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February 16, 2018

*Via Electronic Filing*

Ms. Barcy McNeal  
Administration/Docketing  
Ohio Power Siting Board  
180 East Broad Street, 11<sup>th</sup> Floor  
Columbus, Ohio 43215-3793

**Re: Dominion Energy Ohio PIR 751 Pipeline Replacement Project,  
Case No. 17-2502-GA-BNR**

Dear Ms. McNeal:

On January 11, 2018, the Ohio Power Siting Board ("OPSB") Staff issued a Report of Investigation approving the Letter of Notification subject to a number of conditions. Within this set of conditions, **Condition No. 1** requires Dominion Energy Ohio ("DEO") provide copies of permits and authorizations, including all supporting documentation, to Staff.

In compliance with Staff Report **Condition No. 1**, and as agreed to by DEO in its Supplement filed on January 16, 2018, attached is a copy of Ohio Department of Transportation Permit (Attachment A) and the Canton Township Road Opening Permit (Attachment B).

Please do not hesitate to contact me if you have any questions.

Sincerely,

Sally W. Bloomfield

Attachments

Cc: Ashton Holderbaum (w/Attachments)  
Andrew Conway (w/Attachments)

MR 509

Permit No. **STA 43-9**  
 Amended permit-This permit  
 supercedes STA 43-8

**State of Ohio**  
**Department of Transportation**  
**Permit**

**Office Use Only**

County or  
 Jurisdiction Stark  
 Rte 43 Log Pt 10.26  
 AccCat N/A

[1] Subject to all terms, conditions, and restrictions printed, written below and on the reverse side hereof, or attached,

Name Dominion East Ohio  
 Address 320 Springside Drive Akron OH 44707  
 Phone (330) 714-0036 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.

To install a 12 inch diameter gas main, bore and install a 12 inch diameter gas carrier pipe within the ODOT right of way along SR 43, and to utilize the ODOT right of way to install a 12 inch diameter gas main outside and adjacent to the ODOT right of way at location, offsets and depth as shown on plan in Stark County. All the requirements of ODOT Supplemental Specifications shall be complied with (see attached).

[2] 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.

[3] No work authorized by this permit shall begin until the permittee has contacted and received instructions from  
Doug McElroy, County Manager Phone (330) 786-4927  
 (Authorized ODOT Employee)

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

[4] 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 12-31-2018

[5] 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.

[6] 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.

[7] Performance Bond Required? Yes ☐ No ☒

Surety Company \_\_\_\_\_

Effective Date \_\_\_\_\_ Expiration Date \_\_\_\_\_ Amount \$ \_\_\_\_\_

Permittee: \_\_\_\_\_

Director:  \_\_\_\_\_

Date: \_\_\_\_\_

Date: 01-29-2018

(See Other Side)

## 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.

**STATE OF OHIO**  
**DEPARTMENT OF TRANSPORTATION**  
**Supplemental Specifications**

**ODOT Permit #STA 43-9**

1. If the depth of any excavation is deeper than the distance from edge of the SR 43 pavement to the roadside face of excavation, sheeting shall be driven into place and bracing used, unless strong box or equivalent is used as per ODOT specifications.
2. If sheeting is used, sheeting shall be left in place and shall be cut off at least 2 foot below the proposed finished surface or subgrade in paved areas.
3. If strong box is used, the following conditions shall apply:
  - a. All excavations must be made from within the walls of the strong box.
  - b. At no time shall trench remain open without support of strong box.
  - c. Strong box must be installed as per driving method.
4. Portable concrete barrier shall be used to protect bore and receiving pit excavations and shall follow Standard Construction Drawing MT 95.41 requirements for end treatments and flare rates.
5. **This pipeline installation must meet all rules, regulations and pipeline inspection criteria contained in 49 CFR 192 and/or 49 CFR 195. If the pipeline installation is a crossing under an interstate or an interstate look-alike, the pipeline design must meet the "Level 4" requirements of 49 CFR 192. In addition, if the pipeline installation will be located within any fill material around Mechanically Stabilized Earth (MSE) Walls or within two feet of any structure foundation (i.e. bridges, culverts, etc.), the pipeline must be encased. All other installation requirements, as outlined in the Department's Utility Manual, must be met.**
6. Any non-metallic pipe installed underground, within the ODOT right of way, must be equipped with tracer wire.
7. Any reconstruction of ODOT facilities shall meet the requirements of the current ODOT Construction and Material Specifications Manual and Standard Drawings.
8. Traffic shall be maintained according to ODOT Standard Drawings and the Ohio Manual of Uniform Traffic Control Devices. Traffic shall be maintained at all times. Work zones shall be limited as not to impede the traveling public.
9. All excavations shall be backfilled with suitable material and compacted to ODOT specifications.
10. Vent pipes shall be located off of the right of way.
11. No field changes permitted without prior ODOT approval.
12. Care must be taken not to disturb other utilities.
13. Trenches are not to remain open overnight, other than what is needed to start the next days work.
14. Mounding of dirt over trench will not be permitted. Preliminary clean up will be required while working and unsuitable material hauled away.
15. In case work must be suspended because of inclement weather or other reason, the trench will be backfilled to within 3 inches of the surrounding surfaces.
16. Maintain positive drainage.

17. All trenched driveway approaches shall be backfilled with granular material and compacted to ODOT specifications (Surface shall be replaced in kind).
18. Provisions shall be made to allow for ingress and egress for all adjoining property owners.
19. ODOT shall have jurisdiction over any work in the ODOT right of way and has the authority to suspend any work for noncompliance of permit.
20. No storage of equipment or materials within the ODOT right of way shall be permitted at any time.
21. No stringing of pipe within the ODOT right of way shall be permitted.
22. No surface discharge of any liquids within the ODOT right of way shall be permitted.
23. All disturbed right of way shall be restored to its original condition or better and seed and mulched as per Item #659, ODOT specifications.
24. Shut off valves shall be in close proximity of the ODOT right of way. The facility shall be identified with suitable marking device, with name and phone number and placed at locations approved by ODOT.
25. An Ohio E.P.A. Section 401 Water Quality Certification and/or U.S. Army Corps of Engineers Section 404 Waterway Permit may be required for the proposed work. The permittee shall contact the appropriate agencies and obtain any necessary permits for this work.
26. A copy of the Ohio E.P.A. and/or U.S. Army Corps of Engineers permit, as necessary, shall be submitted to ODOT prior to starting any work within the ODOT right of way.
27. If any problems occur during the construction of this facility, all work must stop and ODOT notified immediately at (330) 786-3150.

The provisions and conditions as outlined on page 2 of 5 of this permit shall be applicable to the work to be done under this permit, including maintaining traffic and the use of barricades with lights for the safety of the traveling public, according to the requirements set forth in the Ohio Manual of Uniform Traffic Control Devices, unless otherwise herein stipulated. This work to be performed at no cost to the State of Ohio. This permit is not a substitute for satisfying the rights of any other party that may have an interest in the underlying fee.

\*Stark County along SR 43, 1650 ft. south of 17<sup>th</sup> St.

Permit No. \_\_\_\_\_  
 Receipt No. Per. 1/31/18 ✓  
 Fee: \$50.00. Chk # 135

**ROAD OPENING PERMIT**

Canton Township  
 Stark County, Ohio

**APPLICATION FOR A PERMIT TO EXCAVATE WITHIN TOWNSHIP ROADS OR ROAD RIGHT OF WAYS**

Canton Township Board of Trustees  
 4711 Central Ave. S.E.  
 Canton, OH 44707  
 330-484-2501 Road Department  
 330-484-2502 Administration

**BOARD OF TRUSTEES:**

Application is hereby made by:

Date: January 22<sup>nd</sup> 2018Name: Nicholas JustusAddress: 320 Springside Dr Akron OH 44333

street  
 Akron OH 44333  
 city state zip code

**PERMIT TO EXCAVATE**Telephone 330-664-4486

✓ \$50.00 (Circle One) Road Cut Road right-of-way

**LOCATION:**

Address: Marietta Ave. Canton Township Ohio 44730  
 street city state zip code

The purpose of this excavation is: Install a replacement 12" mainline

Work will commence on or about the middle of Febuary and will be completed on or about 90 days.  
 If this application is approved and a permit issued, the applicant agrees to comply with all the terms, conditions, and restrictions printed or written on the back of this sheet and attached hereto as "addendum", mended or supplemented above in accordance with the detailed plans submitted and attached to this application.

Signature: TDB  
 Builder/Contractor

Signature: [Signature]  
 Owner/Resident

**PERMIT**

The above application is hereby:

X Approved and permission is granted to do the work covered in the application, which work shall be one in strict conformity therewith.

       Disapproved and excavation is prohibited for the above work under penalty of law.

[Signature]  
 Authorized Permit Issuing Official

1/31/18  
 Date

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**2/16/2018 3:30:12 PM**

**in**

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

Summary: Correspondence of Dominion Energy Ohio in Compliance with Staff Report  
Condition No. 1 electronically filed by Teresa Orahod on behalf of Sally W. Bloomfield