



Mailing Address:  
139 East Fourth Street  
Cincinnati, Ohio 45202

January 18, 2022

Ms. Tanowa M. Troupe, Secretary  
Ohio Power Siting Board  
Docketing Division  
180 East Broad Street, 11<sup>th</sup> Floor  
Columbus, OH 43215-3716

Re: In the Matter of the Application of Duke Energy Ohio, Inc., for a Construction Notice for the Columbia Structure Replacement Project  
OPSB Case No. 21-985-EL-BNR  
Letter Accepting Conditions

Dear Ms. Troupe:

Duke Energy Ohio, Inc. (Duke Energy Ohio), filed a Construction Notice, pursuant to O.A.C. Chapter 4906-6, on November 12, 2021, concerning a proposed project known as the Columbia Structure Replacement Project. The Ohio Power Siting Board (OPSB) Staff issued its report recommending approval by the OPSB, provided that the following conditions are satisfied:

- (1) The Applicant shall continue to adhere to all Conditions as certified in OPSB Case No. 18-1571-EL-BNR.
- (2) The certificate authority provided in this case shall not exempt the facility from any other applicable and lawful local, state, or federal rules or regulations nor be used to affect the exercise of discretion of any other local, state, or federal permitting or licensing authority with regard to areas subject to their supervision or control.
- (3) 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, on the case docket prior to commencement of construction.
- (4) The Applicant shall conduct an archaeological reconnaissance and coordinate with the Ohio Historic Preservation Office prior to construction unless the construction will occur in portions of the project area that have been previously studied for cultural resources, or in portions of the project area that have been previously disturbed, or in portions of the project area are sloped greater than 15 degrees, or in wetlands.



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- (5) The Applicant shall contact Staff, the ODNR, and the USFWS within 24 hours if state or federal listed species are encountered during construction activities. Construction activities that could adversely impact the identified plants or animals shall be immediately halted until an appropriate course of action has been agreed upon by the Applicant, Staff, and the appropriate agencies.
  
- (6) The Applicant shall have a Staff-approved environmental specialist on site during construction activities that may affect sensitive areas. Sensitive areas may include, but are not limited to, wetlands and streams, and locations of threatened or endangered species. The environmental specialist shall be familiar with water quality protection issues and potential threatened or endangered species of plants and animals that may be encountered 21-0985-EL-BNR Staff Report of Investigation Page 5 during project construction. The environmental specialist shall have authority to stop construction to assure that unforeseen environmental impacts do not progress and recommend procedures to resolve the impact. A map shall be provided to Staff showing sensitive areas which would be impacted during construction with information on when the environmental specialist would be present.

Duke Energy Ohio adopts and accepts these required conditions and agrees to satisfy them.

Respectfully submitted,

/s/ Jeanne W. Kingery

Jeanne W. Kingery  
Associate General Counsel

cc: Theresa White