

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

**In the Matter of the Construction Notice Application of** )  
**Dominion Energy Ohio for the PIR #2364 Pipeline** ) **17-2337-GA-BNR**  
**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 February 20, 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 February 20, 2018, which is the recommended automatic approval date.

Sincerely,



Raymond W. Strom  
Chief of Siting, Efficiency and Renewables Division  
Rates and Analysis Department  
Public Utilities Commission of Ohio  
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## OPSB STAFF REPORT OF INVESTIGATION

**Case No.:** 17-2337-GA-BNR  
**Project Name:** PIR #2364 Pipeline Replacement Project  
**Project Location:** Summit County  
**Applicant:** Dominion Energy Ohio  
**Application Filing Date:** November 21, 2017  
**Filing Type:** Construction Notice  
**Inspection Date:** December 5, 2017  
**Report Date:** February 13, 2018  
**Recommended Automatic Approval Date:** February 20, 2018  
**Applicant's Waiver Requests:** none  
**Staff Assigned:** A. Holderbaum, E. Morrison

### 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 0.85 mile of existing 8-inch diameter pipeline with 15 feet of 8-inch diameter pipeline and 0.86 mile of 12-inch pipeline. The replacement pipeline would have a maximum allowable operating pressure of 225 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 also install 1,415 feet of 4-inch and 6-inch low pressure plastic piping and 1,255 feet of 8-inch and 12-inch low pressure plastic piping as part of this project.

The Applicant would utilize open cut trench construction methods. The existing pipeline would be abandoned in place as the new pipeline replaces it. The Applicant proposes to begin construction in February 2018 and place the line in-service by December 2018. The Applicant estimates the total cost of the project at \$1.5 million.

### Site Description

The section of pipeline to be replaced begins at just west of the Grant Avenue and 20<sup>th</sup> Street intersection in Cuyahoga Falls. The proposed replacement pipeline route travels east until it turns south on 9<sup>th</sup> Street where it ends slightly north of the 9<sup>th</sup> Street and Francis Avenue intersection. The surrounding land use is a mix of residential properties, mowed lawns, pavement, and sidewalks. The entire length of the replacement pipeline would be installed within existing public

right-of-way. The replacement pipeline would be offset from the existing pipeline by approximately 6 feet in order to avoid existing utilities.

### **Basis of Need**

The Applicant identified the 8-inch diameter, 4,540 foot section of pipeline for replacement to alleviate three issues. Because of the existing pipeline's small diameter, transportation capacity of the system is bottlenecked, and the Applicant's ability to conduct a complete integrity evaluation is limited. Further, the existing bare steel pipeline was installed in 1953 and has become antiquated. The proposed project would eliminate the bottleneck subsequently allowing increased, more reliable transportation of product to the downstream distribution systems, and allow the Applicant to conduct a more comprehensive evaluation of the affected system's integrity.

Unprotected (bare) steel pipe is steel pipe installed without a protective coating. As opposed to coated steel pipe, unprotected steel pipe is much more likely to suffer damage and corrosion. These destructive forces form weak points in the wall of affected pipe. The Public Utilities Commission of Ohio mandated Ohio's four major natural gas utilities to eliminate all hazardous and obsolete piping. To comply with this requirement, the Applicant developed a 25-year plan called the Pipeline Infrastructure Replacement (PIR) program. The Applicant has identified this project as a qualifier for the PIR program by eliminating approximately 4,488 feet of 8-inch bare steel piping and replacing it with approximately 4,540 feet of 12-inch coated steel main.

### **Nature of Impacts**

#### *Socioeconomic Impacts*

The replacement pipeline would be constructed in the public right-of-way along Grant Street and 9<sup>th</sup> Street, and cross under fifteen roads. Residential sidewalks and driveways would be impacted during construction. The Applicant proposes to open cut trench each road crossing, sidewalk, and driveway. The Applicant stated that it would restore all driveways, sidewalks, and roads to their prior status. Staff recommends that in situations where concrete driveways, sidewalks or parking areas would be 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 the city of Cuyahoga Falls for the appropriate road crossing and temporary driveway construction-related permits and will coordinate temporary road closures, if required, with the City of Cuyahoga Falls.

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. No previously recorded archaeological or historical features were found within or adjacent to the project area.

### *Surface Waters*

No streams, wetlands or ponds are located within the project area. No impacts to surface waters are anticipated. The Applicant has submitted a Notice of Intent for coverage under the Ohio Environmental Protection Agency General National Pollutant Discharge Elimination System Permit (NPDES). The Ohio EPA approved the NPDES permit on July 31, 2017.

Summit Metro parks, including Cascade Valley Metro Park, Gorge Metro Park, and Sand Run Metro Park, are located within one mile of the project. Cascade Valley Metro Park and Sand Run Metro Park are not located within or adjacent to the project area and would not be impacted by the project. Gorge Metro Park is located approximately 200 feet west of the project area. No ground disturbance or clearing would occur within or adjacent to the park. No impacts to these resources are anticipated.

The project does not cross a 100-year floodplain and no floodplain permit would be required.

### *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 would 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 Iowa darter (*Etheostoma exile*), the state endangered pugnose minnow (*Opsopoeodus emiliae*), the state endangered western banded killifish (*Fundulus diaphanous menona*), the state endangered American bittern (*Botaurus lentiginosus*), the state endangered black bear (*Ursus americanus*), the state endangered smooth greensnake (*Opheodrys vernalis*), the state threatened lake chubsucker (*Erimyzon sucetta*), and the state threatened spotted turtle (*Clemmys guttata*). Due to the mobility of the species, the habitat at the project site and within the vicinity of the project area, the type of work proposed, and the fact that no in-water work is proposed for the project, no impacts to these species are anticipated.

The project lies within the range of the federal species of concern bald eagle (*Haliaeetus leucocephalus*). The bald eagle is protected by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. In order to avoid any impacts to bald eagles, Staff and the USFWS recommend that no tree clearing occur within 660 feet of a bald eagle nest or within any woodlot supporting a nest tree. Work within 660 feet of a nest or within the direct line-of-site of a nest shall not occur from January 15 through July 31, in order to prevent disturbance during the egg-laying period and until the young have fledged. The USFWS indicated in their response that records for the Bald Eagle are present within 1 mile of the project area. The Applicant has committed to working with the USFWS to confirm the location of the nest and coordinate appropriate action.

### **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 February 20, 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) Damaged lawns, driveways, sidewalks, and parking areas 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) Work within 660 feet of a bald eagle nest or within the direct line of site of a nest shall be not occur from January 15 through July 31. Existing trees shall be preserved as much as possible to preserve the character of the habitat.

**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). 17-2337-GA-BNR**

Summary: Staff Report of Investigation electronically filed by Adam Bargar on behalf of Staff of OPSB