criteria as well as setbacks and zoning requirements; and ENCOURAGING the Ohio General Assembly to enact legislation implementing such changes.

WHEREAS, Ohio has a growing economic interest in the natural gas business, and high pressure natural gas pipelines are being installed around Ohio and the region to transmit this gas; and

WHEREAS, high pressure natural gas pipelines, if ruptured or damaged, may pose significant risk to public safety and the environment due to the high operating pressure and the highly flammable, explosive and toxic properties of the products transported; and

WHEREAS, the National Transportation Safety Board has recognized that third-party damage and pipeline right-of-way encroachment are the biggest threats to pipeline safety; and

WHEREAS, the Council of the City of Reading is on record with its opposition ^{to} the construction of the high pressure Duke Energy Central Corridor Pipeline Extension project, a high-pressure natural gas pipeline in the Cincinnati area, due to its close proximity to homes, recreational facilities, schools and daycares, nursing homes, hospitals, churches and other such high-density development; and

WHEREAS, the Council of the City of Reading desires to advocate for policies and regulations intended to reduce the likelihood of accidental damage to pipelines and to help reduce adverse impacts in the event of pipeline failure; and

WHEREAS, the Council of the City of Reading believes that the regulation of the proximity of high pressure pipelines carrying potentially flammable liquids is desirable to preserve public safety and the environment and wishes to specifically advocate for minimum lot line distance requirements and other reasonable distance requirements based on zoning and building uses; and

WHEREAS, in reviewing applications for a certificate of environmental compatibility and public need to allow for siting of a new gas pipeline, the Ohio Power Siting Board relies on State law that utilizes several criteria, none of which is public safety; now, therefore

BE IT RESOLVED by the Council of the City of Reading, State of Ohio:

Section 1. The City Council of the City of Reading recommends to the State of Ohio that legislation be passed consistent with laws in other states and local jurisdictions in states without home-rule limitations to require setbacks and other zoning and siting requirements as well as to pass legislation that adds public safety to the siting criteria for the Ohio Power Siting Board.

Section 2. That a copy of this resolution be spread upon the minutes of Council.

Passed: August 21, 2018

Robert "Bo" Bemmes
Robert "Bo" Bemmes, Mayor

Attest: Carla Kacher
Clerk

Chris Yashit
President of Council

Approved as to Form

[Signature]
Law Director

I, Carla Kacher, Clerk of Council of the City of Reading, Ohio do hereby certify the foregoing Ordinance to be a true and correct copy of Ordinance # 36R passed by the Council of the City of Reading, Ohio at a Regular meeting on August 21, 2019.
Carla Kacher
Clerk

Suspend 7-0

ROLL CALL STAMP			
	Yes	No	Abs
___ Cox	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
___ Gertz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
___ Lynd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>2</u> Albrinck	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
___ Lindeman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
___ Ashbrock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>1</u> Fischesser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopt 7-0

ROLL CALL STAMP			
	Yes	No	Abs
___ Cox	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
___ Gertz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
___ Lynd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
___ Albrinck	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>1</u> Lindeman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
___ Ashbrock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>2</u> Fischesser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTION NO. 2018-47

EXPRESSING CONCERN FOR THE STATE OF OHIO TO
STRENGTHEN REQUIREMENTS FOR SITING NATURAL
GAS PIPELINES TO INCLUDE PUBLIC SAFETY CRITERIA
AND ENCOURAGING THE OHIO GENERAL ASSEMBLY TO
ENACT LEGISLATION

WHEREAS, Ohio has a growing economic interest in the natural gas business, and high pressure natural gas pipelines are being installed around Ohio and the region to transmit this gas; and

WHEREAS, high pressure natural gas pipelines, if ruptured or damaged, may pose significant risk to public safety and the environment due to the high operating pressure and the highly flammable, explosive, and toxic properties of the products transported; and

WHEREAS, the National Transportation Safety Board has recognized that third-party damage and pipeline right-of-way encroachment are the biggest threats to pipeline safety; and

WHEREAS, the Council of the City of Blue Ash is on record with its opposition the construction of the high-pressure Duke Energy Central Corridor Pipeline Extension project, a high-pressure natural gas pipeline in the Blue Ash/Cincinnati area, due to its close proximity to homes, recreational facilities, schools and daycares, nursing homes, hospitals, churches, and other such high-density development; and

WHEREAS, the Council of the City of Blue Ash desires to advocate for policies and regulations intended to reduce the likelihood of accidental damage to pipelines and to help reduce adverse impacts in the event of pipeline failure; and

WHEREAS, the Council of the City of Blue Ash believes that the regulation of the proximity of high-pressure pipelines carrying potentially flammable liquids is desirable to preserve public safety and the environment and wishes to specifically advocate for minimum lot line distance requirements and other reasonable distance requirements based on zoning and building uses; and

WHEREAS, in reviewing applications for a certificate of environmental compatibility and public need to allow for siting of a new gas pipeline, the Ohio Power Siting Board relies on State law that utilizes several criteria, none of which is public safety.

Be it resolved by the Council of the City of Blue Ash, Ohio,

SECTION I.

The Council of the City of Blue Ash, Ohio recommends to the State of Ohio that legislation be passed consistent with laws in other states and local jurisdictions in states without home-rule limitations to require setbacks and other zoning and siting requirements as well as to pass legislation that adds public safety to the siting criteria for the Ohio Power Siting Board.

SECTION II.

This Resolution shall be in full force and in effect immediately upon its adoption as provided in Section 17.07 of Article XVII of the Charter of the City of Blue Ash, Ohio.

PASSED this 13th day of September, 2018.

Thomas C. Adamec, Mayor

Jamie K. Eifert, Clerk of Council

APPROVED AS TO FORM:

Bryan E. Pacheco, Solicitor

RESOLUTION NO. 2018 - 26

A RESOLUTION RECOGNIZING THE NEED FOR THE STATE OF OHIO TO STRENGTHEN REQUIREMENTS FOR SITING NATURAL GAS PIPELINES TO INCLUDE PUBLIC SAFETY CRITERIA AS WELL AS SETBACKS AND ZONING REQUIREMENTS; AND ENCOURAGING THE OHIO GENERAL ASSEMBLY TO ENACT LEGISLATION IMPLEMENTING SUCH CHANGES

WHEREAS, Ohio has a growing economic interest in the natural gas business, and high pressure natural gas pipelines are being installed around Ohio and the region to transmit this gas; and

WHEREAS, high pressure natural gas pipelines, if ruptured or damaged, may pose significant risk to public safety and the environment due to the high operating pressure and the highly flammable, explosive, and toxic properties of the products transported; and

WHEREAS, the National Transportation Safety Board has recognized that third-party damage and pipeline right-of-way encroachment are the biggest threats to pipeline safety; and

WHEREAS, the Council of the Village of Golf Manor is on record with its opposition to the construction of the high-pressure Duke Energy Central Corridor Pipeline Extension project, a high-pressure natural gas pipeline in the Cincinnati area, due to its close proximity to homes, recreational facilities, schools and daycares, nursing homes, hospitals, churches and other such high-density development; and

WHEREAS, the Council of the Village of Golf Manor desires to advocate for policies and regulations intended to reduce the likelihood of accidental damage to pipelines and to help reduce adverse impacts in the event of pipeline failure; and

WHEREAS, the Council of the Village of Golf Manor believes that the regulation of the proximity of high-pressure pipelines carrying potentially flammable liquids is desirable to preserve public safety and the environment and wishes to specifically advocate for minimum lot line distance requirements and other reasonable distance requirements based on zoning and building uses; and

WHEREAS, in reviewing applications for a certificate of environmental compatibility and public need to allow for siting of a new gas pipeline, the Ohio Power Siting Board relies on State law that utilizes several criteria, none of which is public safety.

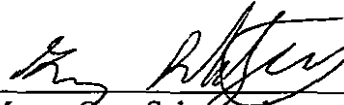
NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Golf Manor, Hamilton County, Ohio, that:

SECTION I. The Council of the Village of Golf Manor recommends to the State of Ohio that legislation be passed consistent with laws in other states and local jurisdictions in states without home-rule limitations to require setbacks and other zoning and siting requirements as well as to pass legislation that adds public safety to the siting criteria for the Ohio Power Siting Board.

SECTION II. A copy of this Resolution be spread upon the minutes of Council.

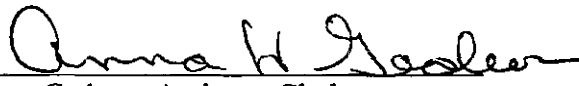
SECTION III. This Resolution shall take effect the earliest opportunity as allowable by law.

PASSED this 25th day of June, 2018.



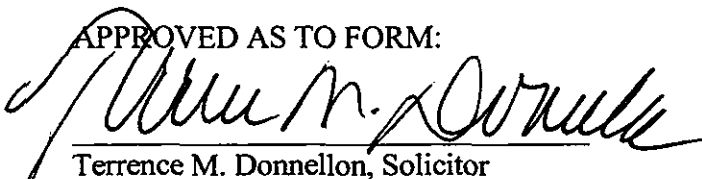
Mayor Greg Schwartzberg

ATTEST:



Anna Gedeon, Assistant Clerk

APPROVED AS TO FORM:



Terrence M. Donnellon, Solicitor

PASSED: August 13, 2018
BY: Muething

RESOLUTION NO. 2018-18

RESOLUTION ADVOCATING FOR CHANGES IN THE PROCESS FOR
GRANTING PERMITS FOR HIGH PRESSURE PIPELINES

WHEREAS, Ohio has a growing economic interest in the natural gas business, and high pressure natural gas pipelines are being installed around Ohio and the region to transmit this gas; and

WHEREAS, high pressure natural gas pipelines if ruptured or damaged, may pose significant risk to public safety and the environment due to the high operating pressure and the highly flammable, explosive and toxic properties of the products transported; and

WHEREAS, the National Transportation Board has recognized that third-party damage and pipeline right-of-way encroachment are the biggest threats to pipeline safety; and

WHEREAS, the Council of Amberley Village has expressed its concerns regarding high pressure pipelines through urban areas to the Ohio Power Siting Board and the Ohio Legislature; and

WHEREAS, the Council of Amberley Village desires to advocate for policies and regulations intended to reduce the likelihood of accidental damage to pipelines and to help reduce adverse impacts in the event of pipeline failure; and

WHEREAS, the Council of Amberley Village believes that the regulation of the proximity of high pressure pipelines carrying potential flammable products is desirable to preserve public safety and the environment and wishes to specifically advocate for minimum lot line distance requirements and other reasonable distance requirements based on zoning and building uses; and

WHEREAS, currently, in reviewing applications for a certificate of environmental compatibility and public need to allow for siting a new high pressure pipeline, the Ohio Power Siting Board relies on State law that utilizes several criteria, none of which is public safety;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF AMBERLEY VILLAGE, STATE OF OHIO, seven (7) members elected thereto concurring:

SECTION 1: The Council of Amberley Village recommends to the State of Ohio that legislation be passed consistent with the laws in other states and local jurisdictions in states without home-rule limitations to require setbacks and other zoning requirements as

well as to pass legislation that adds public safety to the siting criteria for the Ohio Power Siting Board.

SECTION 2: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed this 13th day of August, 2018.

Mayor Thomas C. Muething

Attest:

Nicole Browder, Clerk of Council

I, Clerk of Council of Amberley Village, Ohio, certify that on the ____ day of August 2018, the forgoing Resolution was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Resolution at all of the places of public notice as designed by Sec. 31.40(B), Code of Ordinances.

Nicole Browder, Clerk of Council

**VILLAGE OF EVENDALE, OHIO
RES. #18-01**

**RESOLUTION RECOMMENDING PUBLIC SAFETY AS A CRITERIA USED BY
THE OHIO POWER SITING BOARD WHEN CONSIDERING APPLICATIONS
FOR NATURAL GAS PIPELINES**

RECOGNIZING the need for the State of Ohio to strengthen requirements for siting natural gas pipelines to include public safety criteria; and **ENCOURAGING** the Ohio General Assembly to enact legislation implementing such changes.

WHEREAS, Ohio has a growing economic interest in the natural gas business, and high pressure natural gas pipelines are being installed around Ohio and the region to transmit this gas; and

WHEREAS, high pressure natural gas pipelines, if ruptured or damaged, may pose significant risk to public safety and the environment due to the products transported; and

WHEREAS, the National Transportation Safety Board has recognized that third-party damage and pipeline right-of-way encroachment are the biggest threats to pipeline safety; and

WHEREAS, the Council of the Village of Evendale is on record with its opposition to the construction of the high-pressure Duke Energy Central Corridor Pipeline Extension project, a high-pressure natural gas pipeline in the Evendale area; and

WHEREAS, the Council of the Village of Evendale desires to advocate for policies and regulations intended to reduce the likelihood of accidental damage to pipelines and to help reduce adverse impacts in the event of pipeline failure; and

WHEREAS, the Council of the Village of Evendale believes that the regulation of the proximity of high-pressure pipelines carrying potentially flammable liquids is desirable to preserve public safety and the environment; and

WHEREAS, in reviewing applications for a certificate of environmental compatibility and public need to allow for siting of a new gas pipeline, the Ohio Power Siting Board relies on State law that utilizes several criteria; now, therefore,

BE IT RESOLVED by the Council of the Village of Evendale, State of Ohio:

Section 1. That the Mayor and Council of the Village of Evendale recommend to the State of Ohio that legislation be passed consistent with laws in other states and local jurisdictions in states without home-rule limitations to require public safety to be added to the siting criteria for the Ohio Power Siting Board.

Section 2. That a copy of this Resolution be spread upon the minutes of Council.

Approved August 14, 2018

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

Notice of publication: Tri-County Press, August 22, 2018

RESOLUTION NO. 18-37, 2018

COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO

**RESOLUTION EXPRESSING CONCERN FOR THE STATE OF OHIO TO
STRENGTHEN REQUIREMENTS FOR SITING NATURAL GAS PIPELINES**

WHEREAS, Columbia Township recognizes that the State of Ohio has a growing economic interest in supplying natural gas to businesses and residents throughout the State, and high-pressure natural gas pipelines are being installed throughout Ohio and the region to transmit this gas; and

WHEREAS, high-pressure natural gas pipelines, if ruptured or damaged, can pose significant risk to public safety and the environment due to the high operating pressure and the highly flammable, explosive, and toxic properties of the products being transported within such pipelines; and

WHEREAS, Columbia Township believes that the regulation of the location of high-pressure pipelines carrying potentially flammable, explosive liquids is paramount to preserve public safety and the environment, and the Township wishes to advocate that the State of Ohio pass legislation, consistent with the laws in other states, to more closely regulate and allow for local input concerning the location of such 'pipelines within Ohio communities; and

WHEREAS, Duke Energy currently has an application pending with the Ohio Power Siting Board to construct a pressurized pipeline throughout Hamilton County.

NOW THEREFORE, BE IT RESOLVED by the Columbia Township Board of Trustees, Hamilton County, Ohio, for the benefit and welfare of Columbia Township and its citizens that:

SECTION 1. The Board of Trustees of Columbia Township recommend that the State of Ohio enact updated legislation to require appropriate and safe setbacks, allow local input from impacted jurisdictions, and require its agencies to consider public safety in the siting criteria to be considered when weighing a request to construct pressurized pipelines throughout the State of Ohio.

SECTION 2. Until updated regulations can be enacted to add public safety as a specific criteria, the Township asks that the Ohio Power Siting Board weigh public safety and the potential dangers to residents throughout Southwestern Ohio when reviewing the application by Duke Energy for the location of the natural gas pipeline within the Greater Cincinnati community.


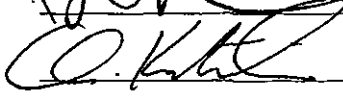
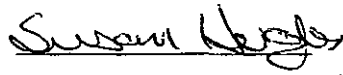
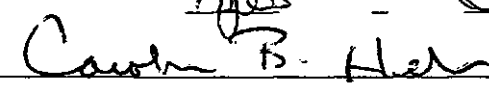
SECTION 3. A copy of this Resolution shall be presented by the Fiscal Officer to our local State Representatives and Senators and the appropriate State agencies concerning the siting of the current pipeline throughout Hamilton County, Ohio.

SECTION 4. This Resolution shall be in full force and effect from and after its passage.

Motion to accept Resolution made by: Mrs./Mr. Hughes

Seconded by: Mr./Mrs. Kritikos

VOTE:

TRUSTEE	Voting	Signature	Date
David Kubicki	<u>yes</u>		<u>12/11/18</u>
Chris Kritikos	<u>yes</u>		<u>12/11/18</u>
Susan Hughes	<u>yes</u>		<u>12/12/18</u>
ATTEST:			<u>12/11/18</u>

Caroline Heekin, Fiscal Officer

APPROVED as to form: _____

Township Legal Counsel

Passed this 11 day of December, 2018